



The Honorable the Lieutenant Governor in Council is pleased to direct that all appointments, Orders and Resolutions by Government, published in the Java Government Gazette, be considered as official, and duly attended to accordingly by the parties concerned.

Den Heere Luitenant Gouverneur heeft bevestigd, dat alle dezerhande Besluitingen en Resoluties van de Land-Regering, gepubliceerd in de Java'sche Regeerings-Gazette, geplaast worden als officieel, en dienovereenkomstig aangezigt en by ieder der betrekking moeten worden waargenomen.

VOL. III] BATAVIA, SATURDAY, MAY 14, 1814. [NO. 116.

DECRETS. PROCLAMATION. MATRIALS of inconvenience and distress having been occasioned to the poorer classes of the inhabitants from the practice of... The Honorable the Lieutenant Governor in Council has been pleased to determine that the Trade of Pawn-broking shall in future be carried on only by persons who are licensed for that purpose...

Proclamation. The Honorable the Lieutenant Governor in Council having had reference to the very small proportion of the Revenue from the Private Lands in aid of the Public Revenue, and to the advancing state of culture, is pleased to direct that...

Proclamation. The Honorable the Lieutenant Governor in Council, having decided to expedite to establish certain Regulations for the Revenue of GAMBIA and TOBACCO in Batavia and the Environs, and that the same shall be let to Farm... Notice is hereby given that the said Regulations will take effect from and after the 1st July next.

Bank eentlyk uitgegeven worden in verwisseling tegen grootere Bank-noten, ter welke verwisseling den ook een ieder zich in de Bank zal kunnen vervoegen... Ter ordonnantie van den Heere Luitenant-Gouverneur in Rade. J. DUPUY, Waarn. Sec. van het Gouv.

Proclamation. The Honorable the Lieutenant Governor in Council having taken into consideration the restriction which formerly existed in the trade to the Lampong, is pleased from and after the 1st of May next, to relieve the Inhabitants of that Country from the payment of Import Duties to Government...

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Additional Regulation in the Salt Department. THE Honorable the Lieutenant Governor in Council having taken into consideration the restriction which formerly existed in the trade to the Lampong, is pleased from and after the 1st of May next, to relieve the Inhabitants of that Country from the payment of Import Duties to Government...

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## Advertentie.

**H. van der Heer** *Adriaansz*, op de Grote Rivier, zyn te bekoemen de volgende Artikelen als.  
Hollandsche Rode-wyn, op Bottels.  
Muscadet.  
Frontignac.  
Malga.  
Gedever.  
Roskammer-bier, op Vaaten of Bottels.  
Engelsche Porter.  
Delfse Boter.  
Meel, &c. &c.

### TO CORRESPONDENTS.

The communication of Shirazi arrived too late for insertion in our present number.

## Java Government Gazette.

BATAVIA,

SATURDAY, MAY 14, 1814.

### APPOINTMENTS.

The following appointments are made to take effect from the 1st June next:—

Mr. Serriere, to be Magistrate and Baillieu of Batavia, under the new regulations. This appointment not to affect Mr. Serriere's appointment as Superintendent of Shroffs.

Mr. Burgraff, to be Fiscal to the Court of Justice, from the same period.

Since our last publication the only arrival which has occurred, exclusive of Coast-ing vessels, is the ship Flinders, Captain Leigh, from the Mauritius—this vessel sailed a few days after the last which arrived from thence, but no news had been received in the intermediate time—and we have consequently no novelty to present to our Readers.

The Commander of the Flinders reports that on the 17th ultimo, he spoke His Majesty's ship Baracouta with the Honorable Company's ships Exeter, Lushington and Union under convoy for England.

The Honorable Company's Cruizer Malabar and Aurora sailed for the Eastward in the course of the present week.

We understand the ship Wanstead will sail for St. Helena and England tomorrow or the day following.

### SHIPPING INTELLIGENCE.

#### BATAVIA.

ARRIVALS.] May 9.—Ship Success, F. Patrick, from Samarang 4th May—Cargo, Sugar.  
May 10.—Ship Flinders, J. Leigh, from Mauritius 19th Feb.—Cargo, Ebony.

Same day—Brig Helena Jacoba, J. Johannes, from Samarang 6th May.

Ditto—H. C. Guu-boat No. 3, Keen, from Bantam.

May 11.—Chinese brig Chuanhek, Thew Chung, from Malacca 12th Nov. and Cheridon 4th May—Cargo, Sundries.

DEPARTURES.] May 8.—H. C. C. Malabar, Capt. R. Deane.

Same day—H. C. C. Aurora, Capt. D. Macdonald.

May 9.—H. C. C. Antelope, Capt. J. Hall, for Minto.

May 10.—Ship Success, F. Patrick, for Bombay—Cargo, Sugar.

May 12.—Brig Hendrik, H. Dulken, for Samarang—Cargo, Sundries—Passenger, Mr. Meyer.

### DEATHS.

Departed this life on the 4th instant, at Samarang, in the 52d year of his age, the much respected Johannes Knops, Esq., a gentleman who occupied several important situations under the former Government. He was lately employed as a member of the travelling commission on Java, and who by his talents and local knowledge of this country, contributed with the other members of the commission, to the success of Colonel Mackenzie. His mild and amiable manners, which denoted the gentleman, endeared him to his friends, and to those who could appreciate his worthy character; his death will long be bewailed by them and by the poor, unto whom he was a real benefactor and a friend. His illness was short but painful, and he resigned his soul without a sigh into the hands of a merciful God.

At Sourabaya, on the 30th ultimo, Captain Edward Masquerier, aged 46 years, a gentleman endeared to his friends and society, by his many amiable qualities, and most deservedly regretted.

## NEW SOUTH WALES.

Sydney Gazette, Sept. 4, 1813.

A young man of the name of Williams, who accompanied the Perseverance's voyage to New Zealand as dresser and manufacturer of

the flax plant, assures us, that the natives of that coast attend to the cultivation of the potatoe with as much diligence and care as he ever witnessed. A field of considerably more than 100 acres presented one well cultivated bed, filled with rising crops of various ages, some of which were ready for digging, while others had been but newly planted. Dried fish and the potatoe forms their chief support. He describes what is denominated the flax plant as more of the hemp than the flax kind; and has made frequent experiments in preparing it. His account states, that he cut from one stool 130 blades from seven to eight feet long, and which his experiments have ascertained would produce from 25 to 30lbs. of neat hemp: some of the plants ran so high as 9 feet. The hemp used by the natives in making their lines and dresses is mostly prepared by the women, after a slow and tedious process, and with a loss of 3/4ths of all they gather. He, upon the contrary, seems confident that a machine of his own construction would so considerably facilitate the process as in time to insure success, and render the speculation profitable.

The advantage likely to be derived from the culture of the hop begins at length to afford some who have devoted much of their time, and been at considerable expence in their endeavour to raise this excellent plant, a prospect of at length profiting by a perseverance against a long succession of failures and disappointments, that caused many to relinquish, and others to denounce the soil and climate as utterly averse to the plantation of the hop. We have had repeatedly the satisfaction to notice the efforts of Mr. Squires, of Kissing Point, in its cultivation; and the ultimate successes that have followed his well applied exertions, which for the space of 15 or 16 years, have been unremitting. Mr. Rushton, a brewer of Sydney, is now also strenuously engaged in this valuable branch of cultivation, and his successes, for the time, have been flattering as could possibly have been expected or desired, as from the following short detail of his experiments will appear.—In June, 1811, he planted two-thirds of an acre, the produce of which, gathered the February following was 140-lbs. In June, 1812, he planted an acre and a half with cuttings from the above, which he gathered in March last, and produced 940 lbs. when dried and bagged. He at the same time, however, was disappointed in the produce of 4 acres planted from cuttings which he had purchased, and which yielded only 140 lbs. of hops in the whole. Mr. R. has no doubt that this failure proceeded from the badness of the cuttings; and not from any difference of soil, situation, or management: it is therefore his intention to rip them up, and plant for the ensuing crop, cuttings from the most prolific vines. This last gathering was performed by a number of bonny lasses who volunteered their services, and performed their cheering task with smiles that gave to the countenance a sweetness of expression, not otherwise to be depicted, than as the liveliest contrast nature has afforded to the little bittered flower of which they were dismantling the vines. This juvenile plantation being so near at hand as a farm, once Mr. Minchin's at Black wattle Swamp, the gathering and bringing in was attended by a great number of persons, some of whom, no doubt, felt considerable gratification in contemplating the possibility of a valuable acquisition being hereafter derived to the Colony from an article of produce that had been condemned as immaturable, and which, but for the perseverance of a few persons, might long have laboured under a hasty if not an injudicious censure, and its trial unrenewed perhaps for many years.

The Minstrol, captain Reid, sails for England in about a fortnight, intending to call at Rio, and proceed afterwards to St. Helena for convoy. From hence she has the credit of exporting, for the British market, the first cargo of mixt produce ever sent from the Colony, collected partly within itself, partly from the circumambient ocean, and partly from contiguous islands whither a laudable spirit of enterprize has conducted our marine adventurers. About 20 tons of colonial wool are already shipped, together with a quantity of raw hides: from 50 to 60 tons of pearl shell, a quantity of sperm oil, seal skins, crooked timber, flour, tallow, and blue gum in plank; from which little catalogue of exportable commodities we may judge that we are not without natural resources; if the means of acquirement are properly exerted.

On Tuesday arrived the brig Atlanta, captain Martin, from a whaling excursion, with 84 tons of sperm oil, mostly procured off New Zealand and Macaulay's Islands. She sailed from hence the 19th July, 1812; and has discovered on her voyage a small island between twenty and thirty miles North of the Sand Spit of Sandy Cape, which does not appear to have been lain down in any Chart. It is supposed to be about three quarters of a mile in circumference; and the centre is a large area of fine level ground; and the island abounds with turtle, of which she has brought up twelve, but apparently scarce of any other kinds of fish. The approach to the eastward is steep, as within three or four miles of the land no soundings could be had with between fifty and sixty fathoms of line; but on the N. W. and S. W. good soundings were had, the bottom sand and coral rocks.

The island is well watered and wooded, and on the shores a quantity of beche-de-mar was seen.

A fortnight ago we had the pleasure to notice Mr. Henry's return from Otaheite by the Governor Macquarie; by whom we have been gratified with very pleasing information relative to that Island, in the government of which Pomaree has doubtless been by this time re-instated. On the 18th of July last he waited on the Gentlemen of the Missionary Society, then at Eimeo (which is also called Moreea) and declaring his entire conversion to Christianity, supplicated the precious gift of baptism; the ceremony of which had nevertheless suffered delay, from a deputation of chiefs from Otaheite, commissioned to invite him to return to his former government of the whole Island. Not seeming very earnest to comply immediately with their wishes, the chiefs evinced a determination not to return without him, and he at length accompanied them. The district of Matawai, whereat the Missionaries, previous to the rebellion, had resided, was immediately given up to him; and from thence he was about to proceed on a tour through the other districts for the purpose of saluting their chiefs and receiving professions of fealty. His aversion to the barbarous and idolatrous custom of his country becomes every day the more apparent, and by his own example he is intent on inducing others also to abandon them. As a proof of his sincerity he has abolished some restraints that must highly recommend him to the people, and at the same time produce in their minds a veneration for those principles from which true philanthropy alone can emanate. On the birth of a royal infant the restraints formerly imposed on the people were mortifying in the extreme: no cookery was permitted, not even a fire to be made, elsewhere than on the tops of distant mountains for many days, during which no boats was allowed to leave the shore; and as they live mostly on fish, this prohibition had nearly the operation of a temporary famine. The child could only be approached by persons clothed in raiments that were deemed sacred; nor could its food be touched by any other than by sacred persons. On the recent birth of a daughter, however, Pomaree dispensed with all these ceremonious observances, and directed that her little royal highness should be reared as nearly as possible in the English mode, to do which he requested to be assisted by the Missionaries with cups and saucers, spoons, and other table requisites. These gentlemen remain at Eimeo until invited over by the king, as soon as his re-establishment shall have been finally settled; though in justice to the insurgents it must be observed, that their (the Missionaries) first departure from Matawai was not compulsory, but voluntary, and that after the expulsion of Pomaree they were permitted to remove their cattle over to Eimeo, where they yet remain. In speaking of the cattle, a short account of them may not be unacceptable.—About 15 or 16 years ago a cow was landed from the Nautilus, captain Simpson, and purchased by Mr. Henry; and in 1805, a young South American bull was purchased by the Society, out of the Estramina; the whole of the living produce from which amounts to 12 head. Several calves died from want of attention at the commencement of the rebellion; a fine calf was necessarily shot in consequence of its accidentally having a leg broke in its landing at Eimeo; and four or five others have been killed for use. The high veneration and attachment of Pomaree to our Gracious Sovereign forms a conspicuous feature in his character. All other kings, when spoken of, are only denominated chiefs, reserving for Pomaree alone regal title; but if the British Monarch shall be spoken of, enthusiastic energy directs the articulation and a glow of satisfaction overspreads Pomaree's countenance.

In addition to our last information relative to Otaheite, we have the satisfaction to state, that a school has been upwards of a twelve month established at Eimeo, for the instruction of the youth in their own tongues; for which purpose a spelling book was printed in England, and sent out.

Several of the pupils could read when Mr. Henry came away in the Governor Macquarie; and others were about to commence writing, and the generality were progressively advancing. It is the intention of the Missionaries to establish a school on the Lancasterian plan at Otaheite; and to communicate passages of the Gospel to the pupils in writing, by means whereof the excellent designs of the Mission will, it is devoutly to be hoped, be completely answered. Pomaree is particularly fond of being instructed in the bible, and since his avowed conversion to Christianity has become an entire pupil to the Gentlemen who have laboured to propagate the blessed doctrine of Redemption among an unenlightened race of men, who spoke a language utterly unknown, and whose customs and superstitions seemed to present an insurmountable barrier to their most patient efforts. As soon, however, as their pastors were capable of explaining to them the benevolent nature of their errand, and to contrast the delightful tenets of their religion with the wild and absurd chimeras to which they were ligotied by ignorance—a vast number perceptibly

listen—next to learn. Pomaree is not the only convert who solicited baptism; several others have done the same, and one man in particular is remarkable for a devotion that gives to his unaffected manners the solemnity of an anchorite. Divine service is every Sunday performed, first in the Otaheitean, and afterwards in the English tongue; the congregation is called together by bell-ringing, and the places of worship are numerous attended. Some natives generally remain during the performance of the Service in English, after their own is finished, and listen with the most serious attention to every syllable that is delivered by the preachers. The King (Pomaree) has determined to build a church on the Island of Otaheite, from which the greatest benefits may be expected to result.

The number of persons remaining at Norfolk Island amounts to 44, who are busily employed in killing and salting the remaining stock for the use of Government. The Island already begins to assume its original wild appearance. The roads being unfrequented; are covered with a thick brush, and the Cascade road is utterly impassable. The only stock at large consists of a few goats, which the dogs will destroy as soon as the evacuation is complete, and if they can afterwards find means to subsist, they will doubtless remain masters of the place.

### GOVT. AND GENERAL AFTER ORDERS. MILITARY DEPARTMENT.

Head Quarters, Sidney, July 17, 1813.

It is with the deepest and most heartfelt regret, that the Governor and Commander in Chief demands the most serious attention of the troops under his command, whilst he conveys to them his sentiments on the late deplorable event of the loss of a fellow creature to society; in the death of W. Holmes, by the intemperate and disgraceful conduct of lieutenants Archibald M'Naughton, and Philip O'Connor, of the 1st battalion of the 73d regiment.

In lamenting that men, who ought to be the prompt and steady supporters of the Laws of their country, should thus become the Violators of them, and the Terror of that Society which their Duty to their Sovereign imperiously demands of them to uphold. He feels it the more incumbent on him, uninfluenced by Partiality or Prejudice, and solely actuated by that paramount sense of Public Duty, which no Consideration of rank or profession in the delinquents shall ever induce him to swerve from, to express his most decided reprobation of all the circumstances leading to the melancholy catastrophe now under consideration, and which must necessarily remain on the records of the Criminal Court, to the lasting disgrace of the perpetrators of that foul deed.

But whilst the clemency of the Court supported by the general tendency of the Laws on the side of mercy, has pronounced the lenient sentence of Manslaughter, and adjudged Six Months Imprisonment with a Fine of One Shilling each to the Perpetrators of this Outrage, it rests with the Governor and Commander in Chief to mark, in the strongest Terms, his Indignation at an Occurrence so disgraceful to the Military Character; and he trusts, with confidence, that the high Sense of Honor which so eminently characterizes the British Army in every Quarter of the World, and which the 73d Regiment in particular has possessed a most flattering Portion of, will induce them to look to this lamentable Event as a Beacon set up to guard them against the fatal consequences attendant on a life of Drunkenness, Debauchery, and Riot, which inevitably tends to the Debasement and Degradation of the upright and manly Character of a British Soldier, and necessarily induces the Contempt and Indignation of all brave and honorable Men.

It having been proved on the Trial of Lieutenants M'Naughton and O'Connor, that they were in Disguise, and dressed in coloured Clothes, on the melancholy and disgraceful Occasion alluded to; from which Circumstances alone it is reasonable to conclude, they went out from their Quarters with no good Design; the Commander of the Forces positively orders and directs, that no Officer or Soldier (excepting such Soldiers as are Servants of Officers) shall ever appear in future, in any Part of the Town or Garrison of Sydney, in any other Dress than their Regimental Uniforms.

However painful it may be to his own Feelings so to do, Brigadier General Macquarie considers it to be his indispensable Duty to report to His Royal Highness the Commander in Chief, the Conduct of Lieutenants M'Naughton and O'Connor, on the occasion now adverted to, and to submit to the Consideration of his Royal Highness the propriety of allowing Persons who have so far disgraced the Military Character, to remain any longer in His Majesty's Service.

The Commander of the Forces directs, that the foregoing General Orders shall be read at the Head of the 73d regiment, under arms, at the two next ensuing parades of that Corps.

LACHLAN MACQUARIE.

By a Command of His Excellency the Governor and Commander of the Forces.  
H. C. ANTILL, Major of Brigade.



SATURDAY, MAY 14, 1814.

THE TIMES, LONDON, JULY 20.

COURT OF KING'S BENCH, JULY 19.  
GOODALL v. FLETCHER.

Mr. Gaselee stated, that this action was brought by plaintiff, to recover damages from defendant, for a criminal conversation with plaintiff's wife.

The Attorney-General would venture to say, that this case combined in itself all the topics of aggravation that had ever been urged in any similar case. If it be an aggravation, that a defendant has seduced the wife of his intimate friend, that aggravation belonged to this case. If the most unreserved confidence, the most sacred duties broken by a systematic scheme, were considered as matter of aggravation; all these things belonged to the cause. The mode of carrying on this criminal conversation, rendered it distinguished, above all others, for its atrocity; and this pledge would be fully redeemed, when the evidence was laid before the Jury. The plaintiff was a person with whose name the Jury were, no doubt, well acquainted. He was commonly called the Admiral of Hayti: he had been long engaged in that country, and was employed by the Government of it as an Admiral. This occupation kept him long from home, and it was most lucrative, for by his own confession, defendant had received 20,000l; and vastly larger sums came to his hands. Plaintiff's wife, Mrs. Goodall, had been an eminent actress, was mother of eight children; one daughter was 20, a son was 19 years of age. In a profession, in which to transgress the bounds of decorum, was supposed to be common; in which to suspect a degree of licentiousness, was general; he was happy to say, not only that Mrs. Goodall had not misconducted herself, but that virtue was never carried higher. No woman ever stood higher as to moral conduct. He should call many eminent persons in that profession, who would prove that a better wife and mother never existed. Defendant was an Attorney, which circumstance aggravated his guilt; for he ought to have been taught by the misfortunes of others,—he ought to have been deterred from such conduct, by the lessons that must have been given by the Justice that was administered on such occasions by the Judges and Juries, in the Courts of Justice. He was the attorney of the plaintiff,—his agent for money matters,—the depository of his secrets,—the prop on which he had reposed all his hopes and prospects,—the last man on earth who should have injured the plaintiff. The defendant had complained that he was unjustly accused by him (the Attorney-General); the result of the cause would prove the justice of the complaint. Was the defendant a young man, in the hey day of his blood, prone to fall in love with the first lovely woman that he saw; and, undoubtedly, Mrs. Goodall was most lovely? He was a married man with three children, who, during the absence of his friend, debauched his wife. He should say nothing as to the damages: the defendant had dared to correspond with Mrs. Goodall, the wife of his friend; and when he had read those letters, if the Jury could say that it was possible for depravity to mount higher, he would surrender the cause; if not, there was no occasion to speak of damages. The letter he was about to read, was the letter of a married man to the wife of his friend, and there was not a single word in it that ought to have been addressed to that wife. (The Attorney-General then read the letter, which was to the following effect, and descanted upon each paragraph):—

"He desired his dear, dear, Charlotte, to call forth all her firmness, in their present situation,—to be composed,—to be resolute.—in order to get rid of the oppression she had so long endured, that his love might be assured that he had never said he had more influence over her than any body else; that he never could think or speak of her in any other terms than those of unmixed esteem and love; that he was filled with the most sincere, virtuous affection; that he would use all his faculties, and bring into action all the means he possessed, and use all the energies he had, to make her happy and independent. That his every thought was of her; there was no fatigue, no privation, he would not endure to the last, to be of service to her; he was her's and her's only,—he knew no wish but that of making her happy. He

desired his dear Charlotte to look to him; all his acts, all his thoughts, should be exclusively directed to make the remainder of her days happy. In its accomplishment all his ambition was centered. All this he promised, if it pleased God to spare him. He desired her to be cool, to be determined,—to keep her temper—to be composed,—to rely on him, and not to be duped by any thing her husband could say. He asks her, (in answer to a remark in a letter of her's as to what would become of them); was she not his wife; was not every thing of his her's; were not her children dear to him as his own? He should wait with the utmost solicitude to hear from his beloved Charlotte. His constancy was and should continue the same: his love could never abate: he could enjoy no rest until he heard from her: he desired her to be cool, to be determined to that ferocious man, until she could be separated from her oppressor. He desired her to gratify the best feelings of his heart, by coming to him—he was her's to the last drop of his blood, and prayed that God Almighty would bless and protect his beloved wife."

The Attorney-General asked, if he had not redeemed his pledge,—if he had not shewn the defendant to have been a monster of atrocity? But from another letter of the defendant's dated the 9th of March, 1812, it appeared, that when persons once begin a criminal connection, there was no crime at which they would shudder, in order to remove the obstacle to illicit intercourse. There was the experience of history, that laudanum was put in the cup of the injured husband, in order to remove him out of the way of the adulterers.

The Attorney-Gen. then read the letter, which was to the following effect:—"Defendant had received her letter; he did not expect any quietness for them until some effectual measures were taken to put a stop to the husband's unprincipled villainy; he did not know whether the husband had missed the packet; it was in vain, and ridiculous for them to expect comfort and happiness; if the husband were out of the way it might be otherwise; till then he again cautioned her to be on her guard. He asked what she meant by saying it was not safe for him to come to her; he knew he was surrounded by ruffians and assassins, but they were too contemptible to be feared, he said he should send for her, and desired her to be sure to come; they then should enjoy that bliss from that pure and warm love they bore each other. He ended by saying, adieu my love, adieu."

The Attorney-General said, a person would be dull not to take such hints; what better hints could be given? and although Mrs Goodall might not be a fit instrument to use the sledge-hammer, like the unfortunate women who had suffered at Chester, yet she might use the poisoned bowl. If the Jury could find any virtuous purposes for which a man could write such a letter, it might be said he had disgraced his profession. Under any circumstances it must, at least, be said, it was a dangerous suggestion. He would not waste the time of the Jury by speaking as to damages, if the case he had stated was borne out in proof, he would then say that no damages they could put on the record, could be excessive against a man guilty of such enormous crimes. He then called

E. Nunn:—she had seen Mr. and Mrs. Goodall married at New-castle-under-line, more than 20 years ago; visited them in London two or three years after, but not since; they lived on the best of terms. On cross examination, she said she was sister to Mrs. Goodall; plaintiff was a very young man at the time he was married: Mrs. Goodall was on the stage, and an actress of great celebrity.

Mr. Dolman (a hatter, now retired from business) knew Mr. and Mrs. Goodall 20 years; saw a great deal of them: the intimacy continued till Mr. Goodall went abroad three years ago; they lived very happily; Mrs. Goodall visited in witness's family; she had eight children. Mr. Goodall went abroad very frequently; witness wished him, as he was often in difficulties, to make a settlement on a wife, who deserved it. Mrs. Goodall was supported, he believed, by remittances from her husband. Mrs. Goodall had to contend with great difficulties, and conducted herself with the greatest prudence; Mr. Goodall was often a prisoner, and she settled with his agents.

Mr. Littlewood knew Mr. and Mrs.

Goodall; their children were at his school: they appeared to live in the best manner.

Mr. Lawrie knew Mr. and Mrs. Goodall for more than 20 years: they appeared to have been very fond and much attached to each other.

Mr. Bannister had known Mrs. Goodall for 20 years: he had occasionally seen Mr. Goodall: she conducted herself with the strictest propriety, and in the most exemplary manner. On cross-examination he said he had seen Mr. Goodall behind the scenes: did not recollect the time when Mrs. Goodall retired from the stage: did not recollect her applying to him for an engagement in 1803: he recollected Joe his dresser: he was his dresser now: he did not recollect Joe going home with Mrs. Goodall, but should not have thought it at all improper if he had.—Tryer kept the White Horse Inn at Uxbridge: he knew Mr. Fletcher—(here, at the desire of the Attorney-General, witness pointed out Mr. Fletcher:) on the 24th of July, 1812, Mr. Fletcher came on horseback: he ordered a chaise for Salt-hill and back: he went by himself and returned with Mrs. Goodall: they remained at his inn that night, and as far as he knew, in the same bed-room: breakfast was served to them: the Lady left between eight and nine o'clock in the morning of the 25th: she ordered the chaise to take her to Windsor by Datchet bridge, which is a mile round, and the more retired road.

Sarah Edwards also pointed out Mr. Fletcher. She lighted Mrs. Goodall to bed; she left Mr. Fletcher and Mrs. Goodall in the bed-room: brought up breakfast to the bed-room the next morning: the Lady was dressing, the Gentleman was in bed: two persons certainly slept in the bed.

Easter set down Mrs. Goodall before he got to Windsor: he was ordered to go by Datchet-bridge, which is the more retired, and not the customary road.

Mr. Perryman, eleven years post-master at Windsor; Mrs. Goodall lived at Windsor; (several letters were put into his hands, directed to Mrs. Mellont, to be left till called for;) those letters came to his office, he delivered them to Mrs. Goodall, who called for them, and also for letters in the name of Davis. One directed to Mrs. Mellont was delivered by mistake to Miss Goodall.

Mr. Thompson, solicitor to the Assignees of the plaintiff, swore that the Commission was taken out during plaintiff's absence; that defendant was his attorney, and agent for prizes; he had received large sums in 1810—17,700l. as net proceeds of four ships. (Four letters were then put into his hand.) The letters were the hand writing of defendant.

Sarah Queen swore that Mrs Goodall lodged at No. 10, Grove-place, by the name of Stanton, and received one of the letters there.

Mr. Thompson being again called said that plaintiff came home on the last day of the enlarged time for his appearance.

The letters were then read.

Mr. Scarlett felt himself in a painful situation, as the Advocate of the defendant, not merely on account of the importance of the event to his client, but from the talent and ability he had to encounter. In the whole course of his practice, he never recollected any occasion in which his Learned Friend, the Attorney-General, had taken such pains to captivate the minds of the Jury in favour of his client. He agreed with the Attorney-General, that causes like the present admitted of great varieties, and one of those varieties was the conduct of defendant. In this case every thing had been practised that could cause feelings prejudicial to the defendant. All the letters were written after a connection, unluckily too intimate, had taken place between the parties. A letter displaying a systematic plan of seduction, becomes a fit subject of comment; but after the crime was committed, when the misfortune of plaintiff was full, the subsequent conduct of the defendant ought not to weigh to increase the damages. He could not contend that a criminal intercourse had not taken place; the only question, therefore, was as to the amount of the damages. The course that had been pursued, of asking damages on account of the letters that had been read in evidence, made it necessary for him to warn the Jury. On one letter in particular he found it necessary to make some observation. The

letter was new to him, and when he heard the Attorney-General state, that it conveyed a wish for the assassination of Mr. Goodall, he felt a degree of horror he found it impossible to express, but he was relieved when he found from the following paragraph, that it could bear no other meaning than that of a temporary absence on the part of Mr. Goodall in consequence of having obtained the packet. It was impossible that the Jury could be led by any invidious comment to form an opinion that it alluded to any thing so horrible as assassination; and to their calm discretion he left it. His Learned Friend had insisted much on defendant being an attorney. He had never heard that an attorney had no passions; that he was not endowed with all the feelings of human nature. He had yet to learn that in an intercourse between the sexes, they were deprived of the feelings of human beings; attorneys were not angels any more than other men—were men angels there would be no such causes. The question for the Jury was not what Mr. Fletcher had done, but what plaintiff had suffered in the loss of a beautiful and virtuous wife; how has the plaintiff estimated that treasure? Mrs. Goodall, in a situation peculiarly exposed to temptation, conducted herself in an exemplary manner; she surely deserved to have some female friends: some persons who, having seen Mr. and Mrs. Goodall in the moments of domestic privacy, could have told how they lived together; but his Learned Friend had called no such person. Mrs. Nunn had no acquaintance latterly with her sister: his Learned Friend had not shewn the commencement of defendant's acquaintance with Mrs. Goodall: it was very strange if Mrs. Goodall did, as was stated, deserve (as no doubt she did,) conjugal felicity, that no person was called who had seen them in their domestic moments and could tell how they behaved to each other, and how they valued each other's affections. Mr. Littlewood had been called, but the females of that family had not been called, and he did not bring down his intercourse to that period when the plaintiff abandoned his country. As to the value plaintiff set upon his wife, his friend's evidence was a blank. How long, and up to what time, did they live with felicity? His friend had left that task to him, and invidious as it was he must perform it. He should not use any declamation—he should tell a plain and simple story—he should do his duty, and he had no doubt the Jury would do their's. He did not deny that at first while the plaintiff was young, and while he was not tired of his lovely wife, and by her exertions he was supported, they did live happily together. There was nothing previous to this unhappy connexion to complain of in the conduct of Mrs. Goodall; and when he asked, as to Joe, the dresser, he did not mean to insinuate the slightest impropriety: he only did it to shew that when the plaintiff was in England, he allowed his wife to be so attended. When a man married a lovely woman, it was his duty to protect her from all temptation; but particularly so when she was surrounded by temptation. When plaintiff's family increased, and the earnings of his wife were no longer sufficient to support him in the style in which he wished, he became Captain of a merchant-vessel: and when the unfortunate revolution broke out in St. Domingo, the plaintiff became Admiral to Christophe; and from want of the means of support, his wife was obliged to have recourse again to the theatre, from which she had retired. The plaintiff was then sent home, as a prisoner of state, by the Governor of Jamaica. He was liberated, and went again to St. Domingo, where he remained till 1810, when his bankruptcy alone brought him back. No intercourse had been proved between defendant and Mrs. Goodall before 1812. It would appear that plaintiff had forgotten in the West Indies the blessing he had left at home, and that on his return his wife could not enjoy the comforts to which every wife is entitled. If he was misinstructed let his client take the consequence; but he did not believe he was misinstructed. It was his duty, as his counsel, and to his country and himself, to state the evidence, and he should prove that plaintiff was in the situation he had described, and from plaintiff's own confession how he got into it. The defendant most certainly, attracted by the beauty and ac-

compliments of Mrs. Goodall, had undoubtedly entertained a most violent passion for her, but it had not been shewn that he was in the habit of visiting and soliciting her. The letters were written since the connection had taken place; and although his Learned Friend had turned them into ridicule, they appeared to him to speak language of violent passion. He could not defend the conduct of Mr. Fletcher, but men were not perfect, and the Jury must deal with human infirmity as they found it. For brutal passion unmixed with sentiment, there was no excuse; but when he saw a man, after he had enjoyed the object of his desire, still continuing to labour unhappily under the violence of his passion, he thought some allowance should be made for him. The question was, what Mr. Goodall had lost. He had expected that the Attorney General would have called some domestic but not one was called. He should shew that after defendant had left his country he manifested no attachment for any thing he had left in that country. Although it could not justify the conduct of the defendant, yet such conduct was sufficient to alienate the affections of his wife. He would call the surgeons who had attended the plaintiff; what need he say more on the subject of damages, when it was shewn how he himself had estimated that treasure. He had expected only to have cross-examined the witnesses of his Learned Friend, but the consummate skill with which his Learned Friend had conducted the cause prevented that course of proceeding, and gave him the privilege of reply. The Jury had nothing to do with the settlement of accounts, that was for another Court, and another day. If the case should not bear him out, it was not his fault; and if it did, he called on the Jury to give the smallest damages that they could.

Mr. Turner, a surgeon in King-street, Holborn, attended plaintiff; he was very ill, and under Mr. Cline's care. He could not tell the nature of the complaint, he should have thought it a venereal taint; but plaintiff told him he had been inoculated by a negro woman through jealousy. Plaintiff did not tell him the nature of his connexion with the negro woman. On cross examination, he said, he believed that foreign women could give men a dreadful disease without any improper connexion. No mercury was given to plaintiff while under his care, some had been given before.

Mr. O'Reilly, a surgeon, lived at Windsor; saw the plaintiff, who was very ill, he thought with a venereal taint, but plaintiff denied it; he thought it impossible that plaintiff could have been cured without mercury, had that been the case.

Mr. Pasco knew plaintiff very well; in 1809 often dined with him at taverns: plaintiff often told him he slept out; he knew him sleep at the New Hummums. On cross-examination, he said he had seen M. s. Goodall at No. 13, Took's-Court at Mr. Fletcher's office, in 1809.

The Attorney-General said, he would still tell the Jury, that against such a man they could not give any damages that could be considered as excessive. He had been much complimented by his Learned Friend; on the consummate skill with which he had conducted this cause. His skill was at all times small; but he was now, as the Jury must have perceived, not in the best state to conduct a cause, as, from pain, he was almost unable to attend to it. He did, however, ask them for full and ample compensation in damages to a much injured husband. He had not said that attorneys ought to be angels, but they ought not to be devils. Let no person talk of allowances for the passions,—and of a fine woman tempting him to seduce the wife of his friend,—a Gentleman who was abroad for the sustentation of his family; who, when he comes home, finds himself within a day of felony—finds his happiness and fortune ruined by this defendant, who appears to have been his confidential agent. It was objected, that no female witness had been called; the Gentlemen of the Jury were well aware how unwilling females were to be examined in Court, particularly in an action of crim. con. This lady had resisted all attacks, until she fell to the cold-blooded attempts of the friend of her husband. If any man that was received confidentially—if the physician whom no man ever fears to leave alone with his wife—if the clergyman, who also without restraint is permitted to enter her apartments, should break that trust, he ought to be scourged to the extremity of the earth. Such was the case of the present defendant, a more profligate person than which never existed. But if the plaintiff's case were strong before, it was greatly strengthened by defendant's defence,—in every part it failed. Had the defendant

not seduced the wife of his friend, a woman of the highest character for morality and chastity; what need he say more to induce the Jury to give adequate damages?

Lord Ellenborough said, this was an action brought by plaintiff to recover damages from the defendant, for a criminal conversation with plaintiff's wife; there was no dispute as to the fact of adultery, and the letters were strongly confirmatory of the fact. The question therefore, for the Jury was, as to the matters in aggravation and mitigation; the injury had been done to a man, who, from the evidence, appeared to have enjoyed great domestic happiness; the situation of his family compelled him to go abroad and his wife appeared to have conducted herself with the greatest propriety until her connection with the defendant. The defendant appeared to have been in a situation of some confidence; and whatever might be the state of the accounts, the remittances were pregnant with the fact that he was considered as a friend. A criminal intercourse takes place; several letters were produced in evidence, which had been written after the criminal intercourse took place. The meaning of one had been pushed further than he thought it ought: that expression, "If he were out of the way," merely alluded to his temporary absence as Captain of the Packet, and had not any purpose against the life of the plaintiff. But although the letters could be considered as no part of the seduction, yet he thought the Jury might judge by them of the means defendant had used to possess himself of the mind and person of M. s. Goodall. The supposed mitigation was the licentious course of life led by the plaintiff. Such a circumstance, although it would not go in bar of the action, would undoubtedly if proved while plaintiff was living in the same town or county as his wife, have gone to reduce the damages materially. He did not mean to say that difference of climate would excuse such conduct, but such conduct at home would admit of less mitigation or extenuation: There was no proof as to licentious conduct at home; and as to the disease under which he laboured, it appeared that he might have got it without any criminal intercourse; but that was a question for their consideration, and they would allow it to operate in mitigation of damages as far as they thought right. There were not many circumstances in the case. The plaintiff sought compensation for the alienation of the affections of his wife by a friend. They would give serious and proper damages to a man who had lost for ever the society of the mother of his children: such damages as he was entitled to receive they would no doubt give him.

The Jury found a verdict for plaintiff—Damages 5,000l.

## AMERICA.

### MESSAGE.

"Fellow Citizens of the Senate, and of the House of Representatives.

"At an early day after the close of the last Session of Congress, an offer was formally communicated from the Emperor of Russia, of his mediation as the common friend of the United States and Great Britain, for the purpose of facilitating a peace between them. The high character of the Emperor Alexander being a satisfactory pledge for the sincerity and impartiality of his offer, it was immediately accepted; and as a farther proof of the disposition on the part of the United States to meet their adversary in honourable experiments for terminating the war, it was determined to avoid intermediate delay, incident to the distance of the parties, by a definitive provision for the contemplated negotiation. Three of our eminent Citizens were accordingly commissioned with the requisite powers, to conclude a Treaty of Peace, with persons clothed with like powers on the part of Great Britain. They were authorised also to enter into such conventional regulations of the commerce between the two countries as may be mutually advantageous. The two Envoys, who were in the United States at the time of their appointment, have proceeded to join their colleague already at St. Petersburg.

"The Envoys have received another commission, authorising them to conclude with Russia a Treaty of Commerce, with a view to strengthen the amicable relations, and improve the beneficial intercourse between the two countries.

"The issue of this friendly intercourse of the Russian Emperor, and this pacific manifestation on the part of the United States, time only can decide. That the sentiments of Great Britain towards that Sovereign will have produced an acceptance of his offered mediation, must be presumed. That no adequate motives exist to prefer a continuance of war with the United States to the terms on which they are to close it, is certain.

"The British Cabinet also must be sensible, that with respect to the important ques-

tion of Impressment, on which the war so essentially turns, a search for, or seizure of British persons or property on board neutral vessels, on the high seas, is not a belligerent right derived from the law of nations: and it is obvious, that no visit or search, or use of force for any purpose, on board the vessel of one independent Power on the high seas, can, in war or peace, be sanctioned by the laws or authority of another Power. It is equally obvious, that for the purpose of preserving to each State its seafaring members, by excluding them from the vessels of the other, the mode heretofore proposed by the United States, and now enacted by them as an article of municipal policy, cannot for a moment be compared with the mode practised by Great Britain, without a conviction of its title to preference inasmuch as the latter leaves the discrimination between the mariners of the two nations to officers exposed to unavoidable bias, as well as by a defect of evidence, to a wrong decision under circumstances precluding for the most part, the enforcement of controlling penalties, and where a wrong decision; besides the irreparable violation of the sacred rights of persons, might frustrate the plans and profits of entire voyages; whereas the mode assumed by the United States guards, with studied fairness and efficacy, against errors in such cases, and avoids the effect of casual errors, or the safety of navigation, and the success of mercantile expeditions.

"If the reasonableness of expectations, drawn from these considerations, could guarantee their fulfilment, a just peace would not be distant. But it becomes the wisdom of the National Legislature to keep in mind the true policy, or rather the indispensable obligation of adapting its measures to the supposition, that the only course to that happy event is in the vigorous employment of the resources of war: and painful as the reflection is, this duty is particularly enforced by the spirit and manner in which the war continues to be waged by the enemy, who uninfluenced by the unvaried example of humanity set them, are adding to the savage fury of it on our frontier, a system of plunder and conflagration on the other, equally forbidden by respect for national character, and the established rule of civilized warfare.

"As an encouragement to persevering and invigorating exertions to bring the contest to a happy result, I have the satisfaction of being able to appeal to the auspicious progress of our own arms both by land and on the water.

"In continuation of the brilliant achievements of our infant navy, a signal triumph has been gained by Captain Lawrence and his companions in the *Hornet* sloop of war, which destroyed a British sloop of war, with a celerity so unexampled, and with a slaughter of the enemy so disproportionate to the loss in the *Hornet*, as to claim for the conquerors the highest praise, and the full recompense provided by Congress in preceding cases. Our public ships of war in general, as well as the private armed vessels, have continued also their activity and success against the commerce of the enemy, and by their vigilance and address have greatly frustrated the efforts of the hostile squadrons along our coasts, to intercept them in returning into port, and resuming their cruises. The augmentation of our naval force, as authorised at the last Session of Congress, is in progress. On the lakes our superiority is near at hand where it is not already established.

"The events of the campaign, so far as they are known to us, furnish matter of congratulation, and shew, that under a wise organization and efficient direction, the army is destined to a glory not less brilliant than that which already encircles the navy. The attack and capture of York is, in that quarter, a presage of future and greater victories,—while, on the western frontiers, the issue of the late siege of Fort Meigs leaves nothing to regret but a single act of inconsiderate valour.

"The sudden death of the distinguished Citizen who represented the United States in France, without any special arrangements by him for such a contingency, has left us without the expected sequel to his last communications, nor has the French Government taken any measures for bringing the depending negotiation to a conclusion through its Representative in the United States. This failure adds to delays before so unusually spun out. A successor to our departed Minister has been appointed, and is ready to proceed on his mission. The course which he will pursue in fulfilling it, is that prescribed by a steady regard to the true interests of the United States, which equally avoids an abandonment of their just demands, and a connection of their features, with the system of other powers.

"The receipts into the Treasury from the 1st of Oct. to the 31st of March last, including the sums received on account of Treasury notes, and of the loans authorised by the Acts of the last and the preceding Session of Congress, have amounted to 15,412,000 dollars. The expenditures during the same period amounted to 15,920,000, and left in the Treasury on the 1st April 1,857,000 dollars. The loan of 16,000,000 of dollars, authorised by the Act of the 8th of February last, has been contracted for. Of that sum more than a million of dollars had been paid into the Treasury prior to 1st of April, and

formed a part of the receipts as above stated. The remainder of that loan, amounting to near 15,000,000 of dollars, with the sum of 5,000,000 of dollars authorised to be issued in Treasury notes, and the estimated receipts from the customs, and the sales of public lands, amounting to 9,000,000 dollars, and making in the whole 29,300,000 dollars, to be received during the last nine months of the present year, will be necessary to meet the expenditures already authorized, and the engagements contracted in relation to the public debt. These engagements amount, during that period, to 9,500,000 dollars, which, with near one million for the civil, miscellaneous, and diplomatic expences, both foreign and domestic, and 17,800,000 for the military and naval expenditures, including the ships of war building, and to be built, will leave a sum in the Treasury at the end of the present year, equal to that of the 1st of April last. A part of this sum may be considered as a resource for defraying any extraordinary expences already authorised by law, beyond the sum above mentioned; and a further resource of any emergency may be found in the sum of 1,000,000 of dollars, the loan of which to the United States has been authorised by the State of Pennsylvania, but which has not yet been brought into effect.

"This view of our finances, whilst it shews that due provision has been made for the expences of the current year, shews at the same time, by the limited amount of the actual revenue, and the dependence on loans, the necessity of providing more adequately for the future supplies of the Treasury. This can best be done by a well digested system of internal revenue, in aid of existing sources; which will have the effect both of abridging the amount of necessary loans, and on that account, as well as by placing the public credit on a more satisfactory basis, of improving the terms on which loans may be obtained.

"The loan of sixteen millions was not contracted for at a less interest than about seven and an half per cent, and although other causes may have had an agency, it cannot be doubted, that with the advantage of a more extended and less precarious revenue, a lower rate of interest might have sufficed. A longer postponement of the advantage could not fail to have a still greater influence on future loans.

"In recommending to the National Legislature this resort to additional taxes, I feel great satisfaction in the assurance, that our constituents, who have already displayed so much zeal and firmness in the cause of their country, will cheerfully give other proofs of their patriotism which it calls for. Happily no people, with local and territorial exceptions never to be wholly avoided, are more able than the people of the United States to spare for the public wants a portion of their private means, whether regard be had to the ordinary profits of industry or the ordinary price of subsistence in our Country, compared with those in any other. And in no case could stronger reasons be felt for the yielding the requisite contributions.

"By rendering the public resources, certain, and commensurate to the public exigencies, the Constituted Authorities will be able to prosecute the war more rapidly to its proper issue: every hostile hope founded on a calculated failure of our resources, will be cut off; and by adding to the evidence of bravery and skill, in combats on the ocean and on the land, an alacrity in supplying the Treasury, necessary to give them their fullest effect, and thus demonstrating to the world the public energy which our political institutions combine, with the personal liberty distinguishing them, the best security will be provided against future enterprises on the rights, or the peace of the nation.

"The contest in which the United States are engaged appeals for its support to every motive that can animate an uncorrupted and enlightened people,—to the love of country,—to the pride of liberty,—to the glorious founders of their independence,—by a successful vindication of its violated attributes; to the gratitude and sympathy which demands security from the most degrading wrongs, of a class of citizens, who have proved so worthy of the protection of their country by their heroic zeal in its defence; and finally to the sacred obligations, of transmitting entire to future generations that precious patrimony of national rights and independence, which is held in trust by the present from the goodness of Divine providence.

"Being aware of the inconveniencies to which a protracted Session would be liable, I limit the present communication to objects of primary importance. In special messages which may ensue, regard will be had to the same consideration.

"JAMES MADISON.

"Washington, May 25, 1813."

## Advertentie.

DOOR wylen MORAUIN van Samarang op den 23ste January 1808 getrokken zynde een Wissel groot 450 Rds: Zilver geld zo wel in Spaansche Matten, Dncatons als Ropyen op den tekenaar, en deze Wissel na de betaling te zoek geraakt zynde, zo word de geene wélke deselve in Handen gehad heeft verzogt de vrienlykheid te willen hebben daarvan informatie te geven aan

D. VAN SON.