

# THE EXAMINER.

No. 168 SUNDAY, MARCH 17, 1811.

## THE POLITICAL EXAMINER.

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

No. 164.

### APPLICATION TO PARLIAMENT FOR A THIRD THEATRE.

THE reader will be startled perhaps at seeing this subject under the head of politics; but matters of taste and literature are more connected with the political character of the times than most people imagine or than the Pittites and their friends can allow; and the stage, in particular, is of importance to it, and felt to be so. It is for this reason that the Chamberlain of the Household, though an officer of very doubtful authority in this respect, has always taken care to keep his eyes upon the drama, ever since chance threw it in their way. CHARLES the 1st, who was fond of letters, used to correct plays for performance with his own hand: his successors, agreeably to the STUART policy, which was at once cunning and short-sighted, paid as great, though not a similar, attention to the stage: and the French Emperor, smitten with a regard for its interests equal to that which he entertains for the Press, has taken the Parisian theatres under his peculiar care: so peculiar indeed in every item attending their conduct, that to his other titles, he might fairly add that of Manager-General of the French stage. In his dominions, this is natural enough, and consistent with the state of things; but in England, it is not easy to see why the stage should not be put upon a footing with the press, and rendered responsible to the laws only, instead of being at the nod of one of his Majesty's servants,—a situation which tends to make both actors and authors servile, or at best, submissive. I do not say, that this power is exercised at present to any very obnoxious degree, for certainly it is not; but the chance of such an abuse is wrong in a free country. At any rate, as courtiers are apt to think every thing better for their master's interests than freedom of speech, they naturally incline to the encouragement of shew and spectacle in preference to the higher drama; and thus far the control has an undoubted tendency to injure the public taste.—But I am wandering from the main subject.

The Public are aware, that a Petition from a number of gentlemen—chiefly merchants in the city, I believe—requesting permission to erect a third theatre in the metropolis, is to be considered for the second time tomorrow in the House of Commons; and that a petition for a charter for this purpose was refused by his Majesty some little time back. The petitioners make their request upon the sole ground of the increase of London and Westminster, the population of which, it is stated,

has nearly doubled during the course of his Majesty's reign: and certainly, if this is really the sole ground upon which the petitioners could apply, and if his Majesty had no better argument for them presented to his mind, the refusal, which he was advised to give, was not very wonderful. But if such a ground, in itself, was no conclusive reason for granting what they asked, the counter-petitions presented from the other Theatre,—from the Managers of Covent-Garden, from Mr. SHERIDAN and his theatrical connexions, from Messrs. GREVILLE and ARNOLD, from Mr. TAYLOR of the Opera, and lastly, from Mr. ELLISTON of the Circus, were altogether absurd in the reasons they advanced against it. The Covent-Garden Managers, whether from a consciousness of their Mother Goose and their Blue Beards, I know not, took it for granted that a new theatre, professing to respect the legitimate drama, would be their ruin; and pathetically reminded his Majesty of the countenance he had so often shewn them by his Royal presence. Mr. SHERIDAN also, though he, of all men, ought to know what enriches and what ruins a theatre, affects the same conviction; appeals to the humanity of the King and his Council; says that the patent granted to his predecessors by Charles 2d, gives him the right of monopoly on the occasion; and supposing, for the sake of argument, that a third theatre might be necessary, talks of another patent, which he has in his possession ready for the purpose, and which he calls a reserved patent, that is to say, in plain terms, a dormant and departed one.—The petitions of Messrs. GREVILLE and ARNOLD are founded principally upon what is represented as a prior claim, which is in fact nothing more than a licence from the Chamberlain; and both these gentlemen run into the common mistake that an additional theatre must of necessity injure the rest, because it is additional. This reasoning is carried to its height of absurdity by Messrs. TAYLOR and ELLISTON, the former of whom, in contemplating the success of another English theatre, fears for the attractions of his Italian one; while the latter is equally alarmed lest a little more of the legitimate drama should entice away the class of people who visit him;—as if those who can sit out Italian operas, will have much inclination for good English plays; or those who delight in the vulgar medleys of Mr. ELLISTON's Circus, will be led away to see pieces of a higher order and actors of a less paltry ambition. The person, who is to be heard on this occasion with most respect, is Mrs. RICHARDSON, the widow of one of the Drury-lane proprietors, who finds herself with four daughters in a state of great distress in consequence of the late destruction of that theatre. But when this lady and her friends treat the application of the Petitioners as an inhumanity towards those who suffered by that event, they forget that the application looks to a public effect, and

should therefore be judged on public grounds: and in short, it is not to be concealed that the distress of the renters of Drury-lane theatre originates in the bad habits of Mr. SHERIDAN himself, and that it is as ridiculous as it is pitiable to hear him making so much noise about a concern, which he has already ruined and never can restore. Ask his own renters and performers; and hear what they say on this subject, with bitterness of regret.

It is useless however to enter into this part of the subject, and into disputes about patents and prerogatives, which have already been discussed before the Privy Council. These are matters that do not affect the main point of the expediency of erecting a new theatre; and if the reader has any curiosity to see them, he will find them at large in an account of the proceedings published last year. Will it be believed that in this account,—in this pamphlet detailing the arguments and petitions for and against, and published by the petitioners themselves with an evident feeling of conscious right,—will it be believed, that, in such a publication, the only argument, which is of real importance to the question of expediency, should be omitted? And yet, so it is; and with an apparent studiousness, that is unaccountable. This argument, which appears conclusive to every body whose opinion I have heard on the subject, is the necessity of exciting a greater spirit of emulation among theatrical managers.—The fact of an increase of population is well enough; but if the counter-petitioners can show that the theatres still remain unfilled in spite of this increase, they do away the argument as far as any arithmetical consequence is to be deduced. This however does not affect the necessity of a new stimulus to emulation; for it is very easy to prove, that even if the population of London and Westminster were only half as much as it is now said to be, a third theatre would be necessary on the same ground. The counter-petitioners very justly state that it is not of want of room the public complain: no, indeed; they complain that there is too much room in *one spot*; they complain, that *instead of one or two great theatres, in which sense and sound are lost, there are not four or five small ones, in which every body could see and hear;—in which the actor could convey his painting, and the dramatist his poetry, to the remotest corner of the house*:—in a word, they complain that a theatrical monopoly, in the hands of one or two parties, enables any persons, into whose hands it may fall, to care for nothing but their own selfish views of profit; to defy the taste of the few; corrupt the taste, perhaps the morals, of the many; and thus degrade the spirit and reputation of their countrymen.

See how completely this is borne out by facts. The Messrs. HARRIS of Covent-Garden, and the Messrs. SHERIDAN of Drury-lane, have respectively been bad managers,—the former from want of taste, and the latter from want of economy. Both of them, fancying themselves secure in their monopoly, or to use their own cant, supposing that nobody could be so inhuman upon their industry and ex-

penses as to question it, did as they pleased with the town. They left us no choice between staying away from the theatre, and going to one where we might see and hear nothing: They left us, generally speaking, no choice between staying away, and witnessing a succession of foolish "novelties," melodramas, and over-grown farces, which have since rendered our dramatic character a bye word in Europe; and lastly, they left us no choice between keeping our wives and daughters from the rational entertainment that occasionally presented itself, and suffering them to run the gauntlet through a multitude of wretched beings, who make the theatre a place of open resort. Nay, the bagnios and theatres arise equally renovated, in every respect, from their respective conflagrations; and while the former rear their unblushing fronts in the same spot in which they fell, the latter re-appear with additional conveniences, and a new luxuriance of invitation, for the confluence of evening debauchery. It may be safely said, that a more evident desire to attract was shewn, in the construction of the new theatre at Covent-Garden, towards those who do not come to see the play, than to those who do. In Paris, where nothing ought to exist that could put an Englishman to the blush for his country, the drama is confessedly superior at present to ours; and setting aside the national slavishness, the conduct of the theatres doubly comfortable and respectable. To what are these advantages owing? Simply, to the number of the theatres, which produces emulation; and to the removal, out of sight, of all that can offend the modesty, or raise the apprehensions, of decent families. Upon this latter point, which though it is certainly capable of exaggeration, is of real and considerable importance, Mr. SHERIDAN affects to doubt the intentions of the Petitioners, and at best to consider them as puritanic. For my own part, if any attention is due on this subject to an humble individual who has been no inattentive observer of the drama for some years past, I can safely say, that nothing but my duty as a journalist could induce me to visit the theatres, in their present condition, unless attracted by some excellent revival or sterling novelty; and even then I should be obliged to take much preparatory trouble in order to get a seat in which I could see and hear, and in which the females, who might happen to be with me, should not be shocked and terrified.—I sincerely regret that other subjects, pressing upon my attention, have prevented me from attending just now to the present one, till it was too late for me to do it the least justice;—but every gentleman in the House of Commons, who is prepared to regard it in it's just importance to the taste and morals of the community, will, it is hoped, declare his sentiments to-morrow night; and at any rate, do his utmost to prevent the question from dropping into one of those indifferent matters of accommodation, in which the corrupt of all sides are happy to oblige any celebrated partizan who happens to have an interest in it's defeat.

## FOREIGN INTELLIGENCE.

## PORTUGAL.

LISBON, FEB. 28.—The Spanish corps, late Romana's, have received an overthrow at Badajoz: they were about 7000 strong, and Gen. Madden had a strong corps of Portuguese cavalry. The Spaniards had posted themselves on the neck of the Guadiana. Soult was besieging Badajoz; he threw a bridge over the Guadiana, and crossed the Abaraguena, it seems, without opposition, and destroyed the Spaniards in their camp. Carrera and Mendizabel escaped; General Vara and another General, nephew to Godoy, are taken. Badajoz still holds out; the Spaniards always defend entrenchments well.

ELVAS, FEB. 22.—The Spaniards have been completely defeated, and their army dispersed. When Badajoz falls, there is nothing to stop the French cavalry from penetrating the Alentejo. Things look very gloomy on this side. It is reported that 3000 men got into Badajoz. There are in that place about 9000 men, but they have very little to eat. The French might have cut them all to pieces in the late attack, but they were humane; they called out to the runaways, have no fear, but destroy your arms, and we will not hurt you. Gen. Madden did all he could, but they positively refused to face the enemy.

## IRELAND.

DUBLIN, MARCH 1.—Mr. Walter Cox has been found guilty of publishing three libels in the *Irish Magazine*, one of a public nature, and the others upon private individuals.—The first "foul libel," as the Irish Attorney-General termed it, was under the form of a Vision:—"It represented Ireland and England as held together by a rope no thicker than a silken thread, and almost worn out with age. This rope was held by the Demon of Religious Bigotry on the one side, and by the Fiend of Discord on the other," &c. &c.

The second was an article respecting the Rev. Hayes Quead, as follows:—

"A CURIOUS DIVINE.—The Rev. H—, a Minister of the Established Church, now residing in Dublin, may be justly considered as an eccentric character. He became possessed of a considerable sum of money a short time since, as a marriage portion. This money he has embarked in several trades. Pawn-broking is a favourite speculation. St. Andrew, the patron Saint of Parish Pawn-brokers, daily witnesses the Son of the Gospel journeying to his rag bank, where he sits with his lusty partner, examining the pawns, and filling up the duplicates. When hours allowed by law are over in this shop, he adjourns to another business, which is carrying on with his assistance; this is watch-making. After labour is over at time-making, he adjourns for refreshment to a neighbouring tavern, that he has opened in company with a notorious character; and the labours of the day are finished in filthy guzzling and noisy brutality. Some few days since, he and his worthy partner in the gridiron made a requisition of all their friends, who, at the expence of a guinea each, would assist at a public feast, that was intended to celebrate the opening of the O. P.—The holy beef-stake monger took the chair on this solemn occasion; but, what sight more disgusting to the moral character, than to see this wretch surrounded by an assembly of men, picked from the most notorious of the Newgate Calendar, flying bankers, proprietors of private Stamp-offices, Val Dulcimer's corps of black legs, gaolers, turkeys, pickpockets, highwaymen, and such other of the like fraternities, as the law has yet spared from the gibbet. The noise, confusion, and vice those wretches exhibited, before the Chaplain, may be well imagined; and the depravity of their Chairman must appear of the most abandoned, profligate wretchedness.—Vice, we are told, will punish itself.—Poor H— will soon be the victim of his own profligacy. He

has fallen into hands, that will bring the divine vengeance as surely as if he was bound in gaol under sentence of death, waiting on the busy dexterity of the hangman."

The third was a libel against Mr. Luke Dignum.

"Next, gentlemen, I give you a peep at Luke S—'s benefit dinner. At the head of the table sits Luke; observe what a fine map of Newgate there is in his face. To his right is a range of bank-note makers, and further down you see Count Footpad, and his friend Size-ace, that robbed the long coach. Observe how Luke watches the silver spoons, lest any of his friends, in a mistake, might put one of them in his pocket, forgetting he is in a friend's house. The big fellow is the Major's friend; Tom Broome, the bailiff, looks ill; Dick Hayden is the man with the black eye; Luke and he had a quarrel, and this dinner reconciles the Newgate turnkey and Luke. The crowd at the head of the table are the lower order of sharpers."

Mr. Dignum addressed the Court in these words:—"As the prosecutor in this case, I humbly entreat and request, that your Lordship will have the kindness to forgive him, as I do from the bottom of my heart."

Rev. H. Queade.—"I also forgive him, if he will let me alone."

Lord NORBURY pronounced the judgment of the Court, namely, that Mr. Cox shall be pillored on Saturday, and imprisoned for twelve months for the first libel; for Dr. Queade, one month; and for Mr. Dignum, fined 6d.

MARCH 9.—This day Mr. Walter Cox stood in the pillory, pursuant to his sentence. He was cheered on coming down from the pillory, and, on re-conducting him to prison, the Police were pelted in Capel-street by the populace.—(*Dublin Evening Post.*)

## PROVINCIAL INTELLIGENCE.

On the 5th inst. Ann Prowse, a pauper of the Parish of Burgan, in Cornwall, who had for some time been confined in a state of derangement, contrived to make her escape from the persons who had charge of her, and to set fire to two dwelling-houses at Burgan, both of which were entirely consumed: the unfortunate woman then hung herself. She was found handcuffed, and the chains by which she had been fastened were on her person.

Twelve of the felon prisoners confined in the borough gaol, in Liverpool, effected their escape a few evenings ago, by knocking down the turnkey when he came to lock them up for the night. One of them stood over him with a pistol, till the rest escaped, and he then followed.

A few days since, as two lads, servants of Mr. Partridge, of Barningham, were playing, one of them took up a bunch of straw to defend himself from the other, who thrust a pitchfork through it with such violence, that it entered his head just beneath one of his eyes. He survived but a few hours.

On Monday se'night, while Mr. Dowle, jun. son of Mr. Dowle, of Oxenham, Gloucestershire, was out shooting, in passing through a hedge, with the but end of his gun advanced before him, something caught the trigger, when the piece exploded, and the whole of the charge entered his breast, some of it passing through the back part of his shoulder. Although so dreadfully injured, he contrived to walk home, where surgical assistance was procured, and he underwent a very painful operation for the extraction of the shot. He lingered, however, in excruciating pain till Friday evening, when he expired. He was an Officer in the Local Militia, and a young man highly respected.

On Monday last, an Inquisition was held at Haverfordwest, on the body of Mary Griffith, of Little Criccos.—From some strange expressions which the deceased's husband, John Griffith, made use of, and other circumstances, it was strongly suspected that he had administered poison to her—consequently the Magistrate immediately ordered the body to be taken from the grave (having been interred the day before), and examined by the Surgeons.—The Jury returned a verdict of *Willful Murder by some person or persons unknown*; and John Griffith has been committed to the county gaol to take his trial at the next Great Sessions for the supposed offence.

On Saturday week an attempt at escape was made by the prisoners at Eskmills. It appears that some suspicion of their intention having arisen, the prisoners were ordered to turn out, which they did with considerable reluctance, when a hole was discovered to have been dug under the wall, nearly communicating with the outside. The prisoners, upon learning their disappointment, became quite turbulent, and vented their rage by demolishing the windows of the house occupied by the chief in command at the place; nor could they be brought to submission till an addition to the military force arrived. An increased supply of ball cartridges has been since delivered to the soldiers; and some field-pieces have been got in readiness. Several French Officers, who were supposed to have been instigators of the disturbance, were brought to the Castle, to be confined by themselves. We hear that the cause of these discontents among the prisoners, is the want of sufficient accommodation for so great a number of people in the place where they are confined; and, to remedy this inconvenience, we understand a detachment of militia were sent off this morning to remove 500 of them to the Castle.—(Calcd. Merc.)

#### ASSIZES.

**HENRYFORD.—BARRON v. GOVENER.**—This was an action to recover damages for slandering the plaintiff in his trade of a baker, by saying to him that he was an old rogue, and sold bread short of weight. The plaintiff and defendant were both Methodists, and for a long time were friendly, but a strange parson coming down to their parish, drew away half of the attendants from the established meeting-house, and formed a new congregation. The plaintiff and the defendant took different sides in this schism—one of them adhering to the old Minister, and the other following the new one. The consequence was, that whenever they met, they reviled each other for their misdeeds; and it was found, upon several occasions, that the defendant spoke the slander alleged in the declaration, saying, that the plaintiff was a rogue, and he could prove him one; that he had robbed the defendant's family by selling them bread of short weight, &c. &c. These words were proved to have been spoken by several witnesses, and the jury found a verdict for the plaintiff—Damages 5s.

**George Watson** was indicted for stealing a black mare, the property of Wm. Whittington. The horse was left on the 24th day of August in the barn-yard of the prosecutor, from whence it was taken by the prisoner, who rode away with it; he rode hard all night, meaning to be at a great distance next morning; but not knowing the country, and the horse knowing it very well, he had travelled the lanes in a circle, and in the morning, supposing himself a great way off, he rode into a barn-yard not a quarter of a mile from where he had stolen the horse, and begged a wisp of straw to rub it down, saying he had come a distance of forty miles during the night! While he was there the horse was recognized, and he was taken into custody.—Guilty.

**WINDCHESTER.**—Auction for Crim. Con. "Palmer v. Griffiths," (the plaintiff an auctioneer and coal-merchant, and the defendant an Attorney) was tried at these Assizes—in which it appeared that the plaintiff, suspecting his wife's infidelity, placed an old washerwoman under the bed, and secreted himself in another hiding place, where, after remaining an hour and a half, they observed the defendant and the plaintiff's wife pass into an adjoining room; and soon afterwards rushing from their lurking places surprised the parties.—Verdict for the plaintiff—Damages 100l.

### IMPERIAL PARLIAMENT.

#### HOUSE OF LORDS.

There were no debates of importance in this House during the week.—On Wednesday, the Lords went into a Committee on the Debtors' Bill, when some amendments were made and the Bill was ordered to be printed. The Arrest Bill was also ordered to be printed.—And on Friday, when the Mafny Bill

was considered in a Committee, several amendments were proposed—one by Lord STANHOPE, went to enable Catholic soldiers, and all other Dissenters, to attend their own form of worship.—This was objected to as unnecessary, as a sufficient latitude was already allowed on this head,—and on a division, there was 22 to 11 against the motion.—In the course of the conversation, the Marquis of LANSDOWNE and Lord STANHOPE expressed their highest satisfaction at the change about to take place in the MILITARY PUNISHMENTS; they said, that the commutation of CORPORAL PUNISHMENTS for IMPRISONMENT would be productive of the most salutary effects in the army.—Lord STANHOPE observed, that the change had emanated from a very gallant officer, Sir Robert Wilson, and though at first condemned, had finally triumphed, because it was founded upon principle.

#### HOUSE OF COMMONS.

Monday, March 11.

#### COMMERCIAL CREDIT.

The Report of the Select Committee on the subject of Commercial Credit having been referred to a Committee of the whole House,

M. PERCEVAL observed, that though, as a general principle, parliamentary interference in these cases was mischievous, in many respects, yet there were exceptions, and this he thought was one.—Mr. Perceval then went over the Report,\* (the substance of which will be seen below.) The cause of the evil, he

\* The Select Committee report, that great embarrassments are felt among the cotton manufacturers of Glasgow and Paisley, owing to the great speculations to the South American market. Mr. Garden (Chairman of the Chamber of Commerce at Glasgow) informed the Committee, that in Glasgow and its vicinity, much distress was felt by the manufacturing body, as the merchants of London, Liverpool, and Glasgow, "conceiving that the markets of South America would consume a vast quantity of our manufactures, entered into a project of very extensive exports to those countries, and to the West India Islands, chiefly intended for the Spanish Colonies.—These expeditions not meeting a ready market, those exporters have not been able to pay the manufacturers when the bills became due; these bills were therefore returned upon the manufacturers, which created a great deal of distress," &c. &c.—It was the opinion of Mr. Garden, that the demand would, "in a great measure," come round again; that the "home trade" and "some other" markets were still open to them; and that a glut in a market is always followed by a brisk demand. He however admitted, that though these distresses were in the first instance occasioned by the want of payment for the goods vendid, yet, at the same time, the want of a market was certainly a part of the cause.—Even if there was a demand, such is the want of credit and confidence, that the manufacturers would not know whom to trust.—At Glasgow, the houses had failed to the amount of one or two millions;—several of them however would pay very large dividends.—The failures of the export-houses had arisen from their having gone greatly beyond their capital.—Mr. Garden's evidence was confirmed by Sir Robert Peel, and other manufacturers.—In Lancashire, goods had fallen 40, 50, and even 60 per cent, and the manufacturers had been obliged to reduce their establishments one-half, and some of them discharge their work-people altogether. Even where they were employed, it was at half the usual wages, which occasioned the utmost distress amongst the workmen.—The Committee also state, that great distress was felt by the importers of produce from the foreign West India Islands and from South America:—the returns to the exports to those parts came home in coffee and sugar, and there were no immediate means of realizing their value.—There were "other branches of trade, not connected with foreign commerce," that also felt these embarrassments.—Another cause of distress arose from warehousing the goods of foreigners, as, since the opening of the West India and London Docks, Great Britain has become a free port.—Our conquests, too, (of Sugar Islands) the import adds, have combined to fill

said, arose from over-speculations to South America, where there was now a glut, but that would only be temporary. That market, therefore, was not politically shut, and a new demand would arise. As to the European market, it was impossible to say when any relief could be expected from that quarter. Experience of the past, however, justified him in the hope that the operation of the present system would soon be very much relaxed. The prospect certainly was not so good as in 1793; but there were reasonable hopes, at least there was a possibility, that in twelve months, or in some not much longer time, the pressure would be relieved. He therefore thought that the relief should be granted. If it did not make us any better, it could not make us worse, but while there was a chance of its doing good, it should not be withheld.—Mr. Perceval concluded by moving, "That Exchequer Bills to the amount of six millions," &c. &c. agreeably to the recommendation of the Report.

Mr. Poxsonby should not oppose the motion, though he would make a few observations on the subject.—The present state of credit, he said, had been attributed to over-speculations to the South American markets: but who had caused this?—Why, the Right Hon. Gentleman, and his Colleagues in that House, whose exaggerated statements had taught the merchants and manufacturers to believe that South America would absorb the exports to any amount. As to our embarrassed state being but temporary, he did not believe it. Three years would not relieve the glut of the American markets. But this was not the great cause of the evil: the mischief was occasioned by the shutting up of the European markets, which the Orders in Council, as they had been told, were to have opened! Our colonies, too, now increased the evil, and our conquest of those of the enemy even added to it.—He thought the proposed plan would not be productive of good.

Mr. Huskisson was of opinion that the evil had chiefly arisen from too great a facility in procuring credit. The old race of English merchants had been eclipsed and superseded by a set of mad and extravagant speculators, who never stopped so long as they could obtain credit. Commerce had become a sort of wholesale gambling, for speculations took place on even the lowest articles of trade. He had his doubts as to the success of the measure, but he did not oppose it.

Mr. Rose denied that any improper statements had been made in that House as to the markets in South America. The plan of relief was not proposed as one which would certainly prove successful: it was brought forward as affording a chance of doing good.

Mr. H. Thurstox feared that the money advanced would not be recovered, as the capital of the parties was in a great part destroyed, by palpable losses. But he was willing to aid the distressed merchant and manufacturer upon a charitable and humane principle. The embarrassments of 1793 arose from a momentary want of confidence; but the disease of the present day was of a much more serious nature.

Mr. Curwen said, it was quite clear that public confidence was gone, and therefore the proposed relief became necessary. In L. nashire, he knew that they attributed the state of things to the nature of our relations with the United States. The agricultural interest, both in England and Scotland, now felt the evil severely.—He hoped the present haggard system would be put an end to, for it had produced all our distress.

the warehouses and to exhaust the capitals of our merchants:—  
"These causes co-operating at a period when the situation of the United States has prevented their ships from introducing into Europe that large proportion of West Indian and South American productions, of which they would have been the carriers, the effects have been more forcibly felt by our merchants." The Committee conclude by stating, that the distresses are of a very extensive nature, though not greatly felt in the woollen trade, and that Parliamentary aid would be highly necessary and expedient. They therefore propose that six millions, at the most, in Exchequer Bills, be advanced, to be repaid in quarterly instalments, the first of which should not commence before the middle of January next.

Sir ROBERT PEEL was a warm friend to the measure proposed, though he had no individual interest to gratify.

Mr. T. Baring contended, that there were political causes which led to the present distress of the commercial world. It essentially rose out of the want of markets, and would be materially relieved by any opening to the continent. An Honourable Member (Mr. Huskisson) did not concur in that opinion, because the continent had been, as it were, imperceptibly and gradually shut against this country; but it was to be considered, that while one port was open to us, it answered every purpose. He had no objection to the proposed resolution as a relief, but it by no means met the radical evil, which was the want of markets.

Mr. Wm. Smith declared his decided opposition, and if a division was intended, he would have divided against the resolution.—The Report was insufficient—it stated no information—it stated that certain persons had over-traded—were in distress, and were anxious to be relieved by public money, if they could procure it. In former cases the same pretexts were advanced for similar purposes; and it was not to be forgotten, that in the assistance advanced by the public to the West India Proprietors, a very large sum of money was now due to the public.

Sir John Newport argued that such grants, dispensed as in the case of 1793, went to derange the whole established system of commerce.

Mr. Whitbread could not help feeling dissatisfied with the Report, and curious to know by whom it had been drawn up. What was there in the circumstances of aggravation mentioned therein, which ought not to be attributed solely to the operation of our own Orders of Council prohibiting the interference of neutrals in carrying British goods and manufactures to the ports of the Continent? He had at first objected to the constitution of the Committee, no less than thirteen of whom were commercial men, and he now expressed his intention of taking a future opportunity of inquiring how many of the persons who should receive this Parliamentary relief, were Members of Parliament?

Mr. Perceval looked forward to the probability of new openings presenting themselves by degrees, and to the progressive vent of the goods now locked up in our warehouses. Those goods were in the meantime an ample security, and the relief was, in fact, not so much to the merchant himself, as to his numerous creditors. Instead of its appearing that the Orders in Council had cut off the communication between this country and the Continent, it was notorious that the Government of France had been reduced to the necessity of burning English merchandize whenever it could be found,—a decree which he would venture to say had proved already infinitely more destructive to French than to British property. He trusted, therefore, that the repeal of the Orders in Council would not be hereafter urged as the sole and necessary means of our commercial salvation.

Mr. Poxsonby contended, that the exclusion of colonial produce had an unequal effect in shutting out British produce from the Continent.

The Resolution to grant 6,000,000 of Exchequer Bills was then agreed to.

#### MUTINY BILL.—CATHOLIC SOLDIERS.—MILITARY FLOGGING.

The second reading of the Mutiny Bill being moved,

Mr. Parnell rose to move an alteration of the clause relating to the attendance of Catholic Soldiers on Divine Worship. The Honourable Gentlemen stated several cases in which private soldiers of the Catholic persuasion had suffered severely from the operation of the law as it at present stood.

The Motion was supported by Sir John Newport, Mr. Whitbread, and Mr. Hutcheson, and resisted by Lord Palmerston and others, on the ground that the law was already sufficiently mild and effectual.

The House divided—For the motion of Mr. Parnell, 13—Against it, 46.

Mr. M. Sutton proposed an Amendment in the clause which provides that Courts Martial be empowered to inflict such punishment as may appear to them commensurate with the offence, extending to loss of life, or limb, flogging, &c. The Amendment was, to give an option to the Court to order, IN LIEU

### OF CORPOREAL PUNISHMENT, THAT OF IMPRISONMENT.

Colonel Wood thought power should be given to the Court to mulct the pay of the soldier in cases of this nature.

The Bill, with the Amendments, was then ordered to be engrossed.—Adjourned.

Tuesday, March 12.

### MESSAGE FROM THE REGENT.—PORTUGAL.

A Message from the Prince Regent was brought up and read as follows:—

“GEORGE P. R.

“The Prince Regent, in the name and on the behalf of his Majesty, thinks it proper to inform the House, that the assistance which his Majesty has been enabled to afford the Portuguese Government, by maintaining a body of their troops in his pay, has been attended with great advantage to the common cause, and contributed essentially to the success of the measures for the defence of the kingdom of Portugal. The Prince Regent therefore trusts that the House of Commons will enable him to continue that assistance for the present year—and likewise to grant such further aid as circumstances and the nature of the contest in which his Majesty is engaged, may appear to require.”

Referred to the Committee of Supply on Monday.

### THE MUTINY BILL.—MILITARY FLOGGING.

On the motion for the third reading of the Mutiny Bill,

Mr. W. SMITH could not suffer the Bill to pass without directing the public attention to a part of it which he considered as a manifest and great improvement in the discipline of the army, and which therefore obtained his warmest approbation.—He alluded to the introduction of the words “or IMPRISONMENT” into the punishments to be inflicted by Courts-martial. This he hailed as a power which would gradually do away the infliction of corporal punishments, and as a wise and salutary measure. The thanks of the Army and Country were due to those who suggested and brought forward the improvement, and he trusted it would lead to the still further amelioration of the condition of the soldier.

Mr. MACLEOD doubted it: he wished to know whether this imprisonment was to take place in the guard-room, black-hole, or county gaol?

Mr. MANNERS SUTTON said he had introduced the general expression of “Imprisonment,” because by any specification he might embarrass Courts-martial. He held it to be no easy matter in all barracks or quarters to allot a room for the purpose of carrying those sentences into execution. He did not mean the common guard room, which was open to the other soldiers, but left the place to the discretion of the Courts-martial, and the Act was in no ways imperative upon them.

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

Wednesday, March 13.

The 14th Report of the Commissioners of Military Inquiry was presented and ordered to lie on the table.

Mr. PERCEVAL, in a Committee, moved a Resolution respecting the funding of 12,000,000*l.* of Exchequer Bill:—“that every person who brought Bills issued from April 1, 1810, to the 16th of March, 1811, and carried the same to the Exchequer between the 21st and 27th of this month, shall be entitled to receive for every one hundred, 1*l.* 3*s.* 14*d.* The interest commencing in January last, to be paid out of the Consolidated Fund.”—Adjourned.

Thursday, March 14.

Lord FOLKESTONE's motion on the subject of Ex-officio Informations for Libel, was to have been brought forward this day; but at four o'clock, on counting the House, only 35 Members were present, and an adjournment of course took place.

Friday, March 15.

Lord FOLKESTONE gave notice, that he should on Tuesday bring forward his motion respecting Ex-officio Prosecutions.

### NAVY ESTIMATES.

The House having gone into a Committee of

Supply, entered upon various statements respecting the naval expenses. He estimated the salaries of the Admiralty and Navy Offices, for 1811, at 176,520*l.*—Expences of the Dock-yards, at 188,006*l.*—Salaries of Commissioners of Out Ports and Foreign Yards, at 47,935*l.*—Ships in Ordinary, 79,526*l.*—Victualling Department, 111,163*l.*—Half-pay, 270,000*l.*—Pensions, &c. 61,636*l.*—Extraordinary Charges for the repair of ships and improvements in Dock-yards, 2,046,200*l.*—Victualling on Foreign Stations, 1,113,894*l.*—Transport Service, 4,063,000*l.*—In most of these heads, a considerable addition had been made since last year.—Mr. Yorke concluded by moving the first Resolution.

Mr. HUTCHINSON thought that the Marine Corps were labouring under disadvantages, which ought to be removed.—The Officers should have better opportunities for promotion.

Mr. YORKE admitted that there was some distinction between the Marine and other Corps as to promotion; but it was to be remembered that the Officers never purchased their Commissions.

Mr. HUSKISSON said, that considering the present reduced state of the French navy, he thought there was no necessity for our building more ships at present, particularly in merchant docks, which occasioned an immense expense to the nation.

Mr. YORKE replied, that no new orders for building ships had been given, but those on the stocks must be finished. It was the intention of Ministers, in future, to have a certain number of ships built at stated periods, to keep our naval ascendancy. The French navy was certainly reduced; but then they were all in port, ready to sail on the first favourable opportunity. We must, therefore, be prepared for them. The enemy was making vast exertions to augment his marine, and he possessed many advantages for that purpose. At present even he counted 64 sail of the line, and 46 frigates, making 110 ships of war.

Mr. BANKES expected that there would have been a reduction rather than an addition to our expences this year.—Our finances were the weakest part of our defence, and it was the duty of Parliament to see that there was a reduced expenditure. He hoped the House would pause before they sanctioned the proposed new arsenal at Northfleet, the cost of which was estimated at ten millions of money. In his opinion, though our resources were great, they could not always supply our present enormous expenditure.

Admiral POLE complained of the delay which took place in the Prize Courts.

Mr. PERCEVAL denied the charge. Such complaints had been proved to be unjust.

Several usual miscellaneous grants were then voted, and after some further business the House adjourned.

### TUESDAY'S LONDON GAZETTE.

Bowling-street, March 12, 1811.

A Dispatch, of which the following is an Extract, was received yesterday at the Earl of Liverpool's Office, addressed to his Lordship by Lieutenant-General Lord Viscount Wellington, K. B. dated Cartaxo, Feb. 16, 1811.

Since I addressed your Lordship on the 9th inst., I have received further details of the affairs at and near Badajoz, from which it appears that the Portuguese cavalry, having been unsupported in their passage of the Evora, on the 6th inst. were obliged to retire across the Evora, in which operation they sustained some loss. The whole of the cavalry and infantry were then drawn into the fort of Badajoz; and, on the 7th instant, they made a sortie upon the enemy, in which they succeeded in obtaining possession of one of the enemy's batteries, but they were obliged to retire again, and unfortunately, the guns in the battery were not spiked or otherwise destroyed or injured.

Their loss was not less than 85 officers and 500 soldiers killed and wounded, as I am informed, including the Brigadier-General Don Carlos D'Espagne, among the latter. It appears that the Spanish troops behaved remarkably well upon this occasion.

While the troops were in Badajoz, the French cavalry again crossed the Evora, and interrupted the communication between that place and Elvas and Campo-Major. They came out of Badajoz, however, on the morning of the 9th instant, and the French cavalry were obliged to retire across the Evora. The troops have since taken up a position on the heights between the Cay, the Evora, and the Guadiana, by which they will keep open the communication between Badajoz and the country on the right of the latter river.

The enemy have continued the siege; and, on the night of the 11th instant, they attacked the redoubt of Pardalleiros, which they carried; but they had not, on the 13th, been able to establish themselves within the redoubt, on account of the fire from the body of the place. They have likewise constructed a work on the left bank of the Guadiana below the place, to fire upon the bridge of communication with the right bank, but the fire of this work has had but little effect.

A great number of the inhabitants have taken advantage of the communication being opened, to leave the place; and I understand it is not ill supplied with provisions.

Dispatches, of which the following are Extracts, have been this day received at the Earl of Liverpool's Office, addressed to his Lordship by Lieut.-Gen. Lord Viscount Wellington.

*Carlaxo, Feb. 23.*

I am much concerned to have to inform you, that the French attacked Gen. Mendizabel on the 19th instant, in the position which he had taken on the heights of St. Christoval, near Badajoz, and totally defeated him.

The enemy had to cross the Guadiana and the Evora, but surprised the Spanish army in their camp, which was standing, and is taken, with baggage and artillery.

The enemy have not been able to establish themselves within the redoubts of Pardalleiros, since they carried it on the 11th inst.; and have made no progress in the operations of the siege. Their position, however, on the right of the Guadiana, gives them great advantages, of which they will know how to avail themselves, and they actually commenced to entrench it on the evening of the day on which they obtained possession of it.

I am informed that there are 9000 good troops in Badajoz, some having retired into that fortress from the field of battle; and that the garrison is well supplied with provisions, which have been left there by the inhabitants, who quitted the place when the communication with it was recently opened.

The works are still untouched, and the enemy's fire has hitherto done but little damage to the town.

*Carlaxo, March 2.*

No event of importance has occurred since I addressed you on the 23d of February. The enemy have continued their operations against Badajoz, but without much effect; and the fire of the place is well kept up, and the garrison in good spirits.

General Mendizabel is endeavouring to collect and re-organize his corps at Villa Viciosa, in Portugal.

The enemy moved a large force, with cannon, upon Lieut.-Col. Grant, at Covilha, on the 18th of February, and he was obliged to withdraw the Ordenanza from thence, and retire to Alpedrinha, where he was according to the last accounts.

The enemy have made no movement of any importance in the front of this army.

[This Gazette contains also a Letter from Capt. Brisbane, of the Belle Pouley, giving an account of his having captured La Carlotta, Italian brig of war, of 10 guns and 100 men.]

**BANKRUPTCY ENLARGED.**

T. Bennett, Long-acre, ironmonger, from March 5 to April 23.

**BANKRUPTCIES SUPERSEDED.**

G. Goodman, Marchmont street, builder.

J. Langdon, St. Thomas the Apostle, tallow-chandler.

**BANKRUPTS.**

C. Sikes and J. H. Schneider, sen., Birmingham, leather-sellers.

W. Parsons, Shipton Mallet, cornfactor.

J. Dingle, Plymouth Dock, cabinet-maker.

R. Bellinghall, Liverpool, merchant.

J. Maynard, Wells, Somersetshire, cabinet-maker.

J. Williams, Compton-street, baker.

W. Fialayson and T. Deares, Liverpool, merchants.

M. and W. Webber, Uxehester, Somerset, dealers in cattle.

W. Easton, Bread-street, factors.

R. Bath, Maker, rope-maker.

I. Parkes, Birmingham, timber-merchant.

T. and R. Hastings, Queen-street Park, Borough, silversmiths.

W. Spencer and Co., New-court, Bow-lane, merchants.

M. Charlton, Argyle-street, St. James's, victualler.

W. Harper, Friday-street, silk-weaver.

S. J. and A. Gosling, Mark-lane, wine-merchants.

**SATURDAY'S LONDON GAZETTE.**

This Gazette contains an account of the capture of the Velocifere French privateer, of 14 guns and 57 men, by the Desiree, Capt. Farquhar, who has also recaptured a Danish bark, laden with timber.

**BANKRUPTCIES ENLARGED.**

C. Walker, Manchester, manufacturer, from March 30 to April 9.

G. C. Bainbridge and W. Cartwright, Liverpool, merchants, from March 26 to April 13.

**BANKRUPTCIES SUPERSEDED.**

H. Leeky, Old Jewry, merchant.—J. Withers, Freshford, Somerset, corn-factor.—T. Gordon, Tower-street, wine-merchant.

**BANKRUPTS.**

M. Swancott, Foster-lane, Cheap-side, warehouseman.

W. Sharman, Hockley, Warwick, corn-dealer.

A. Hart and P. Simons, Portsea, navy-agents.

T. Battye, Upperthong, York, clothier.

J. L. White, Cannon-street, London, wine-merchant.

G. S. Prestwidge, Maid-lane, Southwark, brewer.

J. Spencer, Brightelmstone, linen-draper.

W. A. Barttelot, Portsmouth, perfumer.

T. Sutton, Woolwich, victualler.

M. Plaister, Huddersfield, Yorkshire, boot and shoemaker.

J. Macneall, Preston, Lancashire, linen-draper.

E. Kay, Birmingham, brandy-merchant.

T. Higgins, Mere, Wiltshire, victualler.

C. P. Melbourne and J. Swan, Old Bond-street, paperhangers.

H. White, Drury-lane, apothecary.

T. Rust, Marchmont-street, Tavistock-square, oilman.

W. Bowden, Downhead, Somerset, dealer.

E. Robe, Plymouth-dock, milliner.

J. Longden, Stockport, timber-merchant.

W. Marman, Old-gravel-lane, butcher.

M. & R. Ainscow, Clayton-in-le-woods, cotton-manufacturers.

T. Sumner, Barneacre-with-bonds, miller.

J. Pearce, Basinghall-street, dealer and chapman.

R. Hughes, Poultry, jeweller.

T. Pearson, New-road, St. George's in the East, grocer.

R. Selway, Bath, harness-maker.

W. Mildrum, Totnes, Devon, linen-draper.

**PRICE OF STOCKS ON SATURDAY.**

3 per Cent. Consols..... 65 1/2

Mr. W. is informed, that the only effectual mode of preventing the occasional substitution of other Papers for the Examiner, is to return them by post to the Newsvenders by whom they are supplied; and, when the Bill is sent in, to refuse payment for the Papers so sent.

Many complaints have of late been received respecting the irregularities, &c. in forwarding the Examiner to the Subscribers.—The Paper is not sent from the Office, but is served by the Newsvenders.—When such irregularities are repeated, the best way is, to dismiss the Newsmen, and send notice to the Office, when the order will be given to a careful person.

## THE EXAMINER.

LONDON, MARCH 17.

The exertions of the Reformists against military flogging have at last been attended with some effect; and in consequence of a motion of the Judge-Advocate in the House of Commons last Tuesday, it is declared optional in courts-martial to choose between corporal punishment and imprisonment. This is a step towards the abolition of that degrading torture, and with some few persons, perhaps, it is only a step; but with English Officers in general, and particularly with those who rejoice in opportunities of advancing the service in comfort and respectability, it will go near to reach the abolition at once.—With what feelings, when such a measure has just been countenanced by power, will the public hear that the Proprietor of the *Stanford News*, from an article in which the well-known paragraph in the *Examiner* was taken, has been tried at Lincoln and found guilty of a seditious libel, in consequence of that article?—After those persons, too, who extracted the marrow and force of the observations into their own paper, have been declared innocent by a Jury in Westminster?

Mr. BROOKMAN, it is said, and will easily be believed, made an eloquent speech in favour of the defendant; but beside this, there is nothing particular to notice on the occasion, except an observation made by one CLARK who conducted the prosecution. This person took upon him to say that our omission of a considerable part of the article in question, when we copied the paragraph in the *Examiner*, proves that we regarded it as the strongest part of the writing, and “of a libellous tendency.” This is a gross misrepresentation. We omitted that part, merely because we considered it less interesting than the remainder, and too long for our paper.

The surrender of Badajoz was reported yesterday on the authority of a letter from Falmouth, to which was added, an account of an action between a part of the army of MARENGO and the division under General BERRERON, which had terminated to the disadvantage of the latter. This rumour, being wholly unsupported by any subsequent corroboration, is generally discredited. The arrival of a vessel from Cadiz gave birth also to a report that General GRAHAM, with the division of troops from Cadiz, had made a successful attack on the French in their positions before that place. It is however known, that on the 24th of last month, the British division was forced into Algeiras, by a gale of wind—the intelligence brought by this vessel, which sailed from Cadiz on the 22d, is therefore evidently impossible.—*Alfred.*

M. LANOUCHÈRE, a merchant of Amsterdam, has obtained a passport to go to London, on the business of his trade. A report was circulated in consequence, that proposals of peace were about to be made to England. We are authorised to contradict those rumours. There have been no communication between the two Governments,

nor can there be any so long as the present English Administration exists, whose principles, those of perpetual war, are known to all Europe. The journey of M. LANOUCHÈRE relates entirely to his personal concerns; it can have no effect whatever upon commercial affairs.—*Moniteur, March 7.*

Accounts from Vienna state, that the late negotiations between France and Austria related to Dalmatia, which, it is said, BONAPARTE has agreed to give to the latter power. It is added, that a Decree will soon be published, in which the Emperor FRANCIS will assume the title of King of Dalmatia; but that the Sovereignty of that kingdom will afterwards be conveyed to the Archduke CHARLES.

The following letter from a British officer gives a striking picture of the miseries of war:—

“Cartaxo, Feb. 7.

“The two hostile armies still remain strongly entrenched in their old positions, the French at Santarem, and the English at Cartaxo. When the hour of conflict arrives, it will be a sanguinary affair. At present there is not the least appearance of approaching hostility; both armies fight shy, from a knowledge of the very strong entrenchments they each occupy. You, no doubt, have in England the old story of the French army being “miserably in want of provisions,”—that they are “in a dreadful state of sickness,” and many such vague reports: depend on it they are abundantly supplied with every thing; and while they have such an extent of country open to them, I cannot see how they can be destitute. Had the slothful Portuguese any spirit of independence, they might do much to save their country; but they are indifferent to every thing but their own indolence, and, I am certain, it is a matter of indifference to the greatest part of the Portuguese nation, whether the French or the English occupy it;—nay, I even believe, from what I have seen, that were the French now coming into Lisbon, they would hail them with joy. It is a heart-rending sight to witness the misery of the unfortunate Portuguese fugitives—daily flying from their homes, without food, and scarcely any thing to cover them. I yesterday passed the convent of St. Roque, where upwards of 2000 women and children were lodged; they were all feeding off the cold stones, on a small portion of rice, allowed them only once a day by the Government: in fact, the mortality and misery of every description among these wretched fugitives is beyond any thing I could tell you; they absolutely starve, and die daily by dozens. Death is really a relief to them. Wherever the French go, death and desolation follow.”

The French Emperor has decreed, that the knowledge of the dead languages is not necessary for holding any public situation, or taking any degree in the national institutions of France. All public proceedings are to be conducted and registered in the French language, and the prescriptions of physicians are likewise to be written in that tongue.

RIOTS AT NOTTINGHAM.—Tuesday last the workmen, to the number of one thousand, assembled in the market-place, and from thence proceeded in a body to Arnold, a distance of about five miles, when their numbers were increased to between 2 and 3,000. Thus augmented in strength, they shortly evinced a determination to adopt measures of violence, and parties proceeded to enter the houses and destroy the frames of several of the manufacturers. The cause assigned for these outrages was the distress, suffered by themselves and families, in consequence of the stoppage of work. It is to be hoped that these mistaken men will be soon made sensible, that by the destruction of the property of others, they not only could not alleviate their own misery, but that, on the contrary, they must materially increase it.

The *Dancmarque*, one of Sir J. Youke's squadron, arrived in the *Tagus* on the 25th of February, and the remainder of the squadron was seen on the 4th instant by the *Seafower*, off the Rock of Lisbon.

The city and suburbs of Philadelphia contain 92,257 inhabitants. Increase in ten years, 30,260.

It appears by a message from the President to Congress, that the American brig *New Orleans Packet*, lately arrived at Bourdeaux, was with her cargo, the bona fide property of American citizens, and laden at New-York, seized by the Director of the Customs under the Berlin and Milan Decrees.

The American ship *Mary Anne*, MACINTOSH master, was taken on Friday week off Dungeness, by a French privateer. In going for Calais, the Frenchman ran her ashore, but she got off in about half an hour. At this time there were about fifteen Frenchmen on board, with the ship's company of thirteen. Capt. MACINTOSH spoke to some of his people to assist him in retaking the ship; and the mate and three or four of the crew having engaged to stand by him, he commenced the attack by snatching a dirk from the bosom of the Prize-master, and, after a hard struggle, he being a strong, stout man, succeeded in dispatching him. The mate killed two or three with his own hand, and they succeeded in driving the rest below, and recovering the ship; and, to prevent suspicion, kept on the same course along the land. In a short time, however, the privateer was seen following them, and the wind having unfortunately died away, which left no hope of their escaping, and not doubting that if taken they should be butchered, the master, mate, and nine men, took to the boat, and after rowing all night, they reached Dover on Saturday week in a most exhausted condition.

There were no less than nine French privateers off Dover on Saturday night week.

A vessel that left Calais on the 6th inst. has brought an account of the capture of his Majesty's schooner *Olympia*, of 10 guns and 50 men. The *Olympia* was attacked by ten of the enemy's privateers; she sustained the unequal contest in the most heroic manner, and would have ultimately have got off, if an unlucky shot had not carried away her boom. Still, however, she continued to defend herself with the greatest obstinacy, until her gallant Commander, Lieutenant TAYLOR, fell, and 30 of his little crew were killed and wounded, when she reluctantly struck.

Mr. FINBERTY (says the Boston paper) has remonstrated against his confinement in the felon-cell, No. 6, in Lincoln Gaol, and looks to obtain a less degrading apartment for passing the period of his imprisonment.—He has found some compassionate friends at Lincoln. Mrs. OSBALDESTON, it is said, sent him a carpet for his cell, a few days after his arrival; and some few other individuals have expressed a desire to alleviate the severity of his confinement.

The Duke of SUSSEX, in stepping into his carriage on Saturday week, slipped his foot on an orange peel, and turned his ankle. It is feared his Royal Highness broke one of the small bones, and also hurt his knee-pain so much, that he will be lame for a considerable time.

The mother of *White*, the drummer, who was executed on Thursday week, died of a broken heart on the day subsequent to her son's untimely end. She never left her bed after having taken farewell of the culprit on the evening previous to his execution.

"Let us for a moment imagine," says a sensible writer, "that only half of the millions expended in a disgraceful and fruitless attempt to subjugate America, had been employed in national improvements and embellishments,—what paradisaical scenes might England at this time have exhibited!—Can we not figure an Arcadian age restored, and "the sublime dreams of PIRANESI realized?" In lieu of the enormous and incredible sums raised on the people of this country since the accession of the present Family, and more especially of the present Sovereign, to the throne of Great Britain, in support of a continual succession of wars,—as if men, created only for mutual destruction, were eager to fill up the measure of their own miseries,—how infinitely more worthy of rational beings were it to employ some small proportion at least of the national riches in the various modes so beautifully enumerated by the Poet.—

—Make falling Arts your care;  
Erect new wonders and the old repair:  
Bid harbours open, public ways extend,  
Bid temples worthier of the God ascend:  
Bid the broad arch the dangerous flood contain,  
The mole projected break the roaring main:  
Back to his bounds the subject sea command,  
And roll obedient rivers through the land."

In the *Barbadoes Mercury*, of the 24th of November, the following notice will appear curious to a British reader, however reconcileable it may be to the sentiments of a Barbadian (*Barbarian*) Planter:—"Absconded, a black woman, named Mary, about 25 years of age; she is supposed to be with her husband, a Mulatto man, named Sam. Whoever will bring her to Tweedside, or lodge her in the cage, shall be liberally rewarded."

An old British publication contains the following anecdote of Admiral VERNON, which, if true, was the origin of the word *grog*. The anecdote is this:—The British sailors had always been accustomed to drink their allowance of brandy or rum clear, till Admiral VERNON ordered those under his command to mix it with water. The innovation gave great offence to the sailors; and, for a time, rendered the Commander very unpopular among them. The Admiral at that time wore a grog-rim coat; for which reason they nick-named him "Old Grog." And hence, by degrees, the mixed liquor he constrained them to drink, universally obtained among them the name of "grog."

A Correspondent (W. R.) writes:—"In your last I had the pleasure to read the names of eleven very respectable Gentlemen composing the Sinecure Committee; but as I have not heard of any benefit the public have, or are likely to derive, from them, I hope you will have the goodness to let me know what can be the utility of such re-appointment?"

FASHIONABLE DIVISIONS OF THE DAY.—Two o'clock (afternoon) breakfast time.—Eight o'clock (evening) dinner time.—Eleven o'clock (night) tea time.—Three o'clock (morning) supper time.—Six o'clock (morning) bed time.

#### EPITAPH ON A COMPOSITOR.

No more shall copy bad perplex my brain,  
No more shall type's small face my eyeballs strain;  
No more the proof's foul page create me troubles,  
By errors, transpositions, outs, and doubles;  
No more my back shall ach from authors' whims,  
In overrunning, driving outs and ins;  
The stubborn pressman's frown I now may scoff—  
Revis'd; corrected, finally wrought off.

The anniversary dinner of the Members who constitute the valuable Institution called the Artists' Fund, which will be held at Freemason's Hall, on the 22d instant, will be attended by a large body of the most respectable Artists and Amateurs. Mr. DEVIS will be in the Chair.—The PRESIDENT of the Royal Academy is expected to honour the meeting with his company.

### TRIAL FOR LIBEL.

[FROM THE STAMFORD NEWS.]

The trial of the Proprietor of this Paper, for publishing an Article on Military Punishment, deemed by the Attorney-General to be of a libellous nature, took place in the County Hall at Lincoln, on Wednesday, and a verdict of GUILTY was, after a short consultation, returned by the jury.—But six gentlemen out of the list of Special Jurors attended, whose names are as follow:—

George Uppleby, Esq. of Barrow, foreman.  
William Graburn, Esq. Barton.  
John Richardson, Esq. Horkstow.  
John Elliot, Esq. Uzzleby.  
John Green, Esq. Dowsby.  
John Manners, Esq. Spittlegate.

To make up the full number, six petty jurymen were added to the above. After a charge from the Bench, in which our publication was described as bearing the character imputed to it by the Attorney-General, the Jury retired for about a quarter of an hour, when they returned with the verdict already stated.

The incessant occupation of our time, precludes us from giving any thing in the shape of a detailed report of the proceedings in this number of the paper—but next week a full account of what took place shall be published, which will, of course, contain a faint attempt to delineate the outline of one of the most powerful of those exertions of legal eloquence which have at different times graced the English Bar. Mr. BROUGHAM's address to the Jury is allowed by all who heard it, to be as splendid a specimen of oratory, as of acute, convincing reasoning; and its effect on the auditors was electric,—an instantaneous burst of approbation broke out on its conclusion, which was properly condemned by the Judge as an indecorous expression of sentiment in a court of justice, but for which much allowance will be made by those who consider it as the involuntary homage of the affections to transcendent talent exerted in an interesting cause.

The counsel retained in behalf of the prosecution were—Mr. Clarke, Serjeant Vaughan, Mr. Reader, and Mr. Reynolds.

Mr. Marriott assisted Mr. Brougham in the defence.

Mr. CLARKE acted as leading Counsel against us, and this gentleman displayed considerable ingenuity in perverting to the Jury the meaning of our remarks on flogging; and dwelt with force on such points as were best calculated to prejudice those who were to try us against our publication. The chief of these were, the attachment to *Donn-parte* manifested by the writer—the injustice of describing our army as degraded by the punishment of the whip, when British soldiers, and British soldiers alone, continue successfully to resist the boasted troops of France—and the danger of exciting mutiny by dwelling on the severity of military punishment. All of these topics were dwelt

upon by Mr. CLARKE with force, and the flow of the writer's meaning was turned from its fair current with an ingenuity which probably had its effect on the Jury. The prosecution was certainly much indebted to the absence of the Attorney General, who, if we may judge by the specimen of his powers he afforded when pleading against the Messrs. Hunt, would have rendered us a very essential service had he made his appearance at Lincoln, which it was generally expected and reported he would. Mr. Clarke's opening speech took up an hour and three quarters in delivering—his reply to the defence occupied nearly as long a space of time.

Mr. BROUGHAM's address to the jury, (which he continued for two hours with an unexampled flow of eloquent argument—distinct while it was rapid,—elegant, yet forcible, and manly although cautious and moderate) contained, as it ought, and as we wished it should, much general reasoning on the various important subjects suggested by the prosecution against us,—which prosecution does, in fact, resolve itself into a great political question, which has been decided one way in London, and its opposite in Lincolnshire. But while Mr. BROUGHAM looked abroad on his cause, with the eye of a politician, and of one who understands human nature, he did not overlook or fail to notice its minutest points; while he vindicated, in the most animated tone, the right of the British citizen to discuss the measures of his rulers, and the practices which prevail in the State,—he did not forget to call the jury's attention to the particular justification of his motive afforded by the manner in which the writer conducted his discussion.—Mr. BROUGHAM's efforts on our behalf turned out unavailing, but we are not the less thankful to him on that account; and it will afford us no trivial consolation under the punishment which awaits us, to reflect that we have been the humble instruments of calling forth a display of energetic eloquence in the capital of this county, likely to impress by its novelty, and, by its soundness and animation, to inform the public mind and animate the public spirit. Another and a very material consolation arises to us from knowing that the discussion of the mode of punishment by flogging, (which we believe we introduced to the public, and which the Attorney-General, by his prosecution, has extended and inspired,) which punishment, as at present practised, every good officer represents as the bane and disgrace of the service, has already produced a very great improvement in our military code. In the Mutiny Bill for the present year, the punishment of imprisonment (as we gather from the Parliamentary Report in the London papers,) is substituted in many cases, in lieu of the lash.

While we are immured in our dungeon,—cut off from domestic and social comforts,—it will not be the least grateful of our reflections, that the legislature has condescended to adopt that alteration in the military law of the country, the recommendation of which has brought down upon us these temporary sufferings.

Without arraigning the decision of the jury, we deem it due to ourselves to comment upon several observations that fell from the Judge who presided at our trial, and the Counsel for the prosecution;—we shall take up the subject next week, and probably pursue it, together with certain other topics suggested by it, in several future numbers.—We thank our friends for the solicitude they have expressed, and for the attention they have shown—their approbation has nurtured our paper to its present state of

prosperity, and it is due to them that we should vindicate ourselves, by appealing to its constant tone, from the imputation of cherishing those traitorous partialities and propensities with which we have been charged in open court. We pledge ourselves to do this; and as we redeem our pledge do we expect that the friendship of the good shall support us under that fate, which, however severe, can never be disgraceful, but when it forms the consequence of moral turpitude.

### THE KING'S ILLNESS.

#### MEDICAL BULLETINS.

“Windsor Castle, March 10.

“His Majesty goes on well.”

“Windsor Castle, March 12.

“His Majesty is much the same as he was on Sunday.”

“Windsor Castle, March 14.

“His Majesty continues nearly in the same state in which he has been during the last few days.”

“The Bulletins will in future be exhibited only on Tuesdays, Thursdays, and Sundays.”

“The public will learn with infinite satisfaction, that his MAJESTY is so rapidly advancing in recovery, that the eager desire which he expresses to return to the dispatch of the Royal functions, will be speedily complied with. It is the REGENT'S most earnest desire, that the KING shall resume his authority; and that he shall be relieved from the irksome situation of carrying on the Administration of public affairs on principles of which he does not approve, and with men he does not think capable.—We understand that the Physicians have unanimously declared it as their opinion, that his MAJESTY should now undergo the operation of couching; as from the appearance of the eyes at this time, they conceive that the precise time for the experiment is arrived. It is supposed the KING will remove to Kew, and reside there during the time.”—*Chronicle.*

### THE OPERA.

SIR,—Those who are accustomed to the performances at the opera, and have seen a little *Eneas* scarcely five feet high, with a spy-glass round his neck, warbling love-ditties to *Hido*, or *Peter the Great* attempting grace in a *pas de deux* with the *Empress Catherine*, will not be surprised to hear that the incestuous *Phædra* has been selected for the heroine of a new opera. RACINE and our countryman EDMUND SMITH have written excellent tragedies on the same subject, but it was reserved for Signor CARAVITA to adapt it to music, and he has certainly performed his work in a manner worthy of his renowned predecessor BUONAU-TI. If without other merit, he has that of excessive humanity,—for he informs us in a preface, that he has ventured to alter the final incidents, to render the piece less horrid,—doubtless, through a confidence in his powers of language, and a dread of the effect they might produce on a delicate audience; but here he unnecessarily alarms himself, for he may be assured that drowsiness is the only effect his works will ever produce. However, to make all secure, when distress has reached its climax, when *Phædra* has attempted her life with bowl and dagger,—when her beloved *Hippolytus* is dead, and *Theseus* driven to despair,—in steps no less a personage than the goddess *Diana*, to set all right by a decree that *Hippolytus* should return to

life, *Theseus* lose the remembrance of past events, and *Phædra* become a loving and faithful wife. All happens precisely as she desires, and the family party are made completely happy. Degrading as such absurdities are to the national taste, our nobility seem willing to endure every species of managerial imposition and insult, rather than forego them;—so powerful is the force of fashion. Formerly, indeed, the frequenters of the opera had some compensation for its follies in the noble works of MOZART, WINTER, and other great composers, and in the splendour and classic taste displayed in the scenery and decorations; but these all fled at the approach of Mr. TAYLOR, whose taste seems confined to the artifices of the law.

The music of *Phædra* has afforded a temporary relief from the insipidity of PUCITTA'S works, and is the composition of Signor RADICATI, the husband of Mad. BERTINOTTI. The finale of the first act has a grand, imposing effect, and much taste is evinced by a pleasing duet and canon in the second; but with these exceptions and a few other passages scattered sparingly through the opera, it has not much claim to praise, being little more than a series of uninteresting songs, rendered doubly so by the indifferent manner in which they are executed. The strong harsh voices of COLLINI and ROVEDINO seem to strive which shall be most out of tune; and TRAMEZANI has so little to do, that every thing depends, as was probably intended, upon Madame BERTINOTTI; yet nothing could be more injudicious than her attempting the character of *Phædra*, whose violent passions are at war with her contented appearance, and that calmness of countenance and action which she uniformly preserves, even in the height of distress and madness.

H. R.

### FINE ARTS.

#### BRITISH INSTITUTION EXHIBITION.

132. *Romeo leaving Juliet at the break of day.* B. R. HAYDON.—The lively interest which the impassioned pen of Shakspeare has conferred on his description of these lovers, and the personal beauty with which he has invested them, have annexed to the mere pronunciation of their names the idea of every grace which impresses the tender passion on the youthful heart. To confer, therefore, on the canvas a representation of character so vivid as to excite emotions correspondent with the warmth imparted by the poet, is a task which true genius can alone perform, for the imagination will here be satisfied with little short of excellence in the delineation of requisite beauty and passion. To have therefore the attention deeply fixed and the imagination charmed in the contemplation of this picture, proves the appropriate energy of the painter's talent. I say this however with an exception to the face of *Romeo*, which is deficient in that elegance of feature and refined expression of melancholy which the poet has bestowed on him. This appears to me to be produced chiefly by the coarse character and disproportioned size of his mouth. I must in some degree also except to the concealment of *Juliet's* features. The remark of Sir J. REYNOLDS, in speaking of a chief agent in a story, that the face should never be concealed, except to hide what would appear unpleasant to be exhibited, is justified by the regret always felt on these occasions, that a part of the human figure above all the rest expressive, that chief exponent of passion, should be concealed. As far as *Juliet* is seen, the

expression is admirable; but how would it have heightened the amiable graces of her form, and the fondness and lingering regret with which she reclines on Romeo's bosom, had the artist unveiled the pathetic emotion at parting exhibited in the dimmed lustre of her eye, which then, "like the dewy star of evening, shines in tears." The lovely and delicate proportion of Juliet's form is judiciously apparent under an ample display of drapery, most tastefully displayed in the style of the antique, consisting of folds diverging with much breadth from points where they are collected in smaller divisions, which form an elegant contrast to the larger. Nothing in the antique can exceed the graceful undulation of line exhibited in an arm and hand of Juliet reposing on Romeo's arm, or the elegance of a piece of drapery depending from the former. The light and shade of the piece is most suitable to the parting time of the lovers, and its solemnity marks the hour in which

"The grey-ey'd morn smiles on the frowning night,  
Chequering the eastern clouds with streaks of light."

The flesh is naturally and beautifully tinted.—The piece is worthy of adorning the best collection.

22. *The Father beseeching our Lord to cast out the Devil from his Son*, is a picture of much promise in its force of character and general composition, when it is considered that it is the first historical production of the young painter, Mr. C. C. COVENTRY.

#### ANGLO-AMERICAN NEWSPAPERS.

Sir—I look upon a newspaper as a criterion which will enable us to form a tolerably correct estimate of a people's habits.—Not only the nature and manner of the various discussions and details, but the type, the arrangement of the matter, and even the quality of the paper, are very useful guides towards discovering the true state of national taste, intellect and morals. To some people these may seem to be very whimsical data; but I think they will be found sufficient for the purpose of demonstration. A writer in the *Edinburgh Review* affirmed lately, that the arrangement and manner of printing some advertisements on the wrapper of an American periodical work under review, gave him a very favourable opinion of the literary progress of our transatlantic cousins. The theory, if not good, is plausible; and as I have before me some *American Papers* (up to 31st January) I will make an extract or two, that your readers may reduce it to immediate practice. I have frequently been surprised at the general correctness of our reporters of debates, and have given my poor applause to their industry and genius. I have thought it was scarcely possible to surpass them; but the following manner of reporting a debate on a subject of considerable and general interest to the Americans, has shewn me the folly of hasty conclusions:

"TUESDAY, JAN. 22.—The House then proceeded to the order of the day, the consideration of the Bill for the renewal of the Charter of the Bank of the United States. The question of indefinite postponement before the House. Mr. McKen spoke about twenty minutes against the Bank, and in favour of the postponement.—Mr. Gold spoke about the same time in favour of the Bank, and on the constitutionality of the measure.—Mr. Johnson spoke against the Bill; he was followed by Mr. Shepley in a very argumentative speech of about two hours, in favour of the Bill.—As soon as Mr. Shepley sat down, the House adjourned."

Next day, on the same question,—

"Mr. Garland opened the debate in a speech of about half an hour, in favour of the Bank.—Mr. Crawford read a speech about the same length against the Bank.—Mr. Tallmadge spoke about an hour and a half in favour of the Bill, when Mr. Gardner rose, and in an able and impressive speech of about two hours, advocated the renewal of the Charter."

Thus go they on,—half an hour pitted against three-quarters, and Mr. This's two-hour blow warded off by Mr. That's twenty-minute shield,—till the question is at last decided in favour of the Bank by a majority of one,—Ayes 65—Noes 64. The observations to which this question gives rise, will be as good a lesson to the English Editors, as the above quotation will to the reporters.

"The masterly eloquence and reasoning (Oh, ye rhetorical hours and argumentative minutes!) of the men in favour of the Bank has indeed staggered some; and the petitions which had been piled on the table has actually convinced others. But still the party have been able to hold a majority,—of one only, to be sure,—but that is sufficient. Four representatives, Mitchel and Mumford, stood it out like lusty fellows, and voted against the Bank—But Root and Tracey shrunk from the battle,—they did not vote at all. Fisk voted like a man—and this one action wipes away all his former political sins."—*New York Gazette*, Jan. 28, 1811.

The following is from another paper:—after believing "the beautiful American democracy" is in a galloping consumption, our prophetic editor continues his creed:—

"Nay more, I do verily believe that SAINT Napoleon, with some conspirators of this country, has laid a plan for the subversion of the union;—and more than that, I believe he will effect his purpose;—and I believe also, that for his young American nephew, and his southern proselytes, he has marked out thrones and dominions.—Not one republic, I'll engage to you, Americans;—you republicans in particular, mark these sayings."

We have now seen enough of this editorial sagacity and senatorial eloquence; the following is a specimen of senatorial dignity, in which one scarcely knows whether to admire most, the wit of one party or the prowess of the other:—

"A FRACAS.—It is stated in letters from Washington, that Mr. W. Abston was violently opposed to Mr. Randolph's motion of adjournment on Wednesday Evening; and as soon as the motion was carried, and they were going out of the house, Mr. A. kicked Mr. R.'s dog, and observed that "puppies would sometimes carry their point." This being said in Mr. R.'s hearing, he immediately gave Mr. A. a caning."

There are few literary advertisements in these papers. It appears, however, that the 1st volume of Humboldt's *Travels in Mexico, &c.* is translated, and published at two dollars. The first number of a quarterly Magazine and Review, is likewise advertised. Its contents are stated to be, besides a review of two or three French works, a consideration of the relative interests of France and America and a criticism on the *Lady of the Lake*, and on Wallace, or the *Fight of Falkirk, &c.* There are puffs, too,—both of quack doctors and audiences. And there is what would make an Englishman, let me hope, throw away the paper with honest indignation;—there is,

"TO BE SOLD, a Black Man, about 34, who can take charge of a kitchen garden, graft, inoculate, a good ploughman and mower, understand all family business, and is strong and healthy."

Such is the influence of custom and the force of habit, that if the generality of Americans feel any thing, or at all, as they read these articles, it is their pockets and their money, to see whether they are able to become pur-

chasers. Calculating monsters! How horrible is slavery when we look so closely at it. Suppose *The Times* advertised two or three human beings for sale—what a sensation it would produce in London!

I am not at all disposed to depreciate the literary character or the good morals of the Americans; but at the same time, I am desirous to counteract, as far as lies in my power, the conduct of those who systematically elevate them above our heads. Besides which, I am putting in practice the very good advice of a philosopher of old—"Look" says he "at those who are more miserable than yourself, not to those who are more fortunate. The first will console you; the latter only irritate." It may be a selfish, a poor satisfaction, to know that there are in other countries besides England, Morning Posts and Mr. Fullers, and men as unfeeling as the torturers of the Irish, and the planners of Walcheren Expeditions. But it is a consolation. Disgrace when divided is not so mortifying as when centered in a single body. "And now I humbly take my leave." *Reader*.—"You cannot, Sir, take from me any thing I will more willingly part withall."—Your's obediently,

R. E. E.

Birmingham, March 5, 1811.

P. S. I perceive by an advertisement that "the Machiavel of the modern Stage" was at New York about the end of January. The advertisement tells us, "he has consented to play a few nights before he leaves New York."—"Good Mr. Apothecary, give me an ounce of civet to sweeten my imagination."

\* An American Captain at Liverpool actually complained to me of the facility with which black men here (sailors who worked vessels over) could associate with those unfortunate and profligate women who abound in every sea-port.—"It is a great neglect," said he, "in the Magistrates to suffer such an unnatural intercourse."—So thought I: but I wished the same salutary interference to be extended to white as well as black men.

### A POLITICAL JANUS.

Mr. Erron,—The facetious author of *Hudibras* gives us a description of an orator, named Cerberus, who, he says, could hold forth in three languages at once. And we read also, of a person well qualified to speak in two voices at one and the same time, having been gifted with two faces, two mouths, and two tongues. This double-tongued gentleman was, it must be confessed, admirably well qualified for the Bar, since he could have taken a fee from both sides; but Fate, by dooming him to be a king, spoiled a most excellent special pleader. King Janus, for that was his name, was, however, the founder of a great state: historians call him the first king of Italy. Doubtless he must have been a great legislator and politician, since he was worshipped as a god for ages after he had taken his leave of this world. I have often been of opinion, that the great Statesman now no more was a Disciple of this double-faced Divinity. From this famous model our Minister, Pitt, seems to have borrowed his political science, so admirably adapted to answer purposes directly contrary to each other; in short, we have beheld him ultimately favouring and disavouring, countenancing and discountenancing, Parliamentary Reform, and various other measures, with such consummate ability, that Janus himself with his two faces, had he deigned to revisit the

earth, would not have performed the part better; and like Janus himself he has left behind him a stupid sect of imbecile votaries, who now worship him as their idol.

These suggestions, which have from time to time presented themselves to my imagination, have now attained a degree of confirmation and conviction from a circumstance that has just happened. The *Morning Chronicle* of last Monday has given its readers the abstract of an Irish statute, which plainly speaks with two voices, and which the Editor calls "one of the detestable acts of Mr. Pitt's administration:" it is indeed an instance of legislative duplicity worthy the double-mouthed Founder of the Italian Monarchy himself.

It first declares that "the appointment of assemblies for the purpose of petitioning the King, or either House of Parliament, for the alteration of any matter of law, may be made use of to factious and seditious purposes; and therefore it enacts, that all such assemblies, committees, &c. of persons appointed by the people for this same purpose of petitioning, shall be henceforth deemed unlawful." Now, this is one voice: the other is quite different; for it says that "nothing in that act contained shall be construed in any manner to prevent or impede the undoubted right of all his Majesty's subjects to petition his Majesty or either House of Parliament."—This is the other voice, and I leave it to any man of common sense whether these two declarations, comprised in the same law, are not directly contradictory to each other. The one says, the people have an undoubted right to petition, and that they are not to be impeded in exercising that right. The other says, that as by assembling to petition they may do something else, not so laudible, they shall not assemble.—Is this no impediment? But why direct the law against congregations of the people for the purpose of petitioning only, since it is just as applicable to a congregation for the purpose of divine worship? Both are lawful, but both may be perverted to unlawful purposes. Sedition may be preached from the pulpit as well as at a meeting for the specific purpose of petitioning against any law or grievance.\* The act would therefore not have been less absurd, contradictory and unjust, if it had said the people have an undoubted right to worship God, each man in the way he believes to be most agreeable to him, and they are not to be impeded in the exercise of this right; but as by assembling together under pretence of divine worship they may promote factious and seditious purposes, these assemblies shall be held unlawful. What! it shall be forbidden to do a lawful act, because people when met to do that lawful act, may perchance do an unlawful one—Is this the enjoyment of a franchise, a birth right appertaining to us and our heirs for "evermore,"—an heirloom attached to the soil, of which the commencement is "beyond the memory of any beginning?"†—Is it after this fashion that our fellow subjects in Ireland are to hold and enjoy a right, which King James was so severely punished for infringing in the case of the seven Bishops, and which, being restored at the Revolution, and consecrated by the Bill of Rights, is part of that solemn covenant between

\* One-third portion of the legislative authority being in the people, they have a right to express a desire to have the law altered, if they conceive such alteration would be an amendment, even though it should not be a grievance in its existing state. The Roman Catholics being admitted to the elective franchise, now participate in this third portion of the legislative authority.

† Expression of Lord Coke's.

Prince and People which the House of Hanover were called to the throne to preserve and perpetuate:—is this the way, I ask, according to which that franchise is to be enjoyed, and that compact to be kept?

It is a principle in law, that to grant a right is to grant all things requisite and necessary to the enjoyment of that right, which our Jurists express thus:—*Qui dat finem, dat media, ad finem necessaria.* Now the right of petitioning was the *finis* or end, I will not say granted, because it was always the people's due, but affirmed, and meant to be secured for ever by the Bill of Rights: all things necessary then to that end are included in the Bill of Rights. Mr. Burke has taken some pains to shew that the Bill of Rights, and its derivative the Act of Succession, are not like common Acts of Parliament, that can be made one day, and repealed the next: he conceives that they ought to be considered as fundamental compacts, designed to fix the basis on which the present Government itself rests; and that it was with this intention that the people covenanted, not only for themselves, but for their heirs, with the Princes of the house of Brunswick, and their heirs, in order to render the compact perpetual. But if the compact is to be perpetual, then ought it to be superior to such an Act of Parliament as is here alluded to; on the other hand, if such an Act is able (which Burke will not allow) to supersede this solemn compact, then I think it must follow that the right of both Prince and People are set loose, for they certainly both hold by the same tenure: they are branches springing from the same stock; to deracinate that stock must therefore entail destruction on both. Mr. Pitt proposed however by this Act to save the one, and yet to destroy the other; to preserve to the Sovereign *his* rights, and yet prevent the people from enjoying *theirs*; to make the bargain hold good for one of the parties, but to annul it on the part of the other;—this was his object, and it was not possible to accomplish such an object without duplicity and contradiction; without falsehood, prevarication, and inconsistency: it was in short a part that he could not play without exhibiting himself as Janus complete.

Devonshire, Feb. 22, 1811. TIMOTHY TRUMAN.

### MR. COBBETT AND THE LEARNED LANGUAGES.

TO THE EDITOR OF THE EXAMINER.

SIR,—In the *Weekly Political Register* of the 23d ult. there is an article, under the head of THE PRESS, but chiefly taken up with animadversions upon what the writer sarcastically terms the *learned languages*, which seems to me to surpass, in all the leading characteristics of his style, any effusion that has as yet fallen from the prolific pen of Mr. Cobbett. It is now, indeed, a considerable time since the gentleman undertook, and within a very limited space, to demonstrate the worse than inutilty of the two ancient languages; and although he has never even attempted to enter upon the subject, yet has he been sufficiently liberal to receive and insert, in the periodical work of which he is proprietor, sundry compliments and congratulations upon the imputed success of his execution. It is scarcely possible to devise an epithet calculated to convey a just idea of such conduct in a public writer, and, at the same time, consistent with that regard for good breeding which every writer ought to possess. Upon any other subject of human investigation, Mr. Cobbett would, no doubt, question the competency of professed ignorance to decide the matter in debate; but this, it seems, is an exception to the general rule, and to divest his meaning of any appearance of paradox, which is apt to excite a sort of prejudice against opinions, however otherwise founded in truth, he appears to think that the mind

of the scholar is so far prepossessed in favour of his peculiar study, that it is not capable of forming a just estimate of the value of the acquisition. I am very far from denying that the habits of academical life may have a tendency to produce such an effect upon weak intellects; but surely it is not the student alone that is liable to error from such a cause: vulgarity has its pedantry no less than erudition, and if learning is apt to overrate the worth and dignity of its pursuits, it is possible that a man, who with a coarse yet strong texture of mind, and but partially acquainted with the simplest elements of literature, has obtained a considerable share of the public attention, to his lucubrations, may happen to undervalue those classical acquirements, notwithstanding the want of which he has succeeded in his object. After all, if the talents of Mr. Cobbett be such as to require no aid from the resources of ordinary abilities (for, as Blackstone observes upon the very same subject, "there are some geniuses formed to overcome all disadvantages") why deprive a Raleigh, a Bacon, a Hume, a Robinson, a Gibbon; a Burke, and even his favourite Pope himself, of that assistance, which THEY stood in need of, and without which the world must perceive, as they themselves acknowledged, that their respective works, if at all in existence, would have been of infinitely less value in the estimation of mankind?

Without entering into a common place panegyric upon the genius of antiquity, which, in the present instance, would be useless, and in any other unnecessary; I take it for granted that even Mr. Cobbett will allow that the writings of Demosthenes and Cicero must have had something in them, besides the "fine sounding names" of the authors, to recommend them to their respective contemporaries. His opinion of Rome and Athens can hardly be so low as to allow him to suppose, that what recommended the works of those two men to the notice and approbation of their fellow-citizens could be entirely unworthy of either, and destitute of common sense and reason. Reason and common sense, Sir, would suppose the contrary; but, for my present purpose, it will be sufficient for me to assume that the works of the two orators, or, at least, (to avoid the appearance of assuming too much) that the whole body of Greek and Roman literature, contained as much good sense, pure reason, sound information, and solid knowledge, moral and political, as the *Weekly Register* of Mr. Cobbett. I am the last man in the world to question the utility of this gentleman's periodical publication; and all that I shall ask, in return, is that he will not dogmatically assert the worse than inutilty of the revival of ancient letters, particularly at the time at which the event took place. At that time Europe was buried in profound ignorance, or, which is worse, by many degrees, than mere ignorance, immersed in a chaos of error. If, then, from the moment of the revival of the classic writers of Rome and Athens, and the consequent restoration of their tongues, the condition of mankind rapidly improved, until some other cause can be assigned for the effect, it is not unfair to attribute it to those circumstances; for, although "Socrates, Demosthenes, and Cicero, put together, may not have known so much about the liberty of the press as Mr. Cobbett's printer's boy does," we may be allowed to think that they understood a little more of the nature of civil and political liberty than the feudal Barons of that age. This, without supposing them at all equal to Mr. Cobbett's printer's boy, will suffice to demonstrate the utility of the revival of the ancient languages; and this once admitted, it will be for the writer of the *Weekly Register* to point out the subsequent period, at which, as a common nuisance, they ought to have been extinguished. Upon this part of the subject a vast deal might be said; but as I think that I have said sufficient for my immediate purpose, and to induce into a rational mind a doubt of the expediency of the extinction of ancient literature, a project said to have been entertained by that great statesman Robespierre, I shall now advert to another part of Mr. Cobbett's production. I have always taken the "liberty of the press" as a figurative expression, implying freedom of discussion, "the rare privilege," as Tacitus terms it, "of thinking as we please, and saying what we think." If I am right, then, in this notion, the assertion of Mr. Cobbett, that "So-

ocrates, Demosthenes, and Cicero, put together, did not know so much about the liberty of the press as his printer's boy does," is just as wise and as true, as if I were to say that Archimedes and Euclid, put together, did not know so much of the nature of mathematical science, as the most subordinate journeyman employed in the construction of a reflecting telescope. But his ideas upon this subject have a good deal of scope. He asks "for instance, what had the liberty of the press to do with the discoveries of Newton, or with the logic of Locke?" I should have expected this question rather from his printer's boy, than from himself. Does he really imagine that the works of either of these illustrious philosophers would have been permitted when the press had no liberty? Is he so ignorant of the history of the press, as to ask such a question? If he is, let him peruse the life of Galileo upon the one hand, and the list of the *libri prohibiti* of the Inquisition, upon the other, and he will find that his *home question* recoils entirely upon himself. Does he imagine that the Essay upon Government or upon Toleration would have been tolerated by the Court of Star Chamber?

As I am one of his readers, who happen to have read the works of Virgil, I think it incumbent upon me to make some observations upon this part of Mr. Cobbett's effusion; particularly as I have not derived that species of knowledge of the poet's character, which he thinks must be acquired by the perusal. I do not "know that Virgil was one of the basest scoundrels that ever lived," and the reason of my ignorance, in this particular, is, that I am really acquainted with the life, character, and poems of the Roman bard. But first let me ask Mr. Cobbett, what he should think of me, if I were to collect and put together all the infamous stories that his enemies laid to his account? Will the future historian be justified in imputing to Bonaparte and his ministers the unnatural crime of which some of the venal prints have accused them, and which Mr. Cobbett has treated with merited severity and just indignation? And if he finds it necessary to vindicate the character of the public enemy, why testify such readiness to adopt any slander that envy or malevolence may have uttered against the character of one now dead near two thousand years, and of one, to whom the inhabitants of Naples, who must have known him well, gave a name indicative of "virgin purity, on account of his unblemished morals? In the tenth book of the *Æneis*, v. 324, &c. he testifies his abhorrence of the crime, which Mr. Cobbett has so very confidently imputed to him. As to his praise of Augustus, which the Atticus of the *Weekly Register* terms "gross, fulsome, and nauseous" (I wonder he did not add "coarse") I can only remark for the present that the best writers, both ancient and modern, upon this subject, are agreed in opinion that Virgil and Horace did more, by the delicacy of their well-timed flattery, towards softening and harmonizing the sanguinary disposition of Octavius, than any other cause; and if this be true, their contemporaries must have felt highly indebted to them. But why, after all, this violent passion against the ancient usurper? Is there no modern "tyrant, who has gained his power by deliberate perfidy and murder," for whom a portion of this indignation might be reserved? Really, this intemperate passion is a little out of season, and might lead one to suspect that a tyrant must be some centuries in the ground, before Mr. Cobbett ventures to attack him, while he would have armed Virgil and Horace with the dagger of Brutus and Cassius against a living one.

R. E. C.

\* *Cetera sane vitæ, et ore, et animo tam prohum fuisse  
constat, ut Neapoli PARTHENIAS vulgo appellaretur.  
DOKATVS IN VITA VIRGILII.*

### THE LATE SIR FRANCIS BOURGEOIS.

Sir,—The Warden of Dulwich College will no doubt expect me to convey my acknowledgments for the honour of his notice. The liberality of his conduct is not lost upon me. My disguise should immediately drop, if the disclosure were necessary to the effect. I am not a captious man, and shall there-

fore take no offence at trivial expressions. The length of my acquaintance with Sir F. Bourgeois will admit of as little doubt as the shortness of the Warden's. I am not the less zealous for his reputation, that he has bequeathed me no thousand pounds, as a general retainer to defend it.

The worthy Warden, in replying to my first letter, is surprised and struck with the extent of its misrepresentation. I am bound to shew that his surprise was extraordinary, and my representation correct. A writer, with little information and great malignity, asserted in a daily paper, "that Sir F. Bourgeois left 100,000*l.* to Dulwich College, and bequeathed nothing to two sisters and three nieces, who never gave him the slightest offence." These relatives are not correctly enumerated, but knowing exactly who and what they were, I ventured to affirm that he was incapable of abandoning them to want, and that he had dictated a codicil, by which he had testified his affection, and prolonged his bounty. To this plain assertion of mine, what is answered?—"His wishes were but partially known, and therefore tending to mislead if published." Now, Sir, here is an express avowal that his intentions were dictated to some extent. The publication of them in any extent would, I trust, wipe away the odious imputation conveyed by the paragraph which I noticed. If it would, why is it not done? Let it not be supposed that, by publication, I mean the printing any memorandum taken down by the Solicitor. I am not desirous to gratify curiosity, nor to console the rapacious. The officious man is probably a knave, and the legacy hunter, like other hunters, but a species of vermin. The question between us is not whether the College is to have less, but whether the Testator had fulfilled the duty imposed upon him, at least in an intended instrument, or absolutely abandoned his relations, as he is charged to have done by the paragraph. The sister of Sir Francis had an annuity from him while he lived—I know the amount of it, and by whom it was paid. In the Warden's own phrase, and without a wish to mislead, "as far as his intentions were known (partially known), did he declare his design to provide for her?" If he did, why should he be suffered to lie under the marble slab, which is to record his munificence to Dulwich College, with an unsilenced whisper over his ashes, that he was splendid rather than just, ostentatious rather than affectionate;—that he heaped Pelion upon Ossa with respect to the Player's College, and utterly neglected to secure the comforts of life for those who were of his blood? Had he never shewn them his bounty, they would have felt no loss; but the stream had flowed to them, which is now to flow in a different and, let me say, less natural direction.

Let this be an eternal lesson to men, similarly circumstanced, how they delay the vital part of their bequests, and execute only the magnificent, lest, as in the present instance, the unquestioned wish of raising the indigent and returning friendship with interest, in the languor of sickness, should give way to the longings after galleries and tombs, the monuments of vanity and useless benefaction.—I remain, Sir, your obedient servant,

A. O.

### DR. HIGHMORE'S PETITION.

To his Royal Highness the PRINCE of WALES, Regent of the United Kingdom of Great Britain and Ireland, the Petitioner of his Majesty's dutiful and loyal subject, NATHANIEL HIGHMORE, Doctor of Laws,

*Humbly sheweth,*

That your Petitioner acquired, by eleven years of study in his Majesty's University of Cambridge, the rank and degree of a Doctor in Civil Law; which academic degree is declared by the Canons a full and complete qualification to exercise the spiritual office and profession of an Advocate in the Church's Judicial Courts;—the rights and privileges of Doctors of Law being, amongst other immunities and franchises of the said University, further guaranteed by divers Acts of Parliament, and the right of free admission into all ecclesiastical offices, benefices, and dignities, also specially secured to them by a charter of your Royal Highness's Progenitor, King Henry the fourth. This, together with the other charters of the two Universities,

has been confirmed by the 13th of Queen Elizabeth, and by still later Acts of Parliament.

And your Petitioner further states, that permission to exercise the said ecclesiastical functions of an Advocate in the Courts of the Church of England has been refused him by the Archbishop of Canterbury, on the ground of his being a Clergyman. In consequence of which refusal, your Petitioner did sue to the Most Reverend Primate for a public and legal hearing of his case; whereby he might have shewn, not only that the Canons of the Church, as well as Royal Charters and Acts of Parliament, have (both in their letter and spirit) sanctioned and confirmed the Clergy's right of practising as Ecclesiastical Advocates and of assisting to administer the Church's sacred discipline and government; but, that no subsequent Canon of the Church, or statute of Parliament, nor any act of spiritual or royal supremacy, has hitherto vested anywhere a discretionary controul over the said Canons, Acts of Parliament, and Royal Charters; or given to any one authority to overrule the same, for the purpose of excluding the Clergy from the Church's Courts, as has been done in the case of your Petitioner.—With this request, most reverently preferred to my Lord Archbishop, his Grace was pleased to say, that he "deemed it unadvisable to comply."

And your Petitioner also sheweth, that he besought his Majesty's Court of King's Bench to interfere in his chartered academic rights, against the unauthorised exercise of dispensing power, thus assumed by the Most Reverend Primate; but that Court, although regretting that your Petitioner had (by studying during eleven years the Civil and Canon Law) "consumed his time and substance in a fruitless pursuit," did still declare itself unable to interfere for his relief.

Your Petitioner being thus shut out from all appeal to the Canons of the Church and statutes of the realm, in behalf of his violated rights and franchises, as "a Doctor of Laws lawfully created," doth humbly and dutifully approach your Royal Highness, exercising, at this period of grief and calamity to his Majesty's faithful people, the prerogatives of royal and spiritual supremacy, and doth implore your Royal Highness, for maintaining his right (as a British Subject) of access and appeal to the existing laws, to grant him such relief in the premises as may obtain for him an hearing of his case before his Grace the Archbishop of Canterbury, in some of his Majesty's Spiritual Courts; or, that your Petitioner may be relieved from the injustice, which he now suffers through a violation of the laws, in such other manner as to your Royal Highness's superintending regard for the rights of the Church and Clergy of England, and for the Spiritual Privileges of his Majesty's subjects, shall seem meet. And your Royal Highness's humble and loyal Petitioner, as in duty bound, shall ever pray.

#### PUGILISM.

MR. EXAMINER.—Wednesday next, the 20th inst. being the day set apart by Government to be observed as a General Fast and Humiliation, and consequently a very proper day for all sorts of gladiatorial and other such orderly exhibitions, has been actually selected for a brutal display of ferocity in the neighbourhood of St. Martin's-street, for the benefit of one of those highly useful and meritorious members of society, so deservedly patronised by our great men under the appellation of Pugilists. The sight of some of the Tickets issued on this laudable occasion has made me acquainted with the above fact. I should add, that to heighten the effect of the scene, and probably with a view to increase the harvest of the auxiliary forces (valgo Pickpockets), this elegant and refined entertainment is intended to take place by candle-light in the evening. Should the civil arm continue to preserve its past forbearance, there can be little doubt that this pious, rational, and appropriate performance will take place, equally to the credit of the persons engaged, and the Government which permits it. However you, and I, and other friends to rational liberty, may have just cause of complaint of the growing restrictions on freedom of speech, who, with this text before their eyes, will venture

to make one comment upon the restraints imposed by power upon our actions? But I will leave the proper treatment of this subject to abler hands; and conclude by expressing a hope, though but weakly founded, that our Magistrates will for once indulge us with a practical elucidation of the utility of a Police, maintained at an enormous annual expense to the country.—I am, Mr. Examiner, your's respectfully, AN OBSERVER.  
March 14th, 1811.

#### BIRTHS.

Last month, the wife of John Jennings, coalheaver, of No. 11, Pelham-street, Mile-end New-town, Spittal-fields, was delivered of twin boys, who with the mother are likely to do well; this being the third time of bearing twins, and making in the whole twenty children, one of whom is a lad about fourteen, who is so afflicted as not to be able to get his living.

#### MARRIAGES.

On the 8th inst. at Gresham Green, the Hon Charles Evan Law, second son of Lord Ellenborough, to Elizabeth Sophia, sister of Sir C. Nightingale, Bart. of Keesworth House, Cambridgeshire.

Mr. John Crocker, of the Army Medical Department, to Mary Catherine Goodill, only daughter of James Smith Goodill, Esq. of the House of Commons.

Lately, Mr. James Smith, of Clement's-Inn, to Miss Evors, of Shoemaker-row, Blackfriars.

#### DEATHS.

On Thursday last, aged 76, his Grace the Duke of Grafton, Knight of the Garter, Governor of the Ports in Cornwall and Devon, Receiver General of the Courts of King's Bench and Common Pleas, &c. &c. Chancellor of Cambridge, Recorder of Theiford, &c. He is succeeded in his titles and estates by his son, George Henry, Earl of Euston.

On Thursday morning, aged eight months, Charles Fletcher Jackson, youngest son of Mr. Jackson, the Artist, of New-man-street.

On Thursday, at Newington, Mrs. Lochee, after a tedious labour, and having been delivered of twins, who are likely to do well.

On Friday, the 8th inst. after a few hours illness, the infant son of Mr. Lane, Conway-street, Fitzroy-square.

At Totness, aged upwards of 70, W. Bennell, Esq. one of the Proprietors of the Totness Bank, and Alderman of that place.—The circumstance attending his death was truly awful: last Sunday morning, apparently in perfect health, as usual he attended Divine Service; when, shocking to relate, on a sudden, in the midst of his devotion, he dropped, and expired in a moment! He was instantly raised to his seat and supported by his two sons, who were sitting near him. No one can imagine the sensation excited throughout the whole congregation—every heart sunk chilled with terror, and every eye sympathised in the awful event. He was a pious, good man, prepared for eternity.—*Taunton Courier.*

On Monday last, at the advanced age of 83, Mr. Paul, confectioner, of Brydges-street, Covent Garden.

At Falmouth, on the 6th inst. much respected and lamented by his employers, Mr. John Shephard, a native of Norfolk, and many years a traveller of Messrs. Marsh, Reeve, and Co., of London.

Wednesday week, at Norwood Green, Mary Rouse, at the great age of 102 years.

Monday, March 11, aged 57, after a long and painful illness, Mrs. Clio Rickman, of Upper Marylebone-street, London.—She was (says a Correspondent) a woman of uncommon virtues, talents, and energies; and besides conducting a considerable business, brought up and educated at home a large family; six boys and one girl of whom, with their most afflicted father, are left for ever to mourn the irreparable loss of their Guide, Philosopher, and Friend.