

THE EXAMINER.

No. 69. SUNDAY, APRIL 23, 1809.

THE POLITICAL EXAMINER.

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

No. 69.

THE GROUNDS OF OPPOSING LORD FOLKESTONE'S MOTION DISCUSSED.

1. That the Motion is not specific.
2. That it tends to keep up the popular ferment.
3. That Mr. PERCEVAL has made out a Bill.

1. THOUGH such speakers as Messrs. PERCEVAL and PONSOMBY, cannot be accused of a thorough knowledge of the language, yet it certainly became them to learn what specific meant, before they brought their principal objection to this motion. The enquiry proposed by Lord FOLKESTONE had three objects; the mode of augmenting the army by levies, the traffick in commissions, and the traffick in places under government; here were three objects classified, taken out of a mass, separated from general charges of corruption, in short distinctly specified, corruption the genus, levies &c. the species. The placemen may have had very general ideas on the occasion, but they had no right to substitute their own fears in place of his Lordship's real charges. The trick of the thing is this:—the mover must not bring charges that may extend nobody knows where or to whom; he must not propose to investigate a matter, notorious to the whole kingdom, in order to trace it up to its authors and abettors: no, he must single out his man, mention his solitary case or two, and this, it is supposed, will not only occupy the House upon frivolous and wearisome particulars, but if he fails in a single instance, as Mr. WARDLE did about the first Captain MALING, though the men who sent him forward knew he was the wrong person, it affords so natural an opportunity of quashing the whole business. But how come the Ministers to be so delicately specific on a sudden? It is but a day or two since they appointed "a Committee to examine into the Abuses of East India Patronage;" here were no single cases mentioned, no persons specified, not even Mr. E. WOODFORD, or my Lord CASTLEREAGH. Are the cases then so diametrically opposite, that they must be approached in two opposite ways? Or is there a more pressing necessity for this nation to settle the affairs of Bengal than of Westminster? The fact is, that it was a very fine thing for the Ministers to say, "Here—we have given you a Committee to look into the East India Abuses—a Committee of general powers;—none of your specific circumscribed inquirers;—so that you see how willing we are to facilitate examination, where abuses really do exist;" none of them suspected that Lord CASTLEREAGH had any thing

to do with the matter, or at least that he had any thing to do that would injure him, for we have all seen how easily the Ministers will take the *ipse dixit* of the "accused," while they are shocked at the bare assertions of the "accuser." But though Lord FOLKESTONE confined his motion to the three objects specified, as arising from the evidence on the late investigation, yet both the Ministers and the Opposition deprecated the inquiry because it tended, they say, "to arraign the whole government of the country, and to create a suspicion in the public mind of its having been guilty of abuses in every department." Now granting that the whole government were arraigned in this way, what logic is it to say, that if a person arraigns one department he must be heard, but if he arraigns all, must not, because he arraigns all? It may be well enough to assume that the whole government ought not to be stigmatized because it is not guilty; but no Placeman or would-be Placeman can say that every department is innocent, or can be by any mode of reasoning defend the government from arraignment, simply because it is arraigned. This is the old artifice of making the mover say more than he has said. His Lordship, in the present motion, does not arraign the whole government; he does not say "Let us examine every department of the state and see what abuses it has;" but he says expressly, "Let us examine the matters that have appeared upon evidence before the House and see to what departments of the state the abuses belong." Now the whole government has nothing to fear from this proposition, or even to do with it, unless abuses do really exist in every department; so that, taking these exquisite logicians on their own ground, one cannot see "the convenience or policy," as Mr. PERCEVAL says, of starting up and exclaiming with such peculiar feeling, "What, my Lord, Levies, Commissions, Places, and all?" "Hess us, why you bid fair to criminate the whole government—every department of the state." The Opposition, as they are called, were peculiarly vehement on the occasion, and could not imagine why inquiry should be made into matters long past. "It is impossible," says Mr. TIERNEY, "to know to what period the Noble Lord means to carry his researches." Mr. PONSOMBY, a gentleman who "hopes that he shall not be accused of wishing to protect abuses," shies at the idea of being suspected, even though he is out of place; he feels it impossible, he says, to give a silent vote on such an occasion, and becomes indignant at certain persons who have said that "it does not signify in what hands the government is placed, for provided they are Parliamentary, the country can expect nothing but corruption." "These," proceeds Mr. PONSOMBY according to the daily papers, "are most foul, impudent, barefaced, and infamous calumnies; but I will venture to maintain, that there are in this House men as honest, as upright, as uncorrupt, and

possessing as great integrity as those who make these gross and unfounded charges." Now, setting aside this general assertion about the Parliament, and saying nothing in return of that maxim of the Constitution which has determined that no government, that is to say, no government in the present ministerial sense of the word, ought to be in Parliament, the public in this short extract have a specimen of the gall which has been excited in the breasts of the Opposition by the general disregard of their cant, and the growing contempt which is entertained for all party quarrels about this bench and that bench. Mr. PONSONBY however, in spite of what Sir FRANCIS BURDETT or any other Reformist may have said respecting parties, has either heard or apprehended very erroneously, as gentlemen in a passion sometimes do, when he says that "the House of Commons has been industriously represented in some places as having no distinction in its members, all of them being knaves and fools alike." If any man, after what has passed in that House, should dare to utter such a sentence, Mr. PONSONBY in his most conspicuous parliamentary moments has no idea of the contempt such a speech would occasion. The public do sincerely believe that there are men in the House, not indeed according to Mr. PONSONBY'S idea of virtue, "as honest, upright, and uncorrupt as those who make gross and unfounded charges," but men so honest and uncorrupt as not to make tools of themselves, and so wise too as not to make fools of themselves. And here I cannot but remind the gentle reader of the philosophical mind he should bring with him to the perusal of politics, which, in spite of their unpleasant taste to the general palate, are nevertheless of strong advantage to the public welfare, and even of healthful example to the individual. For instance, here is Mr. PONSONBY, a healthy well-disposed gentleman, in a passion: passion, says HORACE, is a short madness, *furor brevis*, and Mr. PONSONBY in his determination to make the most of it, seems to have gone down to the House with that celebrated resolution of ANACREON,

Θελω, θελω μανησαι,

"I will, I will be mad to night,"

for he no sooner wound himself up to the pitch of poetic rage, than after confounding things and persons, as I have just stated, he broke out into that memorable sentence, part of which is above quoted, "These, Sir, are most foul, impudent, and barefaced calumnies, for I will venture to maintain that there are in this House, men as honest, as upright, as uncorrupt, &c. &c. as those who make these gross and unfounded charges, and, be he who he may, I do assert and maintain, that he is not an honest public man than I am, &c. &c. &c."—all which is as much as to say—"Mr. SPEAKER—Sir—here is a set of foul, impudent, barefaced calumniators, who, whatever they may think of themselves, are not a jot better than many honest, upright, uncorrupt gentlemen whom I could mention; and I do assert and maintain, that be this beastly and barefaced calumniator who he may, I, Sir—Yes, Sir, I myself am as good a man as he."—So much for *specifying*.

II. The second objection to Lord FOLKESTONE'S motion was, that inquiry would "keep the public mind in a ferment;" and this, says Mr. PERCEVAL, is neither "convenient nor politic." Certainly: nobody advocates the policy of continued ferment; still less is it "convenient" for the ruling Ubiquitarians, who manage to be in five places

at once: but it is for this very reason that Lord FOLKESTONE and his supporters recommend inquiry. The Courtiers as well as the Reformists allow that the public mind is already in a ferment, that is, they acknowledge that the people suspect their governors of very general corruptions: the continuance therefore of this ferment they both lament; the Reformists say, "Convince the people that their suspicions are undeserved: that is the way to stop the ferment;" the Courtiers say, "No, no: let them suspect on; that is the way to stop the ferment." Now what man in his right senses can imagine, that to turn a deaf ear to the public voice at such a time as this, can have any effect but to raise the voice and double the suspicion? The truth is, that this piece of logic is a small specimen of that system of *political concealment* which arising from a mixture of rank self-love and ranker corruption, tends to withhold all information from the people, and has helped to overthrow the whole continent. Mr. PONSONBY was full of his dignified rage against Sir FRANCIS BURDETT for treating the parliamentary parties with contempt, but he took no notice, he felt no indignation, he burst into no rage at that memorable passage in the Baronet's late speech, in which he told the inhabitants of Westminster, that in the House of Commons "sentiments of contempt for the people are expressed by many in a manner the most keen, deliberate, and insulting."* The Ministers are attached to the Austrian monarchy—to the Swedish monarchy—to the Spanish Junta: what has the exclusion of the people from government-secrets done for these governments? What have the restrictions on the Press done for them? What were the inhabitants of Cadix told the other day in order to be *pacified and made friends*? If a man were to tell us now-a-days, that people had their proper voice in Parliament, we should laugh in his face; but if the people have not the proper voice there, must they have it no where? And if the voice is not allowed to rise in its proper place, is it not likely to force its way in another? If a House of real Representatives were to differ with the people, there might be a better reason for talking of public ferments; but there can be no end of your popular clamours, if a ministry and ministerial influence are to substitute themselves in the place of a people and popular influence: in such a case, the ministers of the court are the only body at issue with the people; in such a case, popular justice is not opposed to popular clamour, for there is nothing popular on the one side: it is a question not between the people and their constituents, but simply between the people and the higher orders. For instance, a man resides in a decent house with his family, and has a voice in the affairs of the parish; some of the parishioners in the service of the lord of the manor get into this house under promise of helping the occupier to manage his affairs, but upon various pretences they oust him and almost all his family from the habitation: what can the man do? His family within doors are not strong enough to redress him; and he does not like to make a riot outside: he begs admittance at the door, is refused, sees his lodgings let to the highest bidder before his face and at last, though he is loth to raise a disturbance, cannot help raising his voice: this brings the neighbours together, they raise their voices too, and then out pops a head or two from the windows with such speeches as these, "Be off, you pack of bawlers and busy-bodies, ye clamourers

* Examiner, No. 66. p. 221.

Incendiaries and conspirators!—What the deuce would ye have? Does not the house stand where it did?"—"Yes," cry the multitude, "but we want the proper persons in it."—"Proper persons, ye villains! ye want VICARY the constable." So saying, down goes the caseiment; and this is the way to allay the ferment!

III. "But," says Mr. PERCEVAL, "I will take care there are no more abuses: here is a Bill." A Bill! A Bill is certainly an excellent thing, and so is a paper box, where there is any thing in it: but let us recollect what we know of this Bill. The traffick of places under Government has been notorious for years to every body who reads the papers, or rather to the whole nation, for those who cannot read, can hear and talk and feel. "A permanent Situation in a Public Office" was almost as common an advertisement as the case of a footman out of service: you had scarcely lighted upon some fair "A. B." when you were busy with "a Place in the Excise;" jump over "a Situation in the Custom-house," and you found yourself engaged with "a Writership at Bengal;" and the moment you got rid of "Money on Security," your eye reposed on "a Seat in a Certain Assembly." These things scandalized decent men, astonished even impudent men, and above all, they went, like the knock of a taxgatherer, to the hearts of the laborious. But in the mean time nobody got up in the House of Commons to do them away; no Pittite, no Whig, no POKSONNYS ranting about honesty or CANNINGS about honour, rose up to do away the shame and the sin of these "foul and barefaced calumnies" against "the whole Government;" Mr. COBBETT, of whom I suppose it was pathetically complained by my Lord CASTLEREAGH that "some libels were so worded they could not be made an example," interweaved these advertisements over and over again into his Paper, like so many knots to his lash: but it was not till the exposure of the Duke of YORK that the matter was at all noticed by the Government, and then comes Mr. PERCEVAL with his accomplished Bill, the object of which is to do away corruption by punishing the detection of further abuse. Now I need not say much about this wide-wasting cruelty in Mr. PERCEVAL, who throws the suspicion of corruption without mercy upon all the offices in the range of his Bill, and would thus prevent every man with the feelings of a gentleman," as Mr. CANNING told Lord FOLKESTONE the other day, "from subjecting himself to such suspicion by accepting any place of public trust." Mr. CANNING perhaps sees a great deal of difference in suspecting the higher orders and casting odium on the Stamp-office, &c. &c. and indeed, while Mr. BANKES laments the resignation of the Duke of YORK, he tells us what fine things will result to the country from the dismissal of one BROWN, who held an inferior situation in the Stamp-office. But what are Bills of prevention, without any decisive practice, without any example and punishment of offence? Are there not Bills for the prevention of a thousand existing abuses, Bills which become obsolete by the very contempt and violation of them? Mr. PERCEVAL's Bill, which is itself founded on an obsolete Act of EDWARD the Sixth against the sale of offices, threatens what is to come, but it tends neither to punish nor even to detect what is past, so that old and experienced offenders are to be left in secure possession with this timely caution to make the most of what they have gained. It is not thus that common justice acts, which does not content itself with sticking up bills to warn future plunderers,

but is active in the detection of the oldest offenders, and will punish a murder though committed twenty years back: nay, it is not thus with the Government when they grow angry with the people for talking of these very corruptions; the Treasury, which at one moment is employed in setting up the public Representation to sale, is engaged with its lawyer the next in prosecuting you for speaking against the Duke of YORK; but this lawyer does not confine his huge folios to admonitions and threats against "further abuses;" he makes you pay for what is past, for what has already been written;—aye, and not only for what you have written, but for what he himself has written. Further abuses! Why the Bill says nothing of the sale of seats in Parliament; it does not even hint at elective corruption, which is the very patriarch of abuses, and will propagate as long as it lives with true vermin malignancy. Mr. PERCEVAL, on being reminded by Lord FOLKESTONE of the deficiencies in his Bill, said "he was perfectly willing to listen to the suggestions of the Noble Lord, which the House might adopt if it thought proper."—The Chinese themselves have not more meanings to one word than our political dictionaries can shew. Let the Reformists be deluded by no talk, by no trifling; let them recollect what Sir FRANCIS BURDETT said in Westminster Hall, that all our evils arose from "the want of an honest House of Commons to avenge the Constitution," and that to correct this evil "the Ministers had brought in a Bill to prevent the Sale of Places,—a measure so absurd and DELUSIVE, that notwithstanding the pompous manner in which it was introduced, had his health permitted his attendance in the House, he certainly should hardly have refrained from laughter at the proposal." If a person were to examine the Bills that have been passed since the Bill of Rights, he would see that a Minister may insert any thing that he pleases or that any body else pleases,—he may insert, if he chuses, a clause to prevent men from having the toothache,—but unless the root of the disease be cut away, unless the spirit with which such Bills are enforced be preserved by the people in Parliament, fresh pains and fresh losses will enfeeble our venerable Constitution, till a new generation, a progenies villosior, may rise up strong from mismanagement, and like the young savages of whom we read, dispatch the author of their existence as a being altogether useless. No, no: the time for Bills is gone by: the time for charms and amulets, though flourished upon never such fine paper, is gone by: we do not want promissory notes of security, such as the jugglers in the East give to the poor pearl-divers against the sharks.—let the jugglers go to the bottom first, let them kill the sharks, and then we may brave the winds and the waves for ever.

FOREIGN INTELLIGENCE.

FRANCE.

PARIS, APRIL 6.—Major La Grange, Aid-de-Camp of the Duke of Sudermania, is arrived here with a Swedish Officer, charged with dispatches from his Court.—Concerning the departure of the Emperor, nothing is known with certainty.

SPAIN.

MADRID, APRIL 2.—Gen. Sebastiani announces that Santa Cruz, at the foot of the Sierra Morena, under date

of the 29th of March, that on the 27th he descried the Spanish army of Andalusia, to which were joined a vast number of peasants, stationed in order of battle before Ciudad Real; that he advanced against them, routed and destroyed them without resistance; that on the 28th the feeble remains of that army were on the other side of the Sierra Morena; and that the produce of this affair was 4000 prisoners of war, seven standards, and 18 pieces of cannon. Among the prisoners of war are 197 officers, of whom four are Colonels, and seven Lieutenant-Colonels. A great number of the enemy were slain. More than 2000 were put to the sword by the cavalry. We have lost but 50 killed and 60 wounded. The following day the fugitives were pursued by the cavalry, and two of the enemy's Generals slain. Gen. Sebastiani was on the 29th at the foot of the Sierra Morena, and found himself on a line with the Duke of Belluno (Victor), who must already have advanced beyond Merida. At the same moment that Gen. Sebastiani captured Ciudad Real, the Duke of Belluno won the battle of Merida. The troops of reserve of Seville, Badajoz, and Andalusia, were collected together, and placed in order of battle by Gen. Cuesta, upon an elevated plain, between Doubenite and Medelito, and which was covered by the Guadiana. This army, formed in three lines, was supported by batteries. As soon as the Duke of Belluno observed this, he commanded the cavalry of Generals Lasalle and Latour Mauborg to place themselves in an oblique line; and he ordered Gen. Laval to place himself with the division of the Confederation of the Rhine, in a close column, between the above-mentioned cavalry. He strengthened him with 14 pieces of artillery, and placed the divisions Villate and Ruffin in the rear. The Duke of Belluno attacked the left wing of the enemy, and instantly threw it into confusion. The centre and right wing were also routed. Seven thousand Spaniards remained upon the field of battle; 3000 were made prisoners; the remainder are dispersed. Thirty pieces of cannon and nine colours have fallen into our hands. This important engagement has laid open Seville to us. The fugitives are pursued with the utmost activity. On the 29th of March, the advanced guard of the Duke of Belluno was already arrived on the right side of Badajoz, and it hoped to unite itself with the Duke of Dalmatia, who, it is thought, has already entered Lisbon.—(*Moniteur*, April 9.)

GERMANY.

REGENSBURG, APRIL 4.—A formidable Austrian army in Bohemia is advancing against the Bavarian frontiers.—A courier who left Passau early yesterday, has brought intelligence, that no hostilities have yet taken place. The *Hamburgh Correspondent* of the 14th, states, in letters from Vienna, dated the 1st, that the Congress for negotiating a peace between Russia and Turkey, had broken up, and that Russian troops are advancing to the Danube, and that hostilities might be expected to be renewed.

PROCLAMATION OF THE ARCHDUKE CHARLES.

The protection of our country calls us to new exploits. As long as it was possible to preserve peace by means of sacrifices, and as long as these sacrifices were consistent with the honour of the Throne, with the security of the State, and with the welfare of the people, the heart of our bountiful Sovereign suppressed every painful feeling in silence; but when all endeavours to preserve happy independence from the insatiable ambition of a foreign Conqueror prove fruitless, when nations are falling around us, and when lawful Sovereigns are torn from

the hearts of their subjects, when, in fine, the danger of universal subjugation threatens even the happy States of Austria, and their peaceable fortunate inhabitants; then does our country demand its deliverance from us, and we stand forth in its defence.

On you, my dear Brother Soldiers, are fixed the eyes of the Universe, and of all those who still feel for national honour and national prosperity. You shall not share the disgrace of becoming the tools of oppression. You shall not carry on the endless wars of ambition under distant climes. Your blood shall never flow for foreign interests and foreign covetousness; nor on you shall the curse alight to annihilate innocent nations, and over the bodies of the slaughtered defenders of their country to pave the way for a foreigner to the usurped throne. A happier lot awaits you; the liberty of Europe has taken refuge under our banners. Your victories will loose its fetters, and your brothers in Germany, yet in the ranks of the enemy, long for their deliverance. You are engaged in a just cause, otherwise I should not appear at your head.

On the fields of Ulm and Marengo, whereof the enemy so often remind us with ostentatious pride, on those fields will we renew the glorious deeds of Wurtzburgh and Ostrach, of Lippingen (Stockach) and Zurich, of Verona, of the Trebbia and Novi. We will conquer a lasting peace for our country; but the great end is not to be attained without great virtues. Unconditional subordination, strict discipline, persevering courage, and unshaken steadiness in danger, are the companions of true fortitude. Only a union of will and a joint co-operation of the whole lead to victory.

My Sovereign and Brother, has invested me with extensive powers, to reward and to punish. I will be every where in the middle of you, and you shall receive the first thanks of your country from your General on the field of battle. The patriotism of many of the Austrian Nobility has anticipated your wants: this is a pledge, in the fullest measure, of the public gratitude; but punishment shall also, with inflexible rigour, fall on every breach of duty; merit shall meet with reward, and offence with animadversion, without distinction of person, or rank; branded with disgrace, shall the worthless person be cast out, to whom life is dearer than his and our honour.—Adorned with the marks of public esteem will I present to our Sovereign, to the world, those brave men who have deserved well of their country, and whose names I will ever carry in my heart.

There remains one consideration, which I must put you in mind of; the soldier is only formidable to the enemy in arms; civil virtues must not be strangers to him: out of the field of battle, towards the unarmed citizen and peasant, he is moderate, compassionate and humane; he knows the evils of war, and strives to lighten them. I will punish every wanton excess with so much greater severity, as it is not the intention of our Monarch to oppress neighbouring countries, but to deliver them from their oppressors, and to form with their Princes a powerful bond, in order to bring about a lasting peace, and to maintain the general welfare and security. Soon will foreign troops, in strict union with us, attack the common enemy. Then, brave companions in arms! honour and support them as your brothers; not by vain-glorious high words, but many deeds, do honour to the warrior; by intrepidity before the enemy you must shew yourselves to be the first soldiers.

Thus then shall I one day lead you back to your country, followed by the respect of the enemy, and by the gratitude of foreign nations, after having secured by your arms an honourable peace, when the satisfaction of our Monarch, the approbation of the world, the rewards of valour, the blessings of your fellow-citizens, and the consciousness of deserved repose, await you.

CHARLES, Archduke, Generalissimo.

Vienna, April 6.

HOUSE OF LORDS.

Monday, April 17.

The Earl of LIVERPOOL moved the thanks of the House to the Officers and Men engaged in the capture of Martiniqua.

however, that he did not view this capture in the same light as his Majesty's Ministers; he was afraid that much embarrassment would arise in making commercial arrangements, as the sugar markets were altogether overstocked; and the unhealthiness of the climate would operate as a continued drain to our military strength.—Adjourned.

Tuesday, April 18.

SIR JOHN MOORE AND MR. FRERE.

Lord DARNLEY adverted, in terms of censure, to Mr. Frere's letters to the gallant and lamented Sir John Moore, and expressed his opinion, that the House ought to call for the production of the Instructions to that Minister, with the view, should it be deemed proper, from their perusal, to address his Majesty for his recall. The letters which had been represented at first as private, and of no consequence to the pending discussion, turned out to be directly the reverse. In fact there could be no doubt that they had been the cause of the advance of the British army from Salamanca, and of the calamitous events that had ensued thereupon.

Lord LIVERPOOL said, that he had never asserted the letters to be immaterial in themselves; but that they had no bearing upon the general question of the Campaign—the forward movement from Salamanca not having been occasioned by them, but by other causes of a totally distinct description. When he applied the term *private* to them, his meaning was that they had come into the hands of Ministers by a private channel, and had not been officially communicated by Mr. Frere, or Sir J. Moore.

Lord CARYSFORT enforced the necessity of producing the Instructions, if Ministers wished the whole of their conduct to be fairly before the House previous to the pending discussion, as to its merits. He found in the instructions to Sir J. Moore, a direction that he should, upon all occasions, pay the utmost deference and respect to the representations of his Majesty's Minister at Madrid. These words, notwithstanding all the accompanying qualifications, implied that Sir John Moore was to submit to the opinion of Mr. Frere.

Lord LIVERPOOL objected to the production of Mr. Frere's Instructions, and contended that there was nothing but what was customary in those to Sir J. Moore, under circumstances where military and political agents were to co-operate for the public service. His Lordship further asserted, that the materials on the table were amply sufficient to enable the House to come to a just decision as to the Campaign in Spain.

The Dover and Portsmouth Lines Bill was read a third time and passed.—Adjourned.

Wednesday, April 19.

No business of public interest before the House this day.

Thursday, April 20.

The Malta Prize Register Bill, and Irish Infirmary Bill, were read a third time, and passed.—Adjourned.

Friday, April 21.

CAMPAIGNS IN SPAIN AND PORTUGAL.

Earl GREY made his promised motion respecting the late wretched campaigns in Spain and Portugal—the misfortunes of which he attributed solely to the mismanagement of Ministers; and concluded a very long and pompous speech by moving an Address of Censure on Ministers.

The Earl of LIVERPOOL replied, asserting that Ministers had done all that men could do, and that the cause of Spain was still very promising.

It is quite unnecessary to enter into the arguments used in this long debate. Not a single new fact came out; the same charges were brought forward, and the same defence urged, which the public have read in all the newspapers for three months past. All was old and hackneyed—the accusation—the defence—and the result, which shewed a ministerial majority of 53, there being 92 for the address, and 145 against it.—The House adjourned at seven o'clock till Monday.

HOUSE OF COMMONS.

Monday, April 17

LORD CASTLEREAGH.

Lord A. HAMILTON said, that from the absence of several friends whose presence were of importance to the discussion, he was induced to defer his motion relative to the Report of the East India Committee from Friday next to to-morrow evening.

Lord CASTLEREAGH had no objection, as far as he was individually interested, to the postponement of the motion, provided there was an understanding that it would positively be brought forward upon the day which the Noble Lord had now appointed.

A Member gave notice, that, on the 27th of this month, he would bring forward a motion relative to the Fourth Report of the Finance Committee, as far as it concerned the Dutch Commissioners.

PUBLIC ABUSES.

Lord FOLKSTONE made his promised motion relative to the Minutes of Evidence upon the late Inquiry. All must recollect that on the late inquiry evidence of corrupt practices to a very great extent had been given; but the House could not ascertain to what lengths such corruption had gone. On one occasion that evidence was so very precise, that a Committee had been appointed, various discoveries made, and mal-practices developed. From the tenor of many other testimonies, it was plainly apparent that various places under Government had been disposed of by persons in town;—this the House could not possibly suffer to proceed without taking some steps for the punishment of the guilty, and applying a remedy to the acknowledged abuses.—Many facts had come out also, by which it was plain that much impropriety had prevailed respecting the sale of Commissions—that Officers had been appointed through the Agency of Army Brokers—and that the established Regulations of the Army had been infringed. To establish this assertion, he need only remind the House of the facts which had been developed respecting French's Levy. It appeared that at the time this levy was on foot, many other levies were going forward, and that this levy was distinguished from the rest by the attention which had been paid to it; and yet in this levy the utmost corruption had prevailed. Was not this then a sufficient ground for the interposition of the House, with respect to other levies, which, being less watched, were not of course more pure?—(Hear! hear!) When he had given his notice, these circumstances had made a great impression on his mind, and various discoveries had since been added to strengthen that impression. Such a mass of evidences had come before the East India Committee, that no person could bear a dog to ascertain the truth; and that truth was, that abuses to an enormous extent had taken place. This the House would not, he was confident, be forward to dispute; and upon the acknowledgement of this as a basis his motion rested; for if in what had been inquired into, abuses had been discovered, suspicion must attach to what had remained concealed.—(Hear! hear!)—He would now trespass no longer on the House, but reserve himself for any objections which might be made against the motion which he would submit, and which was as follows:—

That a Committee should be appointed to enquire into the existence of Corrupt Practices in the State, as to the Purchase and Sale of Commissions; and as to the issuing of Letters of Service; and that such Committee should report the result of their Proceedings to the House.

The CHANCELLOR of the EXCHEQUER could by no means agree to adopt the motion. The Noble Lord seemed to think, that from evidence which had been adduced, criminal informations should be filed against all those concerned, and that a general inquiry should immediately be instituted. Now as far as he could collect from the evidence, no distinct guilt could be brought home to any individual, and of course no criminal information could be filed. All he saw was, that certain people, under the appellation of Brokers, endeavoured to erect themselves into a sort of agency, to which they might persuade those who had offices in their gift, and who were ignorant of their do-

ception, to dispose of such offices according to their appointment. He need not give a more exact exemplification of this than the case of Mr. Thellusson, who had no corrupt knowledge of those to whom he had extended his patronage. This, in his mind, was the general character of the offence which the evidence on a late occasion went to describe, and which certainly did not go so far as to impute individual guilt, against which a criminal prosecution might be instituted; an ulterior proceeding therefore on this ground would be nugatory and inefficient. But he would even admit it might be efficient, and he would ask, ought the House to enquire into all the abuses which had taken place during the last half century? What effect could such a proceeding possibly have, except to *increase the ferment in the public mind*?—(A laugh.)—Gentlemen might laugh, and he was well convinced, there were many of those opposite him, whose conviction, though possessing the best intentions, he could not carry with him. It would be impossible to impute individual criminality, so as to institute a criminal prosecution, and therefore the inquiry would be useless; but, if those who differed from him wished to be convinced, they ought to attend seriously, and not treat the subject with ridicule. With respect to the application of a remedy, he could not see what new discovery the Noble Lord had made, and thought, for his part, the House was already in sufficient possession of the nature and quality of the case, to render any further inquiry unnecessary: indeed, still further to obviate this argument, he had himself brought forward a Bill, for the purpose of putting a stop to those agencies. After what had been discovered, Parliament had now only to look prospectively, and see what description of remedy was necessary. He would then object to the motion, because it did not go to punish any particular offender, because no further information was necessary, and because it would not be advisable to proceed on a *general surmise* that delinquency does exist.

Lord A. HAMILTON did not intend anticipating the debate on the East India Patronage, yet he was of opinion that sufficient disclosures had been already made, to negative the assertions of the Chancellor of the Exchequer. He seemed to oppose this motion, chiefly because it went to create or increase the ferment in the public mind; but he was well convinced that the most certain way to feed the discontent of the People, was to *stifle inquiry* into those abuses, the existence of which no man now could be obstinate enough to deny.

Lord FOLKESTONE said, after what had fallen from the Chancellor of the Exchequer, he found it impossible not to offer a few observations. With respect to the Bill of the Right Hon. Gentleman, he could not be expected to deliver his sentiments, as he was an utter stranger to the provisions which it contained, which he believed was the case with the majority of the House. It was said that his projected Committee could bring no particular culprit before the House; he would ask, was it possible for any man to deny that it was very possible after the evidence which had been already adduced? It was said also that the law could not punish those to whom no direct criminality could be attached. The House, however, had other methods of punishing those who transgressed its rules than those which the strict letter of a Law Court laid down. Another objection made was, that there was no specific object in his motion; his object was to *inquire into abuses, which had been proved to exist, and to bring the delinquents to summary and ample punishment*. If there was any in the House, however, who did not believe that those abuses really existed, the way for those to proceed would be to support his motion, and prove to the public the veracity of their assertion.—(Hear, hear, hear!) As the Noble Lord had justly stated, the surest way to allay the ferment of the people would be to shew them that such ferment had been causelessly excited.—(Hear, hear!)—The House ought not to shut its eyes to the state of the country; they should respect the impression which had been made on the public—institute an inquiry—punish offenders if they were found to exist; and if they did not exist, then set Government right in the popular estimation. Whether then the abuses existed or not, an inquiry ought to be instituted; or, if it was opposed, the opposition ought to come least of all from him who was the

friend and associate of those culprits on whom justice should be executed.

Lord H. PERRY said, it was the duty of that House at all times, but more particularly in times like the present, to inquire into existing abuses; but he was sure it would pause before it should adopt a course so inconsistent with its established usages. If this Committee were to be appointed, it would become a Committee of Public Accusation. He could not, therefore, agree to this motion, though he would be ready to support any rational course of inquiry founded upon distinct and specific allegations.

Mr. WHITBREAD could not reconcile it to himself to give a silent vote upon this question. All the Right Hon. Gentleman had said, did not appear to him to justify his opposition to the question. Neither could he accede to the arguments of his Noble Friend, that because the inquiry was too general, it ought not to be gone into. The Right Hon. Gentleman had not denied the existence of abuses; *the time for such a denial was gone by*; and when the existence of abuses was known, the necessity of inquiry must be obvious. He had not heard the whole of the speech of the Right Hon. Gentleman, having come into the House when he was in the middle of it. The first observation he heard from him was directed against some levity with which he supposed what he had previously said had been received. He could assure that Right Hon. Gentleman, that he was not in the habit of treating his arguments with levity; and in the serious situation in which the country was placed, such levity would be misplaced. The Right Hon. Gentleman had admitted the existence of abuses (*No! No! from the Treasury Bench*); well, if he had not, it was a right he possessed to assume it. But, whatever might be thought upon the subject within the doors of that House, it was the impression abroad that extensive abuses did exist, and would be discovered if this Committee were to be appointed. But it was said, by the Right Hon. Gentleman, that the inquiry ought not to be prosecuted, even though a discovery of abuses were to be the result, because the remedy for those abuses was contained in a Bill now in progress. That Bill he had not yet seen, and consequently could not be acquainted with its provisions. The Right Hon. Gentleman had stated, that he had received information respecting the traffic in places, carried on by Pohlman and Keylock, even before the inquiry had been instituted in that House. When the fact was mentioned, it was received with great levity; and, though the Right Hon. Gentleman was aware of the case at the time, he had nevertheless joined in the laugh. It was now known that these men were the universal agents of all persons who sought places in any department of the State; and may not they have been connected with persons in some of those departments through whom they procured the appointments in which they trafficked? It was extremely desirable to know through whose means these persons obtained the situations in the army, the church, and the other public establishments. After what had recently come to light, and the discoveries made by the Committee on East India Patronage, was the Right Hon. Gentleman surprised that a ferment existed in the public mind? A ferment did certainly exist, and an *indignant feeling* pervaded the public mind, concerning the abuses which had been detected. It was the more incumbent therefore, upon that House, to promote the inquiry proposed, in order that the guilty might be detected and punished; or if no such abuses did exist, that that fact should be made out to the satisfaction of the public. But it would be most dangerous if they were to stifle the inquiry in the first instance. As to the objection against the generality of the motion of his Noble Friend, that appeared to him not to be a sufficient ground for opposing it. He was prepared to admit, that if he had had the preparing of the motion, he should have drawn it up in a more distinct and specific form; but still its generality was not any ground for opposing it. His Noble Friend too, appeared to him to be mistaken in the view which he had taken of the Committee, when he represented it as a Committee of public accusation. The fact was, that the powers proposed to be given to the Committee, were not powers of accusation, but powers of investigation into the abuses which

existed in the State, not with a view to accusation, but to correction. He could wish that he had it in his power to say, that no abuses did exist; but he sincerely believed that corruptions existed in the various public departments, which it was desirable should be brought to light, and it was necessary to have enquired into and corrected, in order even that the Government might be safe. He did not differ in principle from his Noble Friend; but as there must be either the black or the white in the complexion of the case, the inquiry appeared indispensable, in order to ascertain which was the real colour; and the Motion should consequently have his support.

Mr. TIERNEY could not have supposed that the House would have been upon a sudden called upon to entertain this most important question without the slightest shadow of a notice. The subject in itself so important was rendered more awful by the circumstance of the public mind being heated, and he would add justly heated, by a reflection upon the abuses which had been detected. The motion of the Noble Lord literally amounted to an arraignment of the whole Government, as guilty of corruption. That was the real state of the question; and it was not without the most serious deliberation, that such accusation was to be entertained. He concurred with his Noble and Hon. Friends, that it would be disgraceful, if that House were to refuse to go into an inquiry, where distinct charges of abuse were exhibited. They owed the prosecution of such an inquiry, as a duty to the people; but they owed also a duty to Government, and were bound, from the interest they all had in its character, to protect it from general accusations, unsupported by any distinct charges of specific abuses. If they were to agree to the motion of the Noble Lord, they would not be dealing with Government as they would deal with an individual. Before he could agree to the motion, he must have cases of abuse distinctly stated; and from the distinguished sagacity and acuteness which had been evinced by that Noble Lord, he was convinced he must have many such cases, which he could produce from the mass of evidence laid before the House. Let the Noble Lord bring forward a distinct statement of such specific cases, and he should have his support on any motion he should make for inquiry into them; nay, he would gladly second such a motion. But it was not for that House to agree to the motion then under consideration, because it had pleased some persons out of that House to say that they were all corrupt. On such a subject he should not suffer himself to be influenced by any feeling which might exist out of doors, nor consent to the appointment of such a Committee as was proposed, which, without any limitation of time, upon no specific offence alleged, and without any distinct charge urged, would place all the public establishments of the State upon their trial. It might be imputed to him that he was corrupt for the vote he should give that night; but he would leave his character and his life to speak for themselves; and no cry should ever induce him to vote for the present motion.

Mr. BRAND briefly stated the ground of his dissent from the motion of his Noble Friend to be, that there was no precedent for such a proceeding, and the terms of the motion were too general.

Mr. LETHBRIDGE said, that he came down with a determination to support the motion, supposing it related to charges against particular individuals, or on specific subjects (for the people of England were looking forward to charges against particular individuals); but finding it did not, he could not give it his support. He must dissent from the present motion, and wait till the Noble Lord, or some other person, would come forward better prepared with specific charges. He could not accede to so general a motion, on the presumption that abuses prevailed in every department of the Government. He did not believe that any such existed to the extent supposed.

Mr. POWSONY hoped, that on account of the vote which he should give, he would not be accused by any man of a wish to protect abuse. The Noble Lord, who made the motion, could not be more anxious than he was to punish corrupt abuses wherever they were discovered. He could not assent to the present motion, because it look for granted that abuses did ex-

ist in every branch and department of the Government. It would have been easy for the Noble Lord to have obtained the substance of his motion in another way. He should have adopted the example of the Hon. Member who brought forward the charges against the Duke of York. That Hon. Member stated specific charges; he detailed part of the evidence that he meant to adduce in support of them, and on that fair and candid statement the House granted the Committee he required. But there never was an instance in which a Committee, with powers so unlimited, and objects so undefined, had been agreed to. The object of the motion was no less than to criminate the whole department of the State. It was impossible for him to give a silent vote when a charge so general and so serious was preferred, and particularly as there was a disposition out of doors to believe every thing that was alleged against that House. They were industriously represented as all knaves and rogues alike, and the people were told, that Parliament was so corrupt that it was of no consequence in whose hands the Government was placed. He could not agree to any motion that would sanction such infamous and impudent calumnies. There were men in the House as honest and uncorrupt as any out of doors, and much more so, he believed, than those who laboured to brand them with this general stigma. For himself, he would say that any person who made such a charge was not a whit an honest public character than he was. In whatever regarded abuses in the finances, or any particular specified department, he would go as far as any one to promote enquiry and obtain redress.

Mr. HUTCHINSON, though he could not entirely approve the form of the motion, was inclined to support it. The present moment was awful in the extreme. He wished to see the Constitution restored to its genuine purity. It was notorious that abuses did exist, which called out for examination and correction. He had no hesitation in declaring, that the system of Government followed in this country for years past was such as ought not to be continued. He was aware of the inconvenience of a Committee with such general powers. But could any man say, after what had lately appeared, that corrupt practices did not exist? He feared that great injury would be done to the public cause by thus stifling investigation. It was asked why the Noble Lord did not prefer specific charges? He had no doubt but that he was prepared with specific charges, although he might have good reasons for not stating them in the outset. The object of the motion was to strike at abuses, under whatever Government they might exist or have existed.

Mr. PARNELL observed, that the motion was not of that general nature described. The labours of the Committee, if it should be granted, would be limited to the three points of enquiry stated by the Noble Lord; French's levy, the sale of commissions in the army, and the sale of places under Government. He would give his vote for the motion if it proposed a more extensive enquiry.

Mr. C. WYNNE could not agree in the explanation of the nature of the motion given by the Hon. Member. It appeared to him to contain a general charge of a corrupt disposal of places, without any limitation as to time. He would not refuse to go into an inquiry, if a specific charge was brought forward; but he could not agree to go into charges without knowing whether the persons implicated in them were dead or alive, and in which it was not impossible the defence of the parties might rest on the testimony of witnesses long since in their grave.

Mr. T. FOLEY said, that the motion met with his hearty support. He thought that they could not discharge their duty to their constituents more effectually than by enquiring into abuses, wherever they were suspected to prevail. The people had good reasons to suspect the Government of the country.

Sir J. ANSTANTHER said, that his chief objection to the motion was, that it was too general in its object, and that it assumed that abuses did exist without stating a tittle of evidence to support such an assumption. One Gentleman arraigned the whole system of Government; and an Hon. Member and the gallery says, that the people had a right to suspect Government. The Noble Lord who brought forward the motion

cused Government of screening abuses; but why did not the persons who brought forward those charges bring forward instances to justify such assertions? Why did the noble mover make his motion so general? Why did he not come forward with facts, if any were within his knowledge? No, they were called upon to go into an inquiry they know not why. It was impossible any moderate man could agree in such a motion. If a specific case was brought forward with time, and place, and circumstance annexed to it, let it be inquired into. But an inquiry so undefined, so extravagant as this, he would oppose in the first instance, and in every stage of its progress. He would never consent to vest a Committee of that House with unknown powers, to do unheard of and unknown mischiefs.

Mr. P. MOORE hoped the Noble Lord would receive back his motion, and bring some specific case to support him, in which there appeared the strongest disposition. He understood that his motion would relate solely to some collateral matter arising out of the investigation of the charges against the Duke of York. If the Noble Lord had read the Eighth Report of the Military Inquiry, it was strange that he should have mentioned French's levy only as a subject of investigation. He might have found in that Report, that there were no less than twenty-one such levies; it would have been well worth his while to investigate into the manner in which these levies were obtained, how conducted, and the result with which they were attended. He would find that no less than 500,000*l.* of the public money had been lavished in this way, and that the produce of men had failed almost in every instance. The examination had only yet proceeded as far as 211,000*l.* of this expenditure, and it was discovered that of this sum no less than 96,000*l.* had been drawn by fraud and imposition. There was matter sufficient in these to have afforded a Committee employment for the rest of the Session.

Mr. Secretary CANNING said, it would not become a person filling the situation he did to give a silent vote. It would be impossible for him, consistent with his duty, and valuing the frame of the Constitution as it stood, not to give his most marked and decided disapprobation to the motion. In opposing it, he did not oppose a motion for a specific inquiry into abuses, but he opposed a motion that had no relation whatever to it. A specific inquiry would have fastened on individuals, or abuses; but the object of a motion so general and undefined as that before the House, could have no other purpose than to scatter general censure, to keep up a ferment in the public mind, and to do mischiefs beyond the apprehensions of those whose apprehensions were strongest. The Noble Lord had accused his Hon. Friend of a disposition to screen abuses, and had reproved the remedy which was proposed by him to prevent confederacies out of doors, for the corrupt disposal of patronage. He deprecated the practice of pointing at Government as the source of corruption. An Hon. Member under the gallery said, that the people had a right to suspect Government; another Hon. Member blamed the whole frame of the Government; and to this Committee it was proposed that the task should be delegated, of inquiring into the conduct of every man who was engaged in any one of its departments. This important investigation was to be made, not by the House itself, but by a Committee. A Committee! If ever there was an instance in which a mighty labour was to be executed by a diminutive power, it was this. He must reclaim from the Committee a task so much exceeding its powers. He could not conceive for what rational or practicable purpose this motion was brought forward. Was there no mischief in keeping a persuasion alive in the public mind, that it was the opinion of impartial men in that House, that so much rottenness and corruption existed in every part of the State, as rendered such an inquiry necessary? The motion held out no hope of immediate advantage to the People; but it held out the whole cast and class of public men to suspicion. They were all represented as eagerly struggling for Place and Power, and as having no other object but the Emoluments of Office. The emoluments of office were to be any man who considered the labours of the public man, the duties that were to be performed, the wars which he had undergone, the warfare which a public man

had to support, not only in that House, but from the malignity which assailed him out of it, and could think that these things were to be compensated by money, he did not envy such a man his feelings or frame of mind. If there was any man who could think so, it was to him a subject not of regret, but of pride, to be the object of the suspicion of such a man. The Noble Lord and his abettors might succeed in fixing this imputation on all public men, and drive them from power; in rendering them a degraded class, that he and those who support him might succeed to that ruin and degradation. He could not agree to this wide-wasting motion, without admitting the truth of assertions, for which he was persuaded there was no foundation.

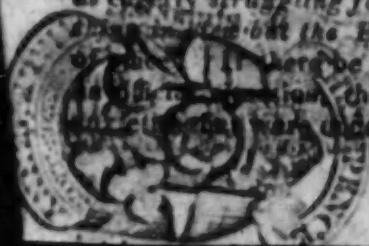
Lord FOLKESTONE said, that it was by no means his intention to bring forward charges against the whole system of the Government. The words of his motion could not be so interpreted. The motion he had made naturally arose out of the Order of the Day, which was to take the evidence on the charges against the Duke of York into farther consideration.

The House then divided:—For the motion, 30.—Against it, 178.—Majority, 148.—Adjourned.

Tuesday, April 18.

MOTION FOR PRINTING CERTAIN PAPERS LAID BEFORE THE HOUSE OF COMMONS SO FAR BACK AS THE 12th JUNE 1806, ON THE MOTION OF G. ROSE, ESQ. RELATING TO THE FOREIGN CORPS UNDER THE AGENCY OF ROBERT LUKIN, ESQ.

Mr. PETER MOORE, holding the Papers in his hand, rose for the purpose of moving, in pursuance of the notice he had given on the day before, for printing them; he said that seeing the Right Honourable Gentleman (the Chancellor of the Exchequer) opposite to him, he must first address himself to him to obtain permission on the score of economy, and as he (Mr. Moore) was a great advocate for economy, more especially at present, he would be one of the last in the House to incur any expense whatever that he did not think was imperiously called for; but although the appearance was voluminous, he could assure the Right Honourable Gentleman that for the object he had in view in bringing the contents of those papers to the knowledge of the House, they might be compressed into a comparatively small compass, and he pointed out in what manner it was to be done. His next point was to bring to the knowledge of the House a great principle on which it was necessary for them to decide, viz. how far the Secretary at War was empowered to issue imprests, and finally to approve the appropriation of the same public monies without the revision and controul of the public auditors, whose special duty it is faithfully to examine, under the oaths of office which they have taken, that all monies granted by this House for the public service are honestly and faithfully applied; and then to draw the attention of the House to the refractory conduct of two of Mr. Lukin's sub-accountants, Mr. Woodford and Mr. Gardiner, who had between them had the expenditure of near 500,000*l.* of the public money, and have refused to submit their accounts to the jurisdiction of the public auditors. Nay further, he was sorry to say that the public auditors themselves, laudably endeavouring to perform their duty, have virtually been put upon their defence as if for an improper interference. He contended that no public monies could be issued without being subject to the jurisdiction and final controul of the public auditors, which here had been repeatedly resisted, although the Board of Treasury very properly and promptly decided that the accounts in question must be submitted to the public auditors, yet, in defiance of that decision, the proper accounts are not yet delivered in. He said he obtained his information from the returns on the table, but especially from the Seventh Report of the Commissioners of Military Inquiry, which he said was by no means so full as it must have been, had these accounts been delivered in; that in fact the report is not complete, nor can be sufficiently intelligible to the House or the public, without the assistance of these papers; they contain a long correspondence between the Secretary at War, the Board of Auditors, and the Board of Treasury, in which, as he before said, the Board of Auditors have virtually placed themselves upon their defence as if against a charge for an im-



per interference in doing their duty. Those papers contain a long correspondence and exhibit matter of high political importance necessary to bring to the decision of that House. He stated that it was his intention, if he should obtain the printing of those papers, to take a distinct opinion of the House on the points before mentioned, though he was confident that with respect to the latter, having brought it to the knowledge of the Right Honourable Gentleman (the Chancellor of the Exchequer) he would officially take such measures as shall compel obedience, and support the public auditors in their functions. Mr. P. Moore concluded with moving that the papers be printed.

The CHANCELLOR of the EXCHEQUER in reply, said he did not rise to object to the motion of the Honourable Gentleman; that for his own part he did not know that the papers had not been printed, but that he was ready to accede to the Honourable Gentleman's proposition if he was satisfied they had not been printed: It would however be necessary, as the Honourable Gentleman had stated that the whole of the papers were not wanted, that the motion should be more particular than at present, as it seemed as if the whole were to be printed—that he was perfectly ready to give the Honourable Gentleman every means of information for enquiring into the subject in question, and trusted that he would select such parts thereof only as should be necessary.

The SPEAKER said it would be very easy with the officer above stairs to mark for omission such papers as were unnecessary.

The CHANCELLOR of the EXCHEQUER said, on that ground he should leave it to the selection of the Hon. Member.

Mr. S. BOURNE said, that certainly there had been a correspondence on the subject with the auditors, and that the Treasury Board had decided that the accounts should be sent to the auditors, which he understood had been done.

Mr. MOORE said, as far as the Honourable Member stated on the subject generally he was perfectly correct, and certainly the general account covering the whole of the monies issued to Mr. Lukin had been delivered in, but that the separate accounts of all the sub-accountants have not been delivered in, nor the personal examinations made as required by the auditors, because their requisitions had been resisted.—After some little conversation on the subject, the motion passed.

SMITHFIELD MARKET.

Sir CHARLES PRICE moved the second reading of the Bill for the removal of Smithfield Market.

Mr. Alderman COXNE said, that after having voted against the removal of the market in a Committee out of the House, it could not be expected he would do otherwise now, and he would therefore move that the Bill be read a second time this day six months.

Mr. H. MARTIN said, that some streets now building, and others projected by that useful charity the Foundling Hospital, would be nearly destroyed by the cattle being driven through them, if the market be removed, as he understood it was designed to be, to the fields near Bagnigge-wells. The Right Hon. Member gave a case of a lady, who is the proprietor of some streets in the neighbourhood, who would become a loser of some thousands of pounds if this Bill was carried. He concluded by recommending to the attention of the House, the immense loss of private property that would be sustained by many individuals; and declared that he concurred in the motion of the worthy Alderman.

Mr. G. ROSE supported the motion of Sir C. Price, on the ground that the present market-place was inadequate in size to contain the number of cattle that were, at times, brought to London; nor was it sufficiently large, generally speaking. In 1786 the number brought, during the year, to Smithfield, was 100,000; in the last year, 150,000 were brought. This was an increase of the quantity of cattle just one-third, consequently it was natural to expect that the market, which had not been in the least increased in size, would have more difficulty in holding them now.—The Counsel employed in drawing up the Bill had been instructed to introduce a clause, allowing

the market to be built wherever the House thought proper; and the City had already relinquished the piece of ground they had been bargaining for near Bagnigge Wells.

Mr. FULLER said, he thought the City of London should be obliged to declare what spot they had fixed on for the site of their new market. He said, he had no right to trust them, since they had publicly said they would not trust him—(A general laugh.)

Mr. WHITBREAD said, that as he had brought up a Petition from some of his constituents against the Bill, he felt it his duty to vote against it; at the same time he thought a more convenient place for holding that market might be found.

The ATTORNEY-GENERAL spoke against the Bill, on the ground that so much private property would be injured.

The Bill was thrown out without a division.

The Militia Completion Bill, after some conversation, passed the Committee.—Adjourned.

Wednesday, April 19.

Mr. TIERNEY moved that there be laid before the House an Account, shewing how the sum of two millions two hundred thousand pounds voted last year, to enable his Majesty to take such measures as the exigency of affairs might require, had been disposed of.—Ordered.

BANKRUPT BILL.

The House resolved itself into a Committee on the Bankrupt Bill.

On the Clause giving to the Lord Chancellor power to grant a certificate on an appeal by the Bankrupt, if the certificate should have been withheld by the creditors from improper motives, a long discussion took place, the Attorney-General and Mr. Jacob contending that it was more fit that the power of granting the certificate should be vested in some proportion of the creditors, than in any other tribunal.

Mr. STEPHEN contended, that the great proportion of uncertificated Bankrupts being three-eighths of the whole, proved that the interference of Parliament was necessary.

The SOLICITOR-GENERAL contended, that it was better, as the law stands, that the Bankrupt's certificate should depend on the judgment of the creditors, than of the Lord Chancellor. If, however, the clause should be rejected, he would move, that instead of four-fifths, three-fourths of the creditors, and of those only who had released the person of the Bankrupt, should be sufficient for signing the certificate.

Sir S. ROSS said, the present clause only empowered the Chancellor to interfere upon a petition by a Bankrupt who had been two years without his certificate. Now, as to fraudulent Bankrupts, all who had any experience in the Court of Chancery, knew that they obtained their certificates easier than the honest Bankrupts. Fraudulent Bankrupts always contrived to have false debts proved, in order to get themselves white-washed, according to the common phrase. He allowed the people of England were generally humane, but often great cruelties were practised, which the law should prevent. He could state one instance of cruelty within his own knowledge. A Bankrupt had been arrested at the suit of a house in the city, and one of the partners was chosen assignee. This assignee delayed for three years to make any dividend, in order that the house might not be obliged to make its election about proving under the commission. At the end of three years, however, he was obliged to make one, but he then divided his debt, proving only half. This creditor declared the Bankrupt should never go out of jail except to his grave, and his threat was accomplished. It having been stated to the Chancellor that the Bankrupt could not live more than two or three weeks longer in confinement; he appointed an early day to hear his petition, but though the decree was in his favour, the assignee contrived to have another detainer laid, which gave rise to a more protracted litigation, and his debtor never did leave the jail but for his grave; and there was no doubt but his death was owing to the obduracy of the creditor. The life of an honest man, or his perpetual imprisonment, should not depend upon the caprice of partial judges after he had fairly surrendered his effects.

After some further discussion, the Bill was gone through.—Adjourned.

Thursday, April 20.

SPAIN.

Mr. POWSONBY said, that as an article in the late treaty with Spain would admit of two interpretations, he wished to be informed whether it went to acknowledge, in any case, no other king of Spain than Ferdinand.

Mr. CANNING replied, that the treaty went to bind his Majesty in strict alliance with Spain, and of course, to the exclusive acknowledgment of Ferdinand as the lawful Sovereign; but whenever the Spanish nation should cease to consider France as her enemy, while France was ours, from that moment the treaty would be annulled.

Mr. POWSONBY wished to know the name of the Messenger who was sent with a letter by Mr. Frere to Sir John Moore, with a request that the bearer might be previously examined before a Council of War; a request, he thought, the most extraordinary that ever was made.

Mr. CANNING was not aware of the nature of the message, and he declined answering the question as to the name of the messenger. He believed his friend (Mr. Frere) did not mean to question the military authority of Sir J. Moore in what he had done.

Mr. WHITBREAD asked whether the messenger alluded to was a Frenchman or an Englishman?

Mr. CANNING believed he was a native of the country where he acted.

Mr. WHITBREAD then gave notice of a motion for the removal of Mr. Frere from his present situation.

COLONEL GORDON AND THE CHELSEA GRANT.

Mr. HUSKISSON said, that knowing the agreement which had been made between the Treasury and Col. Gordon was, that he should in no way build, so as to obstruct the Infirmary of the Hospital, he was certainly astonished at what had fallen on a former occasion from two worthy Baronets on the other side of the House; in consequence of which, he had gone himself to look at the works carrying on by Col. Gordon, when he found it to be as the worthy Baronets had stated.—He hoped, however, that this would not go against what he had formerly said, relative to the disposal of that ground. He mentioned what he had seen to his Right Hon. friend, (Mr. Perceval), and they sent people to inspect the premises. In consequence of their report, the Treasury sent for the Surveyor-General of Crown Lands; when it appeared, that a spot had been taken possession of by Colonel Gordon, without the Surveyor-General's consent. On which the Physician and Surgeon of the Hospital, with the Surveyor-General, settled on another scite wholly unexceptionable. The Papers, he would move for, were the examination of the Surveyor-General before the Treasury; as also the grounds on which the Surveyor thought the valuation of the spot of ground at 55l. a year was a fair one.

Mr. MAXWELL stated, that he had gone to see the work in question, when he was refused admittance by the workmen. He told them he was a Member of Parliament; they said they could not help that, and that it was more than their bread was worth to admit him. They were boarding up an iron gate, through which he could perceive it was a most delightful spot, which no doubt Col. Gordon would be very unwilling to part with.

Mr. LONG said, he had no knowledge of the person who had given the order. As soon as the Treasury heard the complaint of the Hon. Baronet, which was the first time they had heard of the circumstance, they had taken the necessary steps to rectify it.

Sir OSWALD MOSELEY complained of the infamous step of preventing Members from inspecting the house. He said, he had heard the order had been given by the present Commander in Chief, and believed it was so.

Mr. PERCIVAL said, he thought the order for non-admittance to the premises in question had been given, most likely, by some one immediately concerned in them.

Mr. HUSKISSON repeated, that the warrant from the Treasury directed that the House should be built in a spot where it

should not annoy the Hospital; and if any house was built in that inconvenient situation, it would be a violation of the contract.

Gen. TARLETON said, the scite of the house had been removed, and that must have been done in consequence of the discussion in that House.

Mr. LONG denied this statement. Before the subject was mentioned in the House, the Lords of the Treasury, on seeing the report of the Surgeon and Physician of the Hospital, gave orders to have the scite of the building removed, because it would be highly inconvenient.

Mr. W. WYNNE observed, that it was extraordinary no mention had been made of the opinion of the Physician and Surgeon, until the business was brought before the House.

Mr. BARNHAM thought it very desirable to have it known by whose order the Members of that House had been excluded from seeing the ground. The business had a very ugly appearance.

Mr. W. STUART said, the order was necessary, as no less than 10,000 persons had gone on Sunday to see the premises.—The motion was then agreed to.

GENERAL CLAVERING.

Sir THOMAS TURTON thought the case of Gen. Clavering different from the other cases that had come before the House, as there was no proof that there had been wilful prevarication.—It was his intention to move that Gen. Clavering be discharged.

The SPEAKER, at the suggestion of Mr. Whitbread, conceived that this proceeding was irregular and without precedent; and after some further observations, the matter dropped.

SALE OF OFFICES, &c.

Mr. PERCEVAL moved the second reading of his Bill to prevent the Sale of Offices.

Lord FOLKESTONE believed that the object of the Right Hon. Gentleman was to make the Bill as effective as possible, but still little good could be expected from Bills of Prevention. Many Bills were in existence to prevent bribery at elections, yet we all know that bribery still existed; for these Bills only made the parties more circumspect. But why had exceptions been made? Why had offices in the courts of law been exempted, when they were as exceptionable as any? Was it right that such offices should be put up to sale, connected as they were with the pure administration of justice? There was, however, a still more important exception in the Bill. It was now made clear, from the Report of the India Committee, that *Seats in Parliament were trafficked for*.—This practice had been of long standing, and he thought a provision should be made in the Bill for its prevention. The Treasury was believed to have a *great trade* in this traffic; and the Secretaries of the Treasury were the persons who carried it on. If the Right Hon. Gentleman or his friends would deny this, he should be glad to see a Committee appointed to inquire into it. He (Lord Folkestone) had never been engaged in such traffic, but he was pretty certain it was carried on to a great extent.—(*Hear! hear! from Mr. Geo. Rose in particular.*)—He even understood that previous to every election, an office was actually opened in the Treasury for the sale of these Seats to the best bidder. There had even lately been a vacancy in the House, because the person holding the Seat would not comply with the *stipulation* he had entered into with the Treasury!! It was therefore to him a matter of great surprise, that when the Right Hon. Gentleman, assisted by the Attorney and Solicitor General, had brought forward such a Bill, they should completely have kept out of view that offence which was more important than any other alluded to.

Mr. BANKES approved of the Bill, the object of which was to make the hazard of trafficking greater than the temptation.

Mr. CREVEY said, that the sale of seats by the Treasury seemed to be treated with derision by the Right Hon. Gentl (Mr. Rose), but he well knew that the Treasury were the great monopolisers of the market. He could prove this, and a Reform could alone prevent it. Under such a system, to talk of an appeal to the people, was a mere mockery; it was an appeal to the Treasury!

Mr. PERCEVAL observed, that as to the omission of offices in Courts of Law, if the sale of these offices were abolished, some remuneration must be made to the Judges, as they formed part of their emoluments. The question of trafficking for seats in Parliament would come more properly in another stage of the Bill; and if the Noble Lord would bring forward a proposition, he would consider whether it could be applied as a remedy to the evil. The Honourable Gentleman who spoke last (Mr. Crevey) when a particular charge had been made under the late Administration, to which he was attached, did not then come forward with his discoveries and his knowledge; no, he reserved all his patriotism for the present moment! Mr. Perceval concluded with again declaring, that he was most willing to attend to all the suggestions of the Noble Lord, whether relating to trafficking for places or for seats in the House.

Mr. WHITBREAD was happy to observe that the Right Hon. Gentleman agreed with the Noble Lord on the subject of trafficking for seats in that House. It was notorious that there were persons in the House who represented nothing but their own money. But why not strike at the root of the evil at once? If the Right Hon. Gentleman entertained any doubt of the extent of this traffic, let him turn to his near neighbour and colleague (Lord Castlereagh), and learn what they had done in Ireland, where a million and a half of money had been taken from the pockets of the people to purchase Boroughs! If this system was not put an end to, it would put an end to them. Though the administration of justice was pure, he did not approve of the sale of places in the Law Courts. Three different Ministers had obtained majorities in the last Parliament, and were strong enough to carry all their questions; but if the Treasury only was taken out of the market, the price of Boroughs would sink to nothing. He felt obliged both to the Noble Lord and the Right Hon. Gentleman, for the hopes now held out to the country, and trusted that the Right Hon. Gent. would not draw back from the expectations his speech had excited.

The Bill was read a second time.—Adjourned.

Friday, April 21.

There not being 40 Members present, the House adjourned.

TUESDAY'S LONDON GAZETTE.

BANKRUPTCY ENLARGED.

J. George, Carburton-street, Fitzroy-square, horse-dealer, from April 15, to June 3, at ten, at Guildhall.

BANKRUPTCY SUPERSEDED.

J. Blythe, Bristol, merchant.

BANKRUPTS.

R. P. Sayer, Essex-court, Temple, money-scrivener, to surrender April 25, at eleven, May 2, 30, at ten, at Guildhall. Attornies, Messrs. Blakelock and Makinson, Temple.

D. Pyke, Bishopsgate-street, hatter, April 22, May 13, 30, at twelve, at Guildhall. Attorney, Mr. Coote, Austin-friars.

J. Donnelly, Greek-street, milliner, April 24, at one, May 1, at twelve, 30, at ten, at Guildhall. Attorney, Mr. Cunningham, New North-street.

P. Norris, Liverpool, iron-merchant, April 29, May 6, 30, at one, at Guildhall. Attorney, Mr. Magnall, Warwick-square.

J. Neale, Chiswell-street, victualler, April 22, 29, May 30, at eleven, at Guildhall. Attorney, Mr. Earnshaw, Red-cross-street.

W. Shevill, Barr-street, dealer, April 22, 29, May 30, at one, at Guildhall. Attornies, Messrs. Kinderley and Co. Gray's Inn.

J. P. and S. R. Brather, Aldermanbury, jewellers, April 22, 29, May 30, at ten, at Guildhall. Attornies, Messrs. Frowd and Blandford, Temple.

Saml R. Brothers, Birmingham, gilt toymaker, May 8, 9, at two, 30, at eleven, at the White Hart Inn, Birmingham. Attorney, Mr. Simcox, Birmingham.

T. Hull, Bath, carrier, April 22, 29, May 30, at eleven, at the Elephant and Castle, Bath. Attorney, Mr. Mant, Bath.

CERTIFICATES—MAY 9.

J. Marriott, Burnley, Lancashire, cotton-spinner.—T. Naylor, jun, Liverpool, upholsterer.—T. Dukes, Ratcliffe-highway, shopkeeper.—W. Powley, Penrith, ironmouger.—W. Allen, Chandos-street, Covent-garden, shoemaker.—S. Miall, Wapping, brewer.

THE LONDON GAZETTE EXTRAORDINARY.

FRIDAY, APRIL 21.

Admiralty-Office, April 21.

Sir H. Neale, Bart, First Captain to Admiral Lord Gambier, arrived here this morning with a dispatch from his Lordship to the Honourable W. W. Pole, of which the following is a copy:—

SIR, Caledonia, Basque Roads, April 14.

The Almighty's favour to His Majesty and the nation has been strongly marked in the success he has been pleased to give to the operations of his Majesty's fleet under my command; and I have the satisfaction to acquaint you, for the information of the Lords Commissioners of the Admiralty, that the four following ships of the enemy, Villa de Varsovie, of 80 guns; Tonnerre, of 74 guns; Aquilon, of 74 guns; and Calcutta, of 56 guns, have been destroyed at their anchorage, and several others, from getting on shore, if not rendered altogether unserviceable, are at least disabled for a considerable time.

The arrangements of the fire-vessels placed under the direction of Captain the Right Hon. Lord Cochrane were made as fully as the state of the weather would admit, according to his Lordship's plan, on the evening of the 11th instant; and at eight o'clock on the same night they proceeded to the attack under a favourable strong wind from the northward, and flood-tide, (preceded by some vessels filled with powder and shells, as proposed by his Lordship, with a view to explosion,) and led on in the most undaunted and determined manner by Captain Woodruffe, in the Mediator fire-ship, the others following in succession, but owing to the darkness of the night several mistook their course and failed.

On their approach to the enemy's ships, it was discovered that a boom was placed in front of their line for a defence. This, however, the weight of the Mediator soon broke, and the usual intrepidity and bravery of British seamen overcame all difficulties. Advancing under a heavy fire from the forts in the isle of Aix, as well as from the enemy's ships, most of which cut or slipt their cables, and from the confined anchorage, got on shore, and thus avoided taking fire.

At daylight the following morning, Lord Cochrane communicated to me by Telegraph, that seven of the enemy's ships were on shore, and might be destroyed. I immediately made the signal for the fleet to unmoor and weigh, intending to proceed with it to effect their destruction. The wind however being afresh from the northward, and the flood tide running, rendered it too hazardous to run into Aix-road (from its shallow water) I therefore anchored again at the distance of three miles from the forts on the island.

As the tide suited, the enemy evinced great activity in endeavouring to warp their ships (which had grounded) into deep water, and succeeded in getting all but five of the line towards the entrance of the Charente, before it became practicable to attack them.

I gave orders to Capt. Bligh, of the Valiant, to proceed with that ship, the Revenge, Indefatigable, Aigle, Emerald, Pallas, Beagle, Etna bomb, Insolent gun-brig, Conflict, Encounter, Fervent, and Growler, to anchor near the Boyart Shoal, in readiness for the attack. At 20 minutes past two P. M. Lord Cochrane advanced, in the Imperieuse, with his accustomed gallantry and spirit, and opened a well-directed fire upon the Calcutta, which struck her colours to the Imperieuse; the ships and vessels above-mentioned soon after joined in the attack upon the Ville de Varsovie and Aquilon, and obliged them, before five o'clock, after sustaining a heavy

to strike their colours, when they were taken possession of by the boats of the advanced squadron. As soon as the prisoners were removed, they were set on fire, as was also the *Tonnerre*, a short time after by the enemy.

I afterwards detached Rear-Admiral R. Stopford, in the *Cæsar*, with the *Theseus*, three additional fire-ships (which were hastily prepared in the course of the day), and all the boats of the fleet, with Mr. Congreve's rockets, to conduct the further operations of the night against any of the ships which lay exposed to an attack. On the morning of the 13th, the Rear-Admiral reported to me, that as the *Cæsar* and other line of battle ships had grounded, and were in a dangerous situation, he thought it advisable to order them all out, particularly as the remaining part of the service could be performed by frigates and small vessels only: and I was happy to find that they were extricated from their perilous situation.

Captain Bligh has since informed me, that it was found impracticable to destroy the three-decked ship, and the others which were lying near the entrance of the Charente, as the former, being the outer one, was protected by three lines of boats placed in advance from her.

This ship and all the others, except four of the line and a frigate, have now moved up the river Charente. If any further attempt to destroy them is practicable, I shall not fail to use every means in my power to accomplish it.

I have great satisfaction in stating to their Lordships how much I feel obliged to the zealous co-operation of Rear-Admiral Stopford, under whose arrangement the boats of the fleet were placed; and I must also express to their Lordships the high sense I have of the assistance I received from the abilities and unremitting attention of Sir Harry Neale, Bart. the Captain of the fleet, as well as of the animated exertions of the Captain, Officers, Seamen, and Marines, under my command, and their forwardness to volunteer upon any service that might be allotted to them; particularly the zeal and activity shewn by the Captains of line of battle ships in preparing the fire vessels.

I cannot speak in sufficient terms of admiration and applause, of the vigorous and gallant attack made by Lord Cochrane upon the French line of battle ships which were on shore, as well as of his judicious manner of approaching them, and placing his ship in the position most advantageous to annoy the enemy, and preserve his own ship; which could not be exceeded by any feat of valour hitherto achieved by the British Navy.

It is due to Rear-Admiral Stopford, and Sir Harry Neale, that I should here take the opportunity of acquainting their Lordships of the handsome and earnest manner in which both these meritorious officers had volunteered their services before the arrival of Lord Cochrane to undertake an attack upon the enemy with fire-ships; and that, had not their Lordships fixed upon him to conduct the enterprize, I have full confidence that the result of their efforts would have been highly creditable to them.

I should feel that I did not do justice to the services of Captain Godfred, of the *Ætna*, in bombarding the enemy's ships on the 12th, and nearly all the day of the 13th, if I did not recommend him to their Lordships' notice; and I cannot omit bearing due testimony to the anxious desire expressed by Mr. Congreve to be employed wherever I might conceive his services in the management of his rockets would be useful; some of them were placed in the fire-ships with effect, and I have every reason to be satisfied with the artillerymen and others who had the management of them, under Mr. Congreve's direction.

I send herewith a return of the killed, wounded, and missing of the fleet, which, I am happy to observe, is comparatively small. I have not yet received the returns of the number of prisoners taken, but I conceive they amount to be between four and five hundred.

I have charged Sir Harry Neale with this dispatch (by the *Imperieuse*), and I beg leave to refer their Lordships to him, as also to Lord Cochrane, for any further particulars of which they may wish to be informed. I have the honour to be, &c.

GAMBIER.

April 15.—P.S. This morning three of the enemy's line of battle-ships are observed to be still on shore under Fouras, and one of them is in a dangerous situation. One of their frigates (*L'Indienne*), also on shore, has fallen over, and they are now dismantling her. As the tides will take off in a day or two, there is every probability that she will be destroyed.

Since writing the foregoing, I have learnt that the Hon. Lieut. Col. Cochrane (Lord Cochrane's brother), and Lieut. Bisset of the navy, were volunteers in the *Imperieuse*, and rendered themselves extremely useful, the former by commanding some of her guns on the main-deck, and the latter in conducting one of the explosion vessels.

Names of the ships in Aix Roads, previous to the Attack.

L'Océan, 120 guns, Vice Admiral Allemande, repaired in 1806; *Foudroyant*, 80, Rear Admiral Gourdon, five years old, on shore under Fouras; *Cassard*, 74, Capt. Faure, Commodore, three years old, on shore under Fouras; *Tourville*, 74, old, on shore in the river; *Regulus*, 74, five years old, on shore under Madame; *Patriote*, 74, repaired in 1803; *Jemappe*, 74, on shore under Madame; *Tonnerre*, 74, nine months old, never at sea; *Aquilon*, 74, old; *Ville de Varsovie*, 80, new, never at sea; *Calcutta*, 56, loaded with flour and military stores.

Frigates.—*Indienne*, on shore near Isle d'Enet, on her beam ends; *Elbe*, *Pallas*, and *Hortense*.

N. B.—One of the three last frigates on shore under Isle Madame.

Return of Officers, Seamen, and Marines killed, wounded, and missing.

Caledonia.—Mr. E. Fairfax, Master of the Fleet, contusion of the hip.

Cæsar.—W. Flintoft, Acting Lieutenant; T. Maddox, and J. Nelson, killed; and J. Ellis (2d) supposed to be drowned.

Theseus.—R. F. Jewers, Master's Mate, severely wounded in the head and hands by powder in the fire-ship; J. Podney, marine; and T. Williams, boy, wounded.

Imperieuse.—H. Crookman, P. Darouk, and J. Marsovick, killed. J. Mason, J. Solomon, Mr. Gilbert, Surgeon's Assistant; M. Marsden, Purser; J. Gordon, J. Sheridan, J. Hunter, J. Wheelan, M. Goud, seamen; W. Meachenton, and J. Budd, marines, wounded.

Revenge.—H. Johnson, T. Cranmer, and T. Pessy, killed. J. Garland, Lieutenant; J. Cooke, T. Whitlock, T. Tyler, D. Grey, E. Trigworth, and C. Chew, seamen; and T. Berry, J. Wiseman, T. Burn, G. Skelly, J. Weeks, J. Cooper, J. Hughes, and J. Ward, marines, wounded.

Mediator.—J. Segges, Gunner, killed. J. Wooldridge, Captain, very much burnt; N. B. Clements, and J. Pearl, Lieutenants; and M. Gibson, seaman, slightly burnt.

N. B. The last four blown out of the *Mediator* after she was set on fire.

Gibraltar.—J. Conyers, Master's Mate, badly scorched.

Total—2 Officers, 8 Men, killed; 9 Officers, 26 Men, wounded; 1 Man missing—Total, 46.

Received since the above was written.

Beagle.—J. Sutherland, seaman, wounded.

Ætna.—R. W. Charston, Midshipman, slightly wounded.

SATURDAY'S LONDON GAZETTE.

Admiralty-Office, April 22.

Copy of a Letter transmitted by Vice-Admiral Sir John Borlase Warren, Bart.

His Majesty's Ship *Horatio*, Feb. 19, 1809.

SIR,—I have the honour to acquaint you, that, in performing your orders, in the morning of the 10th inst. in Lat. 19.50 N. Long. 63.30 W. standing on the starboard tack, ship's head S, and by E. the *Driver* sloop of war under my orders, about 15 or 16 miles nearly astern, at half past ten A. M. saw a sail on our lee bow, and shortly afterwards another. In the course of an hour, we discovered the first one evidently to be an enemy's frigate, and the other one I took to be an English brig of war dodging her.

The enemy's frigate on making us out, bore right up before the wind for a short time, but very soon hauled up again. At three quarters past twelve, we met upon different tacks and came to close action, the *Horatio* wearing under the enemy's stern to get upon the same tack with her. In the early part of the action the country lost the services of the first Lieut. Manley Hall Dixon, being badly wounded, and not long after, I am sorry to say, that I received a severe wound in the shoulder by a grape shot, which obliged me to submit to quit the deck; however, the service did not suffer by that event, as the succeeding Lieutenant the Hon. George Douglas fought the ship through the action in a most gallant manner, which continued about one hour and 35 minutes. The enemy having from the beginning pointed their guns high, we were by this time a complete wreck in our masts, sails, and rigging. Notwithstanding the situation the enemy was then reduced to, she tried to effect her escape, which I knew was impossible, from the state of her rigging, and more particularly as at that time the *Superieur* (the brig I before mentioned) hailed us, and gave us information that the strange sail just seen to leeward was the *Latona*. On the *Latona's* coming within gun shot of the enemy and giving her a few guns, which she returned, and slightly wounded a few of the *Latona's* men, she immediately brought ton on the starboard tack, and every mast went by the board. She proved to be the French frigate *La Junon*, of 44 guns, and 323 men, commanded by M. Augustin Rousseau, a Member of the Legion of Honour; out from the Saints only four days, bound to France.

I now detail the loss and damages sustained by his Majesty's ship under my command.

The *Horatio* has suffered but little in her hull, from the reason already given, of the enemy's aiming particularly at our masts and rigging, which they effected, having nothing else standing but our lower masts, much wounded, and completely dismantled, all to our foresail, and the rags of our mainsail.

The number of officers, seamen, and marines, lost on this occasion to their country and their friends, are by no means considerable, when compared with the dreadful loss of the enemy, which I shall hereafter relate. The loss on board the *Horatio* consists of Mr. George Gunter, midshipman, and six seamen, killed; Mr. Andrew Lock, boatswain, and twelve seamen, badly wounded; Lieutenant Richard Blakeney, of the royal marines, Mr. Robert King, master's mate, six seamen, and two marines, slightly wounded. The loss of the enemy, as I have before stated, was all her lower masts; her hull most wonderfully cut up, making, in consequence, a great deal of water, until the shot-holes were stopped.

The loss in killed and wounded amounted to one hundred and thirty. The Captain expired soon after the action from the wounds he received.

The gallantry and good conduct of the officers and ship's company under my command, I must always remember with gratitude, and were I to enter into particulars it would be endless.

To Captain Ferrie, who commands the brig *Superieur* (one of Sir A. Cochrane's squadron), I feel much indebted for the very gallant manner in which he behaved, although I believe he had only four small carronades on board; and to Captain Pigot of the *Latona* I shall ever feel thankful for his exertions and activity in erecting jury-masts, &c. and putting the prize in a sea-worthy state.

I have much pleasure in informing you that the *Junon* appears a very fine ship, only three years old, never having been at sea before she left France, about three months ago.

I have the honour to be, &c.

G. SCOTT.

A List of Killed and Wounded.

HORATIO.—Killed—Mr. George Gunter, Midshipman, and 6 seamen. Badly wounded—George Scott, Captain; Manley Hall Dixon, Lieutenant; Andrew Lock, Boatswain; Swallow Stone, Coxswain; John Ellison, Quarter-master; Thomas Jones, Quarter-gunner; and 11 seamen.

Slightly wounded—Richard Blakeney, First Lieutenant of Royal Marines; Robert King, Master's Mate; Wm. Boyd, Quarter-master's Mate; and 6 seamen.

LATONA.—*Slightly wounded*—Mr. Hoop, Midshipman, and 5 seamen.

DRIVER.—Thomas Colville, Seaman, badly wounded.

BANKRUPTS.

R. Heath, Throgmorton-street, merchant, to surrender April 29, May 6, June 3, at one, at Guildhall. Attorney, Mr. Adams, Old Jewry.

J. Wilson, Beak-street, Golden-square, men's-mercier, April 25, May 6, June 3, at twelve, at Guildhall. Attorney, Mr. Dixon, Nassau-street, Soho.

E. Empson, Bowling-street, Westminster, victualler, April 25, May 2, June 3, at ten, at Guildhall. Attorney, Mr. Shepherd, Hyde-street, Bloomsbury.

J. Andrews, Manchester, innkeeper, May 1, 8, June 3, at two, at the Palace Inn, Manchester. Attorney, Mr. Jepson, Manchester.

W. Dapson, Lancaster, woollen-draper, May 15, at five, 16, June 3, at eleven, at the King's Arms Inn, Lancaster. Attorney, Mr. Atkinson, Lancaster.

J. Walker, East Ardsley, Yorkshire, maltster, May 25, 26, June 3, at eleven, at the Elephant and Castle, Skeldergate, York. Attorney, Mr. Seymour, York.

R. Spring, Caistor, Lincolnshire, mercer, May 11, 12, June 3, at eleven, at the George Inn, Caistor. Attorney, Mr. Nicholson, Louth, Lincolnshire.

W. Pawlett, Great Windmill-street, victualler, April 24, at twelve, May 1, at one, June 3, at ten, at Guildhall. Attorney, Mr. Cross, New Inn.

T. Wilt, Shaft's-court, London, dealer and chapman, April 24, at twelve, May 1, at one, June 3, at ten, at Guildhall. Attornies, Messrs. Barber and Cranch, Broad-street.

P. Jackson, Manchester, small-ware manufacturer, May 5, 6, June 3, at ten, at the Star Inn, Manchester. Attorney, Mr. Cooke, Salford, Lancashire.

J. and J. Parsons, Ludgate-hill, booksellers, April 29, May 6, June 3, at one, at Guildhall. Attorney, Mr. Glent, Garlick-hill, Bow-lane.

T. Adams, High-street, Borough, innholder, April 29, May 2, June 3, at ten, at Guildhall. Attorney, Mr. Williams, Cursitor-street, Chancery-lane.

J. Cooper, Irlams o'th' Eight, Lancashire, victualler, May 1, 2, June 3, at two, at the Dog Tavern, Manchester. Attornies, Messrs. Foulkes and Crosswell, Manchester.

J. Mordue, Wall's-End, Northumberland, ship-owner, April 25, at twelve, May 15, June 3, at eleven, at the George Tavern, North Shields. Attorney, Mr. Fenwick, Shields.

W. Price, Cardiff, Glamorganshire, shopkeeper, May 5, 6, June 3, at the Rummer Tavern, in All Saints-lane, Bristol. Attorney, Mr. Stephens, Bristol.

O. Newcomb, Holles-street, St. Mary-le-bone, upholsterer, April 25, May 2, June 3, at ten, at Guildhall. Attorney, Mr. Allen, Carlisle-street, Soho-square.

A. Low, Hoxton, builder, April 25, May 6, June 3, at one, at Guildhall. Attorney, Mr. Alfred, Chapel-street, Pentonville.

S. Henshall, Newman-street, shopkeeper, April 25, May 2, at eleven, June 3, at ten, at Guildhall. Attorney, Mr. Stokes, Golden-square.

W. Gillespie, Basinghall-street, tailor, April 29, May 2, June 3, at twelve, at Guildhall. Attornies, Messrs. Vandercook, and Comyn, Bush-lane, Cannon-street.

J. Eaton, Godstone, Surrey, farmer, April 29, May 6, June 3, at twelve, at Guildhall, London. Attorney, Mr. Drummond, Croydon, Surrey.

T. Ward, Broad-street, merchant, May 5, 6, June 3, at eleven, at the George Inn, King-ston-upon-Hull. Attornies, Messrs. Rosser and Son, Bartlett's-buildings, Holborn.

D. Hughes, Bangor, Carnarvonshire, druggist, April 24, 25, June 3, at eleven, at the Hotel, Carnarvon. Attorney, Mr. John Ellis, Pwllell, Carnarvonshire.

L. Whelldon, Copthall-court, Throgmorton street, packer,
May 6, 9, June 3, at ten, at Guildhall. Attorney, Mr.
Bryant, No. 2, Copthall-court.

PRICE OF STOCKS ON SATURDAY.
Consols..... 67 $\frac{1}{2}$

TO CORRESPONDENTS.

SCARECROW will think we are turned rank courtiers when we make him so many promises for nothing, but it is entirely for want of room this day, as he may easily perceive; indeed, for the same reason, we are obliged to put off the usual OPERA CRITICISM of our valuable correspondent H. R., a Miscellaneous Article on the "LIVING DEAD MEN" of the day, and one or two other articles.

THE EXAMINER.

LONDON, APRIL 23.

LORD COCHRANE has realised the hopes of his admiring country: our triumphant Squadron is at anchor in Basque Roads; and "there is no longer a Brest Fleet." The Reader will see the whole of the Gazette in the present paper. Under all the circumstances of the case, the exploit will go to the very soul of BONAPARTE. The enemy, protected by strong batteries, had eleven sail of the line, three of them three-deckers; our force, actually employed, consisted of two seventy-fours, four frigates, and seven smaller vessels with boats, and with these we burnt four sail of the line and drove the rest on shore. The entrustment of this service to LORD COCHRANE, whose political freedom is well known, does much honour to the Lords Commissioners: LORD NELSON, who differed materially with Mr. PITT, fought the battles of that Minister with a thousand times greater glory than any creature could have done. The same fine spirit of thinking that makes a true Briton incorruptible on shore makes him invincible on the waves.

The rumours of war between France and Austria are at length decided by a Proclamation of the Archduke CHARLES to his "brother soldiers." The commencement, which tells them that the country is called to "*new exploits*," is a little inconsistent with past events, and does not agree with what follows; but the tenor of the address is altogether spirited, and contains a tacit condemnation of the system upon which the Austrian cabinet acted in its late wars: "You are engaged in a just cause," says the ARCHDUKE; "*otherwise I should not appear at your head*;" this is manly and like a great soldier; and though a Government like the Austrian never thinks of making sacrifices at home, and the ARCHDUKE of course has no power to make any very brilliant domestic promises to his brother soldiers, yet a very strong appeal is made to them on the execrable system of French Conscription and on the blood which is compelled to flow for foreign interests and ambition. Spain is alluded to as an "*innocent nation*:" the ARCHDUKE is too wise to talk of the innocent government, and indeed he must at once feel humbled and elevated when he considers, that after years of Cabinet intrigue and corruption, it is only at the last moment that his sword is really set free against his enemies and that he is entrusted with full powers to try and save his country. I am afraid we must tremble for the defenders of such a Government. The ARCHDUKE's "*Sovereign and Brother*," may have "*invested him with extensive powers to reward and to punish*,"

but unless the Sovereign changes his whole policy, civil as well as military, unless he purifies his court of that old leaven of corruption which embitters the daily bread of a nation and turns the best of patriots sick, the gallant Prince will but afford the last bright laurel to the conqueror, in giving him an inevitable opportunity of overwhelming the *last great Soldier* which the cause of Europe possesses.

Instead of the French defeats which were rumoured at the beginning of the week, the *Moniteur* claims two victories for his countrymen, one by SEBASTIANI over the army of Andalusia, and the other by VICTOR over General CUESTA. If these accounts be true, the road is entirely open to Seville and Lisbon, and SOULT indeed is said to be already at Lisbon. A *Moniteur* however, which arrived yesterday, makes no mention of the further progress of the conquerors, so that the intelligence is doubtful in point of conclusion, though highly probable in point of reason. Whether CUESTA is beaten to-day or conquers to-day, the cause depends not on him: the Junta, when in their selfish fears they threw restrictions on the public voice, blunted the nerves and the swords of their own countrymen, and the time is fast approaching, when the great cloud that is heavily sailing over Europe will bend its ponderous arch to the last limits of the Continental horizon: then, even then, if Heaven blesses our prayers, the last ray of European liberty will settle on the tops of our English cliffs, and a *new world* will look to us for their dayspring. May we know how to value that light, to enlighten that world,

And stretch the ray to ages yet unborn.

THEATRICAL EXAMINER.

No. 45.

The New Comedy of Grieving's a Folly.

LYCEUM.

The Drury-lane Company, to give every thing its accordant novelty, produced last Friday a new piece from a new author, said to be a gentleman of the name of LEE. It is called *Grieving's a Folly*, and relates a double story of grief, one part imaginary and the other fictitious. The former represents a recluse, mourning the imaginary seduction of his wife, who is finally restored to him in all her purity; this is the *Stranger* softened down and laudably divested of its immoral tendency:—the latter displays the ambition of a *ci-devant* tailor, *Sir Oliver Cypress*, who in order to obtain a sentimental reputation affects to be half disaffected at the loss of his wife, and watches her picture night and day in a room hung with black; this is a copy of the sorrows of *Lady Kitty Crocodile* in one of FOOTE's farces. The author indeed has fully availed himself of his reading, from *Falstaff's* dissertation on honour and the *Adventurer's* satire on the "*Honest Fellow*," down to the pleasant exclamation in *TERENCE*, "*Mortuus sum, sepultus sum*,"—"I'm dead and buried." So far, however, imitation does honour to Mr. LEE's taste: it is only when good old characters and pleasantries are introduced abruptly and violently, that they show the unskilfulness of the borrower: a new and harmonious combination, replete with what the musicians call good *counterpoint*, is the next quality to pure invention; but the man that has a taste for SHAKESPEARE and *TERENCE*, should never condescend to copy

the Irishmen of the modern drama and the linen-draper languishment of modern novels. The serious parts of the new play put it in most danger, and were certainly the worst: A common-place joke may be endured in its worst hours, because it is a joke, and in fact, a very wretched joke has some time the same effect as a good one in provoking our laughter; but a mere common-place doled out piece of sentiment is a full dose of laudanum, which, if it fails in setting us to sleep, makes us half mad. The same feeling that induced Mr. LEE to avoid the puns of his contemporaries, should have taught him to reject their blunders, whether wilful or not: I know of no set of persons more rebellious to good taste and more obnoxious from their determined *esprit du corps*, than the united Irishmen of modern comedy. POOR JOHNSTONE in this respect is a second *REGULUS* among the Carthaginians, the representative of all his countrymen and the sufferer for all that they had done, good as well as bad; and it must be allowed that the cheerfulness with which he bears his tortures is truly Roman. In short, if Mr. LEE does not rise so nearly to originality as our best modern writers, he is at a considerable elevation above our worst by the very absence of their most vulgar faults; and he may raise himself still higher by studying models of wit as successfully as he has imitated models of humour. Contrast of character is decidedly his best talent; his style is gentlemanly and unaffected, except in the mere declamatory parts; and the moral of the piece was unexceptionable with the reserve of one single touch at the conclusion, where *Sir Oliver* is laughingly forgiven and even asked to dinner by the virtuous girl whom he would have seduced, nay, by the very father and mother of the girl, who are represented as persons of exalted virtue. This *wordly indifference* in such characters, this gross contradiction, which does violence to their nature and injury to their effect, ought certainly to be blotted out: *Sir Oliver* should be dismissed with nothing but contempt, and this the author may easily do by a dignified word or two, or a simple "*Begone*," from *Lord Mortimer* the father: there is no contrast more beautiful than the complacency with which a father turns to his family after the momentary sternness that drives away their insulter.

The actors, generally speaking, did great credit to the piece. In Mr. SIDDONS however, as *Lord Mortimer*, there was nothing remarkable but his opera hat. A melancholy recluse walking about a village in an opera hat! A man might as well appear at the Opera in a quaker's. DOWTON, in *Sir Oliver*, displayed his usual force of painting, with which he brings out the stronger emotions whether natural or affected. His lamentations at the picture of his wife were imitatively gross and theatrical, and he shifted them, as occasion served, like the turn of an ancient mask, laughing on one side and weeping on the other. The jaunty and gallant despondency with which he turned on his knees to his wife's picture, when he was detected kneeling to a different object, as if he had no time or necessity to alter the expression he had assumed, convulsed the house with laughter.

Mr. LEE, it is said, has made the actors a present of his first production, so that it deserves success upon every account, and no doubt will obtain it, in spite of the misers and methodists who have raised their uncharitable cry against the performers, and who would unite to exterminate all charity if they could, the Miser from our pockets, and the Methodist from our hearts.

PUBLIC ABUSES.

The Finance Committee have just made their Fourth Report on the Public Expenditure.—It contains an inquiry into the conduct of the Dutch Commission, which was appointed as far back as June 1795, under the Pitt Administration, when James Crawford, John Brickwood, Allen Chatfield, John Bowles, and Alexander Baxter, Esquires, were chosen Commissioners. It appears from this Report, that as no rate of compensation was fixed at their establishment, these Gentlemen thought proper to fix their own remuneration at five per cent. on the gross proceeds of the sales, which, with brokerage and interest upon balances in their hands, and what they now claim, altogether make the enormous sum of about *one hundred and thirty-three thousand pounds!*—But this did not content these patriotic Commissioners, for, say the Finance Committee—"It has indeed been discovered, in the progress of these inquiries, that the Commissioners have availed themselves of the opportunity so obviously afforded them of rendering their balances productive, but that they employed them, during the years which preceded the completion of their sales, *entirely with a view to their own emolument*. They have invested a part of them in Exchequer Bills, a part in India Bonds, and a small part in the very exceptionable article of *Bills of Exchange on private individuals, which they have discounted.*"—These balances sometimes amounted to 200,000*l.* and seldom were less than between 50 and 70,000*l.* and as these Gentlemen evidently paid every attention to *their own interest*, no doubt they must have realized a prodigious sum during the 14 years they have thus been in the habit of helping themselves out of the public property. As an excuse for their charge of 5 per cent. the Commissioners had the temerity to assert that it was "the usual Commission;" when it is well known, that 2½ per cent. on the gross proceeds, is the highest rate among merchants. So they have actually been taking one half more than they had the least shadow of claim to,—and instead of using these immense balances for the public advantage, they have turned them to their own private emolument, and have ventured even to *risk the loss* of the public money by discounting private Bills!—In their sordid career of private gain, even Mr. Pitt, their creator, was refused assistance, when in 1796, he applied to them for aid, although at that very period they had a balance in their hands of 200,000*l.*—The Finance Committee recommend that these worthy Commissioners be made to disgorge a part of their illegal profits. They say,—“On the whole, your Committee recommend that a commission of 5 per cent. on the *net* proceeds of sales should be allowed to the Commissioners, they paying the charges of their establishment.—This allowance will probably amount to not less than about 50,000*l.*; or 10,000*l.* to each Commissioner, and will be more by about 17,000*l.* than would be due to them according to the usual practice of merchants, and more by at least about 32,000*l.* than they could claim according to the precedent of 1756, to which they have appealed. The excess of this remuneration above that enjoyed by merchants, as well as above that granted in 1756, may be justified on the ground, partly of more than ordinary trouble imposed on the present Commissioners, and partly by the length of time during which their Commission has necessarily subsisted, and perhaps partly also by the circumstance of your Committee, in consequence of the omission not only of the Commissioners, but also of the Government, having to recommend a retrospective arrangement. The sum which the Commissioners will have to refund, in case

of the adoption of this suggestion, will be not less than between 60 and 70,000l. They will also fail to receive nearly 20,000l. which they appear to have expected to appropriate to their own use, for further interest and commission."—The House, it is to be hoped, will not attend to this recommendation, with which the public, they may rest assured, will not be satisfied. No; the Commissioners should be called upon to give in a statement of all the sums they have derived from the uses they have made of the large balances; and this too, they should be compelled to disgorge. The gross proceeds of the property sold amounted to one million nine hundred and thirty-three thousand pounds, upon which they wanted to charge 5 per cent. though the net sum, estimated last year, amounted only to 977,269l. The charges upon the sales, none of the items of which are given, are also immense, amounting to more than one-third of the money. This should be looked into, for though the noted John Bowles, of Anti-Jacobin memory, is one of these very Commissioners, one must not be lulled into security on that account. This Mr. Bowles, it must be confessed, has always been a great stickler for "the established order of things;" and no wonder, while "the established order" enabled him and his associates to put their hands upon the public money for their own use and benefit. One now sees at one view the object of these bawlers against innovation, these haters of Jacobins and Levellers, these altar and throne men, who were unceasing in their calls upon the People to spend their last shilling in support of "regular Government." Good Heaven!—what abominable hypocrisy! Well they might call for the "last shilling" indeed, and inveigh against all innovation, that is, all attempts to put down corruption and speculation. Of the majority of these worthy servants of the State, we know nothing but what this Report has disclosed; but as Mr. John Bowles has made rather a conspicuous figure in society, it is but just to state what he was and is:—

MR. J. BOWLES BEFORE THIS REPORT.

An Anti-Jacobin Writer; a Member of the Society for the Suppression of Vice, a Magistrate, and a stern Reformer and Punisher of petty offences in the Poor.

MR. J. BOWLES AFTER THIS REPORT.

Still a Magistrate, and a Vice Suppressor; but convicted of having for 14 years unjustly imposed the Public Money, thereby increasing the overstrained Burthens of a distressed People.

DINNER OF THE LIVERYMEN.

On Friday 400 persons assembled in the principal room of the London Tavern. After a good dinner, and a song from Mr. King, Mr. WATTMAN, the Chairman, gave "the King," afterwards "the People." He then gave "Mr. Wardle; the man who dared to be honest in the most corrupt times." After this toast had been enthusiastically re-echoed throughout the room, Mr. WATTMAN said, "he was unable to express his gratitude for the honour conferred on him. His conduct had been misrepresented in the Papers, which stated that he had paid compliments to Ministers for their candid behaviour to him during the late investigation.—He never did make them. On the second day of the inquiry, being much exhausted, he requested that the business might stand over for two days. This request being unnoticed on the side of the House where he usually sat, he frankly told the Chancellor of the Exchequer that he could not proceed, who consented

to the postponement. For this concession he complimented Ministers, and for not taking advantage of his ignorance of public concerns. If he had done less, he should have omitted a duty; if more, he should have abandoned his duty to them and himself. Why should he compliment those who had treated him as a malevolent Jacobin, a vile conspirator, as every thing but an honourable Representative in Parliament. It was also asserted that Mrs. Clarke was under his protection. But he pledged himself that the only reason for his knowledge of that Lady was to avail himself of her testimony. This explanation he disdained, on being requested, to give in another place. To them, indeed, he should always be happy to assign motives for his conduct. If they continued to be firm and moderate, the House of Commons could not continue corrupt. Public opinion must be respected. There is no ferment, but the agitation Ministers excite for their own purposes. He belonged to no party. He was anxious for a reform, which would decrease the public burthens, and restore the Citizens of the State to their just rank. For this purpose he should despise every danger. While he adhered to the generous principles by which the worthy Chairman was guided, he should never want perseverance. He then proposed "Mr. WATTMAN." After a tumultuous expression of applause,

Mr. WATTMAN referred to his public duties in the humble station he moved in during 15 years, as a pledge for his future independence. He gave "Sir F. Burdett, and a speedy and radical Reform of the Representation of the People." Next "Lord Folkestone, and may the generous fervour of public opinion not subside until the grievances of the nation are redressed."

Lord FOLKESTONE said the happiness and security of the country was to be secured only by Parliamentary Reform. No clamour about alarm, about ferment, should impede inquiry.

The CHAIRMAN next gave "Mr. Whitbread, the powerful advocate of public liberty."

Mr. WHITBREAD said, the people must support and encourage their Representatives in restoring by Reform the Blessings of the British Constitution. The utility of such support was recently evinced, for though the House of Commons was nominally beaten, the voice of the nation had rendered it victorious.

The following toasts were then given:—Mr. Alderman Combe, the only Representative of the City of London; Messrs. Coke and Curwen, Sir O. Mosely, Lord A. Hamilton, Lord Ossington, Mr. Tracey, Messrs. Brown, Byng, Lyttleton, Martin, and C. Wynn; Aldermen Dorman and Wood, and Sir S. Romilly. Also the 125 Members who voted with Mr. Wardle, the Stewards, &c.

DEATHS.

On Wednesday evening, in the prime of life, Mr. Joseph Barker, of Bath, a painter of portrait and landscape.

On the 16th inst. at her house, at Epsom, in her 77th year, Mrs. Laxton, widow of the late Rev. R. Laxton, formerly Vicar of Leatherhead, in Surrey.

On Wednesday, the 29th of March, after an illness of a few days only, of the Scarlet Fever, Frances Louisa; on Monday, the 30th of April, Laura Charlotte; and on the following Thursday, the 6th of April, Emma; daughters of J. Granville, of Stafford to, Esq.

On the 17th inst. at his house, in Craig's-court, Chancery, Dr. Pitcairn.

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