

THE EXAMINER.

No. 189. SUNDAY, AUG. 11, 1811

THE POLITICAL EXAMINER.

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

No. 185.

THE KING'S ILLNESS.

THE newspapers, in keeping themselves to the statement of facts on this head, or of what have been represented as facts, have observed a very laudable delicacy, and it is certainly not our intention to infringe it. His MAJESTY is now undergoing the heaviest and most awful visitation with which the hand of a mysterious Providence descends upon a human being; and to those, who, whatever may be their opinion of the present reign and of the personal influence of his MAJESTY upon it's events, can be unfeeling enough to regard his situation with indifference; nothing need be wished but a similar calamity:—apathy can have no worse punishment; suffering no dreadfuller revenge.

The object of the present brief article is merely to hinder the public recollection from growing cold with regard to the confident opinions expressed by the Ministers and their Physicians on this afflicting subject. Week after week, and month after month, we were desired to have the surest expectations of his MAJESTY'S recovery; the arguments, which naturally struck people on the other side, such as age and repetition of attack, were turned fully to the contrary; and if the Physicians condescended now and then to make use of some little expressions in reserve, the Ministers, characteristically growing bolder according to their ignorance, treated all doubts with an impatience absolutely contemptuous. Mr. PERCEVAL, who was the most lively, on this occasion, does not hesitate now to confess his disappointment, for indeed he cannot avoid so doing; but to make any other answer, or to be at all responsible for opinions so confidently expressed and so conclusive against counter-proceedings, is quite out of the way of him and his colleagues. They do us the honour of confessing that they were in the wrong; but the old excuse is at hand,—Ministers are not prophets and they cannot foresee. Besides, whenever the question is put to them, we shall be told that is unseasonable, and thus it is that they escape. When it was first agitated, the King's doubtful condition, we were told, rendered it unseasonable; when the condition is no longer doubtful, the question is unseasonable, because it is unnecessary; and when things are changed altogether, nobody, they will tell us, can think of agitating it then, because the occasion will be gone by, and good subjects will think proper to look to the present instead of the past.—If the present condition of parliamentary virtue, such things must be endured; but whatever be the fate of these men on the approaching change of affairs,—whether

they will still retain strength to return to their *No-Popery* opposition, or make off as quietly as possible to their natural insignificance, it is fit that what little punishment can follow them should not be lost; and that the people should not forget all the glaring proofs of imbecility, which though the Parliament will not or cannot punish, the historian and the contempt of posterity will.

As to the Physicians, it is pretty generally agreed that they have cut a wretched figure through the whole of the business. In no view of their conduct do they raise one's respect either for themselves or their profession. If they hummed and hawed at first, when questioned respecting the nature of the Royal Malady, it became their duty to be less confident respecting it's issue:—if they were confident, they should have been more explicit, or, to speak better, more intelligible, in their Bulletins; and if they were neither well versed in the disorder nor capable of forming a probable judgment of its termination, as appears in both respects to have been the case, they should not have tampered with the state of their patient, or with the feelings of his subjects. Physic is an art confessedly in its infancy, and knows little or nothing of internal bodily affection, much less of those of the mind; but what physic does know, as our Correspondent *Jovius Medicus* observed, should have been known on this occasion. In short, without meaning to deny to human calculations in general their right to be fallible, especially when made with modesty, it may be fairly pronounced, that his MAJESTY'S Medical Servants, as well as his Ministerial, should have been more skillful or less sanguine; and as to the Bulletins, it is perhaps wise not to give one's decided opinion of what is not only unintelligible in the main, but to all appearance intended to be so.

FOREIGN INTELLIGENCE.

SPAIN.

The official account of the repulse of General Blake at Niobia, states as follows:—

“The troops advanced with the ladders, under a heavy fire of artillery and musketry from the enemy; and some soldiers, after repeated attempts, succeeded in penetrating within the wall; but the shortness of the ladders, though joined and raised, their insufficient number, and the deficiency of other means of attack, did not permit the prosecution of the plan. For these reasons, and day being approaching, the General in Chief ordered the troops to return to their positions, that they might not remain too long exposed to the fire of the fortress, which was accordingly effected, our loss amounting to about 20 men. All the corps employed on this service displayed a gallantry worthy of the highest eulogium.”

PORTUGAL.

Lisbon, July 22.—The enemy having retired entirely, our troops are going into a sort of quarters, or cantonments, in a line extending from Covilla, through Castello Branco,

Villa Velha, Porrelogre, and Elvas, to the Guadiana, which will form our right. The divisions of Gens. Picton, Dunlop, and Campbell, form our left, on the Beira side of the Tagus. The Portuguese will be divided every where, and Portalegre is expected to be head-quarters. It appears that sickness and desertion are greatly diminishing the army of Marmont, who does not possess the confidence of his troops.

IRELAND.

DUBLIN, AUG. 1.—Though the Catholic Committee at its last meeting adjourned to the 19th of October, a Meeting Extraordinary was held yesterday in Capel-street, in consequence of the Proclamation of the Lord Lieutenant in Council of the day before. Lord Fingal was called to the Chair about eleven o'clock, the Committee Rooms being crowded with as much good sense, integrity, property, and respectability, as we ever saw assembled under similar circumstances. After some debate, it was

Resolved, That the Committee, relying on the constitutional right of the subject to petition the Legislature, in the way and manner specified in a Resolution to that effect, passed at the last Aggregate Meeting of their body, do now determine to continue and persevere in the constitutional course they have maturely adopted, for the sole, express, and specific purpose of preparing a Petition or Petitions to Parliament for their full Participation of the Rights of the Constitution, and, that in so doing, they not only in their opinion do not violate, but act in strict conformity with its soundest principles.

Resolved, That this Committee will never meet under pretence of preparing or presenting a Petition, but, for the strict and sole purpose of preparing, and causing to be presented, a Petition, or Petitions."

Mr. Ponsonby was summoned to attend the Council.—He refused to go!—Mr. Curran was present.—He refused to sign!—The Knight of Kerry present.—He refused to sign, and made a speech against the measure.—Lord Muskerry present—and he refused to sign!!—The election of Managers to the Catholic Committee proceeded yesterday in Mary's parish, without interruption, notwithstanding the Proclamation.—(*Dublin Evening Post.*)

The constitutional and spirited Letter addressed by George Lidwill, Esq. a Magistrate of the county of Tipperary, to the Lord Chancellor, will be read with extreme interest. A copy of this valuable document has been procured by a friend, and we insert it this evening. We understand several Letters of a similar description have been addressed to the Chancellor by Protestant Magistrates, copies of which we hope to obtain.—(*Dublin Evening Post.*)

THE PROCLAMATION REJECTED BY A PROTESTANT MAGISTRATE.

To the Right Hon. Thomas Lord Manners, Lord Chancellor of Ireland, &c. &c. &c.

MY LORD, Dromard, 1st August 1811.

Having received a copy of the Proclamation issued from the Castle by the Lord Lieutenant and Privy Council, on the 30th of last month, requiring me, with every other Magistrate in the Kingdom to arrest and disperse any and every person, either meeting, voting, or procuring a meeting of Persons to form a Committee to prepare Petitions to the Parliament of the Empire, on behalf of the Catholics of Ireland, (for that is the evident object of the Proclamation, to all intents and purposes,) and to hold them to bail to stand trial for said offence:—

I have the honor, and I feel it my duty, to state to your Lordship, that my Interpretation of the Convention Act, on which the Proclamation is grounded, will not suffer me to conclude that those persons, that I am directed to arrest and disperse, are guilty of any violation of those laws, to which they are amenable—and that my own ideas on this subject have been confirmed by several communications with some eminent Lawyers, and that, under the impression, I cannot obstruct or ter-

minate the Proceedings of the Catholics of Ireland, I will know those Proceedings to be confined to the arrangements of their Petitions under such regulations as they are constitutionally entitled to adopt, and as they have heretofore been permitted to use, by those successive Administrations who have governed this country—some of them indeed very hostile to what I can ever consider the just and natural rights of that Body.

Did my sense of duty as a Magistrate only go to a passive disobedience of the Proclamation, I should not have troubled your Lordship with this communication; but I feel myself bound both by my oath of office, and those obligations imposed on me as a good Citizen, to extend my efforts to the protection of the injured—and therefore, while I hold the Commission of the Peace, I WILL RECEIVE THE INFORMATIONS OF ANY PERSON WHO SHALL COMPLAIN ON OATH OF RECEIVING ANY VIOLATION FROM ANY MAGISTRATE OR PEACE OFFICER ACTING UNDER THIS PROCLAMATION, WHILE SUCH PERSON HAS BEEN CONCERNED ONLY IN FORWARDING HIS PETITION TO PARLIAMENT. This determination, formed on the best view I could take of the subject, I must make public in those counties of which I am a Magistrate [the counties of Tipperary, Kilkenny, and the Queen's county], having first apprized your Lordship of the same.

Your Lordship will allow me to remind you, that you heretofore misconceived the line of conduct that a Magistrate should, in some instances, pursue, and that you had the candour so highly honorable to your Lordship, to retrace your steps by the re-appointment of Mr. Nicholson to the Commission of the Peace for the county of Tipperary. Your Lordship possibly may recollect that I did myself the honor of waiting on you to express my dissent from the principle on which that gentleman was superseded. Was the mischief that is likely to result from those duties now attempted by Proclamation to be imposed on me, of such a particular and contracted nature, as the case of Mr. Nicholson, I would have recourse to some similar mode of shewing my reluctance to yield obedience to it.

But when I reflect on all the danger that may proceed from a neutral conduct in the present instance, and, that by forbearing to act according to the best view I can take with a pure conscience on this subject, that I may be made instrumental in irritating the physical force of the country, the great majority of the People of Ireland, who are laudably seeking a restitution of those just and natural rights, that they would deservedly incur the contempt of the present moment, and posterity, if they ever ceased to solicit until they obtained,—I feel I could not discharge the duty I owe my God, my country, and my children, if I did not declare, that my conception of my duty in the present instance, as well as my inclination, lead me to contribute my humble efforts to sustain the Catholic Body as far as the Law and Constitution will admit; and I know well that they do not wish to advance or obtain support further than that.—I have the honour to be, my Lord, your Lordship's most obedient servant,

GEORGE LIDWILL.

PROVINCIAL INTELLIGENCE.

ESSEX MEETING.—REFORM.—On Saturday week, a Meeting of Freeholders and Inhabitants of the county of Essex was held in the Court-house of Chelmsford, to consider the Resolutions which were to be submitted to them relative to Parliamentary Reform.

Mr. DU CANE was called to the Chair, and opened the business of the Meeting, by stating that they were assembled for the purpose of exercising the most valuable of their privileges, the right of petitioning against Public Grievances; and he thought that this great right could not be exercised on any matter of greater importance than on the question which would be submitted to them respecting a Reform in Parliament.

The Rev. Mr. ONLEY said, that he was extremely sorry that the two Members for the County were not present, and that so many of the great landholders of the county were absent. He thought that the question of Reform ought to be particularly interesting to the landholders, as under the present

corrupt system of representation, their interests appear likely to be overwhelmed by the preponderance of what is called the moneyed interest. He had long contended for the necessity of a Parliamentary Reform, and had been a Member of the Association for that purpose in 1788. The leading members of that association were now no more, and their efforts at that time were overwhelmed by party; but still the fire which had then been raised was never quite extinguished; some heat still remained in the embers, and a little gale was sufficient to rekindle the flame. He should not detain them by enumerating all the instances of imperfection in our national representation, but would confine himself to the state of the representation of that county and the adjoining. They might begin with the borough on the opposite coast, Dunwich, and with Orford, Castle Rising, Alborough, and Harwich, they would find five Boroughs in their neighbourhood, having at an average about thirty voters each. These five Boroughs returned as many Representatives to Parliament as the five neighbouring counties, Suffolk, Norfolk, Kent, Hertford, and Cambridge. He was now a very old man, and could only calculate on living a few years longer. He, therefore, had no private objects in view; but declared, that he most sincerely believed in his conscience, that without a Parliamentary Reform the country must be ruined. What Boroughs were there in the county for which an Essex Gentleman could venture to propose himself a candidate, without entailing on himself such an expence as would be a serious injury to his younger children? An election in that county was known to have cost 50,000*l.*, and therefore the great mass of the landed Gentlemen were prevented from aspiring to serve their country in Parliament, whatever might be their fitness for the situation. It was a great injury which the landed Gentlemen received from the corruption of the present system of representation, that the fair and honourable object of ambition for an enlightened and independent Country Gentleman was thus placed beyond their reach. If the present representatives of the county would pledge themselves to support the cause of Reform in Parliament, they should have his support; but he would never support, any Candidate that would not give such a pledge.—He exhorted the persons present to persevere in their attempts to obtain a Parliamentary Reform, and to be entirely regardless of the abusive terms which might be heaped upon them for so doing. They should be satisfied, if they were obeying the dictates of their own consciences, and sincerely wishing and endeavouring to serve their country. He concluded by proposing several Resolutions, which were embodied in the Petition below.

Mr. MONTAGUE BURGOYNE said, that if no other good had been produced by this Meeting, he thought that the county had received a great advantage in hearing the liberal, enlightened, and religious sentiments of that most worthy character who had just addressed them. The great Lord Camden had expressly stated, "That taxation and representation should go hand in hand." Perfectly agreeing in this principle, the Gentlemen who convened the Meeting thought that the Inhabitants ought to be convened on such occasion as well as the Freeholders, and therefore they had called the present Meeting. When he recollected the peculiar state of the harvest, he was not surprised at the thinness of the Meeting.

Mr. WESTERN thought the Resolutions were proper, and he very much approved of the manner in which they had been brought forward. He thought it was better not to adopt a specific plan, but to leave that for the consideration of Parliament. It was sufficient to point out to them those breaches of the Constitution which time had made, and through which a tide of corruption had flowed and inundated the land. He wished that Parliament would revise the Septennial Act, which was said to have been passed for the purpose of averting a danger that no longer exists. He approved of frequent Meetings of the People, and of their expressing their sentiments to their Representatives in firm and temperate language. Although this was a principle which he always professed, yet he thought that it should be judiciously exercised; and he did not think it judicious to call a Meeting like the present, at a time when there was no probability of a numerous attendance. As to Parlia-

mentary Reform, there were two descriptions of persons who generally opposed it. The first were those who enjoyed the fruits of corruption, and therefore their opposition would always continue.—There was another description of persons, who were very honest men, but were alarmed with the apprehension of greater evils being produced by Reform. They conceived its advocates as men indulging in theory, and anxious to make innovations in the Constitution. He, however, wanted no innovation, but merely to restore it to its original purity. In fact, corruption had made great innovations on the Constitution. The purchase and sale of seats were great innovations; and it was to remove such innovations that the Friends of Reform were anxious.

The Rev. Mr. ONLEY explained. He was willing to allow that a Clergyman, while following his vocation, in the same manner as Officers of the Army or Navy, might with propriety be excluded from Parliament; but on what reasonable principle a man, because he had been educated in an University in constitutional principles, and because he had once worn a black coat, was to be for ever excluded from Parliament, he was utterly unable to conceive.—(Applause.)

Mr. HOLT WHITE had heard it objected, that Peers would be giving seats to their Chaplains; to which he had answered, and why not to their Chaplains as well as to their Auditors and Stewards?

Mr. HARVEY said, when they saw the Clergy come forward, as they had that day done, they had a sort of pledge from them, that they would not only endeavour to reform the abuses of Parliament, but to reform every other existing abuse. The time selected for the present discussion was not perhaps the most agreeable; but, however unpleasant it might be to be called away from their harvest to discuss Parliamentary Reform, he was convinced that they would not return home discontented, when they had obtained a pledge, that the great existing grievance of Tithes would be removed. He proposed the abolition of the elections from the free Boroughs, and thought that it would be better to have their eight Members returned from the whole County. He objected to the plan of polling which had been proposed, which he considered as more likely to be liable to corruption than the present mode. There were few men so poor that Ministers did not pay their compliments to them. He entered into an explanation of the Septennial Bill. He thought annual Parliaments were better than any; but he agreed with that able Patriot, Charles Fox, that the Septennial Bill ought not to be attacked with so great violence. At the time it passed, there was a powerful faction in the country, which was not confined to paucity of numbers, as was lately the case with political apostacy, but extended to half the kingdom and had the then Parliament been dissolved, another would most certainly have been chosen, composed for the most part of the friends of the Pretender. Should an invader arrive at the present time, we had a Parliament devoted to the King on the Throne. Now, ought we not rather to extend the term of its sitting to 14 years, than that the creatures of Napoleon should get in? This Meeting, he contended, would be most injurious in its effects. Ministers would say the voice of the people was against Reform. Good God! were these all the energies which could be mustered, after all the powerful influence which had been exerted, and the powerful female assistance which had been so industriously employed? This was not a meeting upon an emergency, but it was a meeting which had been in the vast conception of their great Reformers these twelve months.—(A laugh).—Why were not more people brought together than the 200 quiescent beings who were at present assembled? He thought the Meeting should adjourn to a future day.

Mr. FLOWER had heard the long speech of the Gentleman with mingled grief and indignation.—(Loud applause).—and he was astonished that a man, not absolutely of a bad head, should employ himself in speaking so little to the purpose.—Supposing the numbers of the Meeting were not more than 200, this ought to be an additional argument for them to be firm to the purpose.—Had there been only eight persons assembled, he should have gloried in the expression of his opinion; and he thought, therefore, that they ought not to adjourn without com-

ing to some expression of their sentiments—(applauses).—It was very easy to account for the thinness of their numbers—they were now in the middle of harvest, and he concluded that numbers had not come, precisely because they believed the cause was so good that it did not stand in need of numbers—(applause).—He did not wish to cast any reflection on the extreme honour of the Honourable House—(a laugh)—he would merely lay the evidence before them. Mr. Fox had praised the Septennial Act in his juvenile days, when he was an enemy to Parliamentary Reform, and before he had acquired those enlightened sentiments, which had distinguished the latter part of his life. Look through Dr. Johnson's Dictionary, and the strongest and most abusive epithet to be there found, would not be too strong for that damnable act—(Applauses.)—They had been told by Anti-reformists, that with all their Reforms, they could never make men better than they were; but he would tell them, that although they might not be able to make men better, they would at least take away from them the temptation of being worse.—(Loud applauses.)—He could not suppose that a Septennial Bill was necessary to protect us from invasion. He would leave such suppositions to the fancy of the Gentleman above him (Mr. Harvey), a fancy that, he believed, could go on entertaining them till twelve o'clock at night, quite as well as it had already done in talking nothing for an hour together.—(Laughter and applause.)

Mr. BURGOYNE said, that it was not possible for the most corrupt Anti-reformist to have made a speech more treacherously mischievous to the cause of reform, than that made by the Hon. Gentleman. His sole objection to their having their Meeting sooner, was lest their enemies should have had a pretence for imputing to them the slightest want of consideration, on their part, for the melancholy condition of their beloved Monarch; (applauses) but really, when he heard of the Royal Dukes dining out every day, and going to parties; and when he heard also, that the bodily health of his Majesty was in some degree restored, he was apprehensive that the postponing their Meeting on that account might be carrying their delicacy too far.

Mr. HARVEY then proceeded in explanation to answer the observations that fell from Messrs. Burgoyne and Flower. With respect to Mr. Burgoyne, he said, that although he had not the experience of that Gentleman, an experience which would require about forty years in addition to his own—yet that he thought, before that Gentleman made such a noise about Parliamentary Reform, he ought to begin by reforming himself; and, with regard to another Gentleman (Mr. Flower), he was happy that any thing he had said had been the means of opening to the public view, the rich display of so beautiful a flower—(A laugh and hiss.)

Mr. STALKING said, that the speech of a Gentleman above him, was totally irrelevant to the business of the day, and the Meeting had shown great candour in bearing him so long without interruption.

Mr. BURGOYNE then read the following Petition, which was unanimously adopted:—

THE PETITION of the undersigned Freeholders and Inhabitants, Householdors of the County of Essex, to the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled;

SHEWETH,—That your Petitioners, impelled by a strong sense of the duty they owe to themselves and to their country at this eventful and unprecedented conjuncture of public affairs, avail themselves of their right of petitioning your Honourable House, in order to lay before you their sentiments on the present very imperfect and inadequate Representation of the People in Parliament, under the existing forms of election. Your Petitioners conceive that one excellent part of the Constitution consists in the representative system, by which the people are allowed a due share in the Government. But after they had seen it distinctly stated in a Petition presented to your Honourable House on the 6th day of May, in the year 1796, and evidence tendered in proof of the facts, that three hundred and seven of your Members for England and Wales only are not sent to Parliament by the suffrages of the people;

that they are, on the contrary, returned by one hundred and fifty-four Peers and Commoners; and when they find that these allegations stand at this day on the Journals of Parliament, uncontradicted, they cannot but conclude that your Honourable House has lamentably departed from its original and constitutional character, "a full and free Representative of the Commons of these Realms."—To this alarming defect your Petitioners ascribe the far greater part of their national calamities; therefore it is they would bring to your recollection the blood that has been wasted in wars, which, to say the least, wiser counsels might have avoided. Therefore they would remind you of the vast and fearful magnitude of the public expenditure, and of the accumulated increase of debt and taxation. To the same source they ascribe the decisions of your Honourable House, on various occasions, in manifest opposition to the declared sense of the Country, and to its most essential interests, as well as in direct contradiction to your own recorded opinions. Above all, your Petitioners attribute to this unhappy cause the unwillingness hitherto shewn in Parliament to inquire into and correct the Corruptions and Abuses which prevail, too notoriously for denial, in the procuring of Seats in your Honourable House, and which tend, by diminishing its virtue, to destroy the confidence of the people in the Commons House of Parliament. For these, as well as for many other powerful reasons that might be derived from existing circumstances, which your Petitioners forbear to mention, lest they should too much mix their present feeling with discussion on the vital principles of the liberties of England, they beseech your Honourable House that the Septennial Act, which, under a plea of public danger, was, in contempt of national right, passed by a House of Commons chosen only for three years, be forthwith repealed; and that in addition to the land owners, and in lieu of returns to Parliament in the name of depopulated, or close or venal boroughs, the householders of Great Britain and Ireland, directly paying a certain assessment to the State, may, with the exception of the Peers of the realm, have a vote in the election of Members of your Honourable House, and under such regulations of the poll, as would prevent the ruinous expence of contested elections, but too often the result as they are now conducted—a precaution, they will add, not more necessary toward the independence and integrity of Parliament, than it is for the preservation of public morals.—An efficient and constitutional Reform in the powers of Election to your Honourable House, they are fully persuaded, would afford a safe, certain, and speedy remedy for the numerous grievances under which they labour.—They are moreover persuaded, it is the only efficient remedy to be found for them, because it is only by such Reform, and with the term of the Representative trust considerably shortened, that you can restore that identity of interest between the Members of the House of Commons and the People at large, without which your Petitioners have no rational assurance that they shall enjoy the blessings of free and equal Government, under the safeguard of the English Constitution.—The disastrous times in which we live demand this open avowal of your Petitioners' thoughts and wishes, on a measure again and again brought before you; and in the language in which they have conveyed them, they intreat you to believe they intend your Honourable House no disrespect, though they frankly confess they are unacquainted with words too strong to express what they feel on a topic so intimately connected with their dearest rights and most valuable interests.—In conclusion, your Petitioners earnestly pray your Honourable House to undertake a Constitutional Reform before it be too late, according to the provisions they have presumed to point out, or in such other mode, as to your wisdom shall seem more effectual for the accomplishment of the important object which your Petitioners have in view.—So shall the affections of the People be conciliated; your Honourable House retrieve its due weight and influence on the public mind; the internal peace and independence of the country be secured; stability given to the throne, and our liberties, our best inheritance, be perpetuated. And your Petitioners shall ever pray, &c.

The Thanks of the Meeting were then given to the Chair-

man. The account of the vest. It was Magistrates,

BEDFORD in consequence having been in support of as at the last upon his oath had been offered upon oath, "Mr. Serjeant call the evidence Whitebread was order for rem on the 4th of first committee manding Office Pigot, then General, were tial under the to have been cite mutiny, ing attendance martial were geuce had been superior Office to him on the the promulga possibility im pending action

Sir JAMES only acted im of a school for that the resist even to pay fo ill-advised, an ought to have opportunity o him as a trad the Mutiny Ac such schools, e no. bound to him to go to a York, of 180 ment of school for the necess authority, an he said, was a verted; but h stated his opi by the plaint apparent cont admitted it to by one of the to make the n don't care a d the difficulty o words were a excitement to whether, as it it could be de was not a plac cept when dir Adjutant had example of, Bedford, by marching reg evidence, a m that there wa

man. The Meeting was more respectable than numerous, on account of the general employment of agriculturists in the harvest. It was attended by a considerable number of the Clergy, Magistrates, and Gentlemen of the County.

ASSIZES.

BEDFORD, AUG. 3.—WARDEN v. BAILEY.—This cause, in consequence of the nonsuit entered at the last Lent Assizes, having been set aside, came on to be tried again. The evidence in support of the prosecution was gone through nearly the same as at the last Assizes. The brother of the plaintiff again declared upon his oath, "that he had said, a considerable sum of money had been offered to stop the prosecution;" and again declared upon oath, "that what he had said was false."

Mr. Serjeant SELTON opened the defence, and proceeded to call the evidence in support of the defendant Bailey. Colonel Whitbread was the first witness examined, who proved his own order for remanding the plaintiff, and detaining him in prison, on the 4th of December, 1809; two days after the Adjutant had first committed him, till he could take the orders of the Commanding Officers. The letters of Mr. Whitbread to General Pigot, then commanding the district, and the answers of the General, were read. The order for assembling the Court-martial under the Sign-manual was produced, recording the charge to have been "of words spoken by the plaintiff, tending to excite mutiny, in consequence of disobedience of orders, respecting attendance upon a regimental-school, and ordering a Court-martial to be assembled thereupon." The minutes of the Court-martial were also produced. It was proved that all due diligence had been used by Colonel Whitbread, in reporting to his superior Officers, and that he had answered all letters addressed to him on the subject, by return of post; and that the delay of the promulgation of the sentence had been official, and by no possibility imputable to the defendant, or the defendant in the pending action, *Warden v. Whitbread*.

Sir JAMES MANSFIELD said, Colonel Whitbread had not only acted innocently, but meritoriously, in the establishment of a school for the instruction of his non-commissioned Officers; that the resistance on the part of the men to go to school, and even to pay for their schooling, if so it had been, was absurd, ill-advised, and wrong; that the plaintiff, who was a carpenter, ought to have been obliged to his Colonel, for giving him the opportunity of perfecting himself in what might be so useful to him as a tradesman; but that he (the Judge) found nothing in the Mutiny Act which authorised a compulsory attendance upon such schools, even if gratuitously kept; therefore a soldier was no bound to obey the command of his Officer, if he ordered him to go to a regimental school. The orders of the Duke of York, of 1804 and the present year, directing the establishment of schools in the regiments recruiting boys, to qualify them for the necessary duties of non-commissioned Officers, were no authority, and had nothing to do with the law. The usage, he said, was acknowledged, and its beneficial effects uncontroverted; but he could not admit of the proofs of usage. He stated his opinion that the words alledged to have been spoken by the plaintiff, had been proved, although there was some apparent contradiction in the evidence on the subject: and he admitted it to be in proof, that it had been said to the plaintiff by one of the witnesses at the time, "Such language is enough to make the men mutiny;" to which plaintiff had replied, "I don't care a damn if it does." But the Jury were to consider the difficulty of defining what mutiny was, and whether, as the words were addressed to one man only, it could be deemed an excitement to mutiny; and the Jury were again to consider, whether, as it was an excitement to disobey an illegal command, it could be deemed a mutinous excitement. The gaol, he said, was not a place of legal confinement for a military offender, except when directed by statute; that Colonel Whitbread and his Adjutant had done no more than frequent practice had set the example of, even, as it had been proved, in this very gaol at Bedford, by various commitments of Commanders of different marching regiments for sixteen years past; that it was, from the evidence, a much more comfortable place than the guard-room; that there was no imputation of the slightest malice; that the

man had been well treated, and well attended to, and had been removed to his own house on the slightest appearance of indisposition, and even worked at his trade in the gaol; but the gaol being an illegal place of confinement, the verdict must be for the plaintiff. If, however, the verdict were founded on the gaol alone, the damages should be small indeed. If, on the other hand, the Jury should deem there was no mutiny in the words, the damages would be apportioned accordingly: not, however, to be what was usually, but improperly, called vindictive, because there was no pretence for the imputation of malice. But Bailey, the defendant, was answerable for the whole imprisonment, notwithstanding Colonel Whitbread had remanded the plaintiff on the fourth of December: that Bailey had taken no step without the order of his Commanding Officer subsequent to that period; that the Colonel had conveyed to him orders from his superiors; that Warden had been marched to Yoxley barracks by orders from above, either immediately addressed to Bailey, or through his Colonel; that he (Bailey) was answerable for the whole; and that, although the plaintiff, as a permanent non-commissioned Officer, whose whole time is engaged for the service, and paid for by the country, and every hour allowed for work to the permanent staff, is an hour of indulgence on the part of the Colonel, the interruption of his business as a carpenter must be taken into consideration in awarding the damages, recollecting that even in prison he had been allowed to work.

After a hearing of nearly eleven hours, the Jury found a verdict for the plaintiff, damages 134l. 10s. 5d. The bells rung in Bedford, and various marks of hilarity were shewn by the friends of the plaintiff; and the cries in the town reminded the inhabitants of election contests.

HERTFORD, AUG. 5.—JOHNSON v. OLDAKER.—This was an action brought by Mr. Johnson, a farmer, residing at Moor Park, near Rickmansworth, against Thomas Oldaker, who is Huntsman to the Berkeley Hounds, for a trespass committed by the defendant while hunting a Fox. The defendant pleaded, that he went upon plaintiff's land in pursuit of a fox, for the purpose of destroying it, the same being a noxious animal. The plaintiff replied, that the defendant's object was the pleasure of the chase, and for the purpose of amusement.—Mr. Serjeant SHERBURN said, that it was impossible that the Jury, upon their oaths, could say that a set of gentlemen, dressed in uniform, with a fine stud of horses and a pack of hounds, could be associated for the patriotic purpose of destroying vermin—and though it was true, that some vermin-killers, such as rat-catchers, wore a badge, and exhibited some signs of their trade, yet it would be too much to suppose, that the paraphernalia of a set of gentlemen hunters, was intended as a sign of their profession of Fox-killers, either upon a principle of patriotism, or as a source of profit. It was true that rat-catchers and fox-killers might be similar in one respect—for as the fox-hunter bred foxes for the sake of sport, so might the rat-catcher, with a view to profit, increase the stock of rats in a barn.—The defendant, however, did not think it prudent to rely upon his justification, as the Court were supposed to be decidedly of opinion, that fox-hunting, without permission, could not be justified in any way whatever—and as no actual damage was proved, the Jury, after hearing a speech by Mr. Serjeant BEST, in mitigation, contending that no injury was done to the plaintiff's premises—found a verdict for the plaintiff—20s. damages, which fixes the defendant with all the costs.

WINCHESTER.—COLE v. EDNEY.—This was an action brought by the plaintiff, W. Cole, of Sandford, Isle of Wight, to recover damages for the seduction of his daughter, by James Edney, the defendant. Mary Cole, the plaintiff's daughter, was the only witness examined; she gave in evidence that she is now between 26 and 27 years of age, and lives with her father: the seduction complained of took place more than two years since, at which time she was about 24, and the defendant, James Edney, was not more than 18 years of age. The defendant formed an acquaintance with her, but whether he meant to pay his addresses to her or not, she said she could scarcely tell; their connection was carried on without the full know-

ledge of the parents of either party, or at least was unknown to the defendant's friends, but was winked at by those of the young woman. It appeared by Mary Cole's evidence, that she had frequently stayed up very late at night with the defendant, after her father and his wife were gone to bed; the result was, that Mary Cole proved to be with child, of which she was delivered at her father's house, who payed all expences.—Mr. JERKILL, on the part of the defendant, commented strongly on the disparity of the ages of the parties:—he appealed to the Jury whether a young man of 18 was so sagacious and so well versed in the affairs of the world as a woman of 24. He inferred, that it was just as possible that the defendant should have been seduced by Mary Cole, *vice versa*. The Learned Counsel also commented on what dropped from the witness, as to her scarcely knowing whether the defendant paid his addresses to her or not, and on her staying up late at night with the defendant, which was winked at by her father, the plaintiff. On the whole, he contended, that though the Jury must give some damages, they ought to be very trifling.—The Jury returned a verdict for the plaintiff—Damages 150*l*.

CHELMSFORD, AUGUST 8.—HEWITSON v. PHILIPS.—This was an action brought by the keeper of the Canteen in Romford Barracks, against the defendant, who was a Lieutenant, and Riding-Master of a Dragoon regiment, for beating and assaulting Anne Mills, the servant of the plaintiff, by which she was so much disabled, that the plaintiff lost her service.—The CHIEF BARON stated, that the Medical Gentlemen had proved Anne Mills to have been severely bruised, and there was no imputation on her credit as to the cause of those bruises.—The Jury found for the plaintiff—Damages 10*l*.

THOMPSON v. LANE.—This was an action to recover damages for slander, in calling the plaintiff a Thief. The parties were a butcher and a publican, and one slander was retorted by another. To the charge of a thief the plaintiff retorted the accusation of "Cuckold."—The LORD CHIEF BARON said, he supposed the Jury would think *sixpence* sufficient damages. The foreman said, no, that is too much, a farthing will do. "Gentlemen," said the CHIEF BARON, good-humouredly, "I stand corrected, I was *too liberal*, you certainly are in the right." Verdict for plaintiff—Damages, *One Farthing*.

An action was lately brought at Okeham Assizes, against a person, to recover damages on account of his dog having worried some sheep belonging to a neighbour. It appearing in evidence that there were *two* dogs engaged in this predatory excursion, one only of which belonged to the defendant, his Counsel submitted, whether his client could be held liable, as it was doubtful which animal was the *criminal*. The Judge held, that even if one was *principal* the other was an *accessary*, and therefore both were liable.—They were *conjoint trespassers*, and therefore liable jointly and severally. It was a remarkable circumstance, said his Lordship, but it was very well known, that dogs agreed together to go out upon these marauding expeditions.—Verdict for the plaintiff.

On Tuesday week, a cause which excited considerable interest, came on to be heard at the Sessions House, Portsmouth, before JOSEPH SMITH, Esq. Mayor, and other Magistrates. It was an information preferred, nominally, by Henry Norris, but actually by the Rev. Dr. Scott, Chaplain of Portsmouth Dockyard Church, against John Maybee, and the Hon. George Grey, Commissioner of the said Dockyard. The information set forth, that John Maybee, at an unlawful assembly, held in a certain room or office belonging or attached to the dwelling-house of the Hon. Commissioner Grey, under colour and pretence of exercising religious worship, in other manner than according to the Liturgy of the Church of England, did unlawfully teach; at which Meeting five persons or more were assembled, besides those of the household; contrary to 22 Car. II.—"An Act to prevent and suppress Religious Conventicles;" and had thereby incurred the penalty of 20*l*. each. It appeared in evidence, that this was merely a *Sunday School*, where poor children are taught to read the Bible and Testament, &c. &c. After a full hearing, the defendant was of course acquitted;

and the prosecutor withdrew the information against the Hon. George Grey, for having, as charged, wittingly and willingly suffered an *unlawful assembly* to be held at his office!—Dr. Scott had much better attend to his own duties, than thus to harass his fellow creatures, whilst employed in a most honourable office.—What intolerance is this!

At the Ipswich town Sessions, a bill of indictment was found against the Churchwarden and Overseer of St. Mary Stake, for a conspiracy, in sending an orphan pauper to a chimney-sweeper and nightman in London, after the Magistrates had refused their consent. The boy was only eight years of age.

A murder of a most atrocious nature was committed a few days ago on the Rosilly Mountain, in Glamorganshire. Two men, who had been drinking in a public-house, in the little village of Rosilly, had a dispute, which terminated in a violent quarrel, and one of them immediately left the house to return home; crossing the mountain, and being, as it is supposed, inebriated, he lay down by the side of the road and fell asleep. Shortly after the other man, pursuing his way home, came up, and discovering him in this defenceless situation, when, being instigated by revenge, and with the most deliberate cruelty, he got a stake and literally beat his brains out. It is a satisfaction that this monster is committed to Cardiff gaol, to take his trial at the ensuing assizes.

On Saturday week, Charles Skinner Mathews, Esq. M. A. Fellow of Downing College, Cambridge, went to bathe in the Cam, a little above the town, but venturing into a deep part of the river, he got entangled in the weeds, and though an excellent swimmer, was unfortunately drowned in the presence of three Gentlemen, who had it not in their power to assist him, owing to the danger of the place. A boat was procured, and the body was got up in about twenty minutes, but too late for restoration to life, though every possible means was used by the faculty for that purpose. Mr. Mathews was in the 27th year of his age, lately of Trinity College, and took a high Wrangler's degree of B. A. in Jan. 1805.

On Wednesday, while some children were amusing themselves in a garden in Montrose, a woman barbarously stabbed one of them in the back with a knife, merely from an apprehension that the child had been pilfering her fruit. Fortunately for the wretch, the wound is not supposed to be dangerous.

TUESDAY'S LONDON GAZETTE.

Downing-street, Aug 1, 1811.

A Dispatch, of which the following is an Extract, has been this day received at the Office of the Earl of Liverpool, addressed to his Lordship by Lieut.-Gen. Viscount Wellington, dated Quinta de St. Joao, July 18, 1811.

The Army of Portugal broke up from their position on the Guadiana on the 14th inst. and have moved towards Truxillo. I have not yet heard that any troops had passed that town towards Almaraz; or that the cavalry which had been about Talavera and Lobon, had retired further than Merida.

They are fortifying the old Castle of Medellin, as well as that at Truxillo.

Gen. Blake embarked his corps in the mouth of the Guadiana on the 6th. As soon as Gen. Blake's corps embarked, the body of the enemy's troops, which had marched towards the Guadiana, and had turned towards Cartaja, retired from the frontier towards St. Lucar.

I understand that the troops belonging to the 4th corps, which Marshal Soult had brought into Estremadura, have marched towards Grenada. There is nothing new on the side of Valladolid, excepting that Joseph Bonaparte had returned to Spain, and it is said, arrived at Burgos, with an escort of about 3000 men, on the 5th inst.

Whitehall, August 6.

His Royal Highness the Prince Regent has been pleased, in the name and on behalf of his Majesty, to grant to J. M'Mahon, Esq. the Office of Receiver and Paymaster of the Royal Bounty to Officers Widows, in the room of the Hon. Henry Edward Fox, deceased.

F. Sifton and
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E. Campbell
C. Cypson,
T. E. English
J. Hepper,
J. Howell,
S. Jackson and
S. M'Creery,
S. Marsden,
W. Morris,
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BANKRUPTS.

F. Sifton and T. Barns, Blackrod, Lancashire, calico-printers.
 C. Balfie and T. Pilgrim, Lawrence Pountney-Hill, brokers.
 E. Campbell, Oswestry, Salop, leather-dresser.
 C. Cypson, Hackney-Road, dealer.
 T. E. English, Great Marlow, shopkeeper.
 J. Hepper, Newcastle-upon-Tyne, hosier.
 J. Howell, Liverpool, dealer.
 S. Jackson and J. Kirsby, Lancashire, paper-makers.
 S. McCreery, Liverpool, merchant.
 S. Marsden, Manchester, drysalter.
 W. Morris, Bolton, Lancashire, muslin-manufacturer.
 G. Pitcher, Hythe, Kent, spirit-merchant.
 C. Ridsdale, Liverpool, shoe-maker.
 W. Scott, Lloyd's Coffee house, insurance-broker.
 E. Warren and L. Smith, Austin-friars, merchants.
 T. Watts and P. Combmartin, corn-dealers.
 J. Whitaker, Sarford, Lancashire, cotton-twist dealer.
 B. F. Wright, Liverpool, stationer.

SATURDAY'S LONDON GAZETTE.

Downing-street, August 10, 1811.

A Dispatch, of which the following is an extract, has been this day received at the Earl of Liverpool's Office, addressed to his Lordship by Governor Farquhar, dated Port Louis, Isle of France, 2d April, 1811.

I have the honour to inform your Lordship, that his Majesty's ship of War Eclipse, Captain Lynne, returned to this port on the 5th ult., after having taken possession of the French port of Tamelavi, at Madagascar, on the 18th February, and landed the detachments from his Majesty's 22d regiment and Bourbon Rifle Corps, for the garrison of that Island. The French Commandant accepted, without opposition, the terms upon which the Isle of France capitulated. The result of this service has freed these seas from the last French flag, and secured to us an unmolested traffic with the fruitful and abundant Island of Madagascar.

This Gazette contains also an account of the destruction of a French brig of war, of 18 guns, by the crews of the Belle Poule and Alceste, under the command of Lieut. McCreedy. The frigates not being able to enter the harbour of Palenza, where the brig took shelter, Capt. Brisbane sent in the seamen and marines, who took possession of an island at the mouth, on which they erected a battery, which accomplished the destruction of the brig, notwithstanding a warm resistance from the enemy's batteries, which lasted five hours.—The English had four men killed and as many wounded.

Admiral Lord Gambier has transmitted a Letter from Captain Parker, of the Amazon, giving an account of a gallant and successful attack made by the boats of that ship, under Lieut. Westphal, on an enemy's convoy near the Penmarks. One of the enemy's vessels having been cut off by the Amazon, the remainder, eight in number, ran on shore under the protection of a battery, and of a considerable number of troops; notwithstanding the fire from which, Lieut. Westphal succeeded in bringing out three and destroying the other five, without any loss on our part.

Vice-Admiral D'Auvergne has transmitted a Letter from Capt. Sutton, of his Majesty's sloop Derwent, giving an account of his having captured Le Rasleur French privateer, of Granville, manned with 20 men, with small arms.—The Vice-Admiral also reports that the Violet lugger had sent into Guernsey two small enemy's privateers.

Captain Byng, of the Belliqueux, has transmitted three Letters from Capt. Harris, of the Sir Francis Drake, containing reports of the capture and destruction of several small armed cruizers, and 35 Dutch trading vessels, in the Indian Seas.

BANKRUPTCY SUPERSEDED.

J. Stanley, Deal, Kent, ironmonger.

BANKRUPTS.

P. Mather, Corlton-row, Manchester, roller maker.
 T. Barnett, Wheedon Beck, Northamptonshire, butcher.
 W. and J. Arrowsmith, Stoke, Staffordshire, common brewers.
 T. Salter, Baginigge-Wells, victualler.
 A. Clegg, Failsworth, Lancashire, innkeeper.
 P. Mathews, Copthall-court, merchant.
 J. Wibberley, Manchester, draper.
 J. Wilson, Manchester, grocer.
 E. T. Herbert and Co. West Smithfield, blacking-manufacturers.
 J. Scott, Belvedere-place, St. George's-fields, coal-merchant.
 T. Barber, Batheaston, Somersetshire, dealer.
 C. Turner, Millbank-street, Westminster, colour-maker.
 T. Nicholls, Plymouth, merchant.
 N. Hay, George-street, Portman-square, baker.
 S. Shaw, Brunswick-square, underwriter.
 R. Kendall, Chempside, warehouseman.
 R. Carter, Stephen-street, St. Pancras, carpenter.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Con..... 63 $\frac{1}{2}$ 3 | Omnium..... 1 $\frac{1}{2}$ dis.

The Article on PUNISHMENTS IN THE NAVY is postponed another week; and in the mean time the Editor would be obliged to any Correspondent who could furnish him with an account of what took place on board his Majesty's late ship *Africaine*, on the appointment of its last Commander.

THE EXAMINER.

LONDON, AUGUST 11.

THERE is no news yet of the renewal of active operations in Portugal; and the fall of Tarragona in Spain seems to have produced a sensation rather despondent than otherwise. The only interesting document furnished by the papers of the week is an Address to the Cortes, which has been published at Cadiz, but from what pen or by the sanction of what popular opinions, does not appear. It directly accuses the nation of indifference to its condition; and calls upon the Representatives of the People, and upon "good Spaniards of all parties," to make instant and extraordinary efforts, or they are lost. "The Spanish nation," it says, "can and ought to be free; it has resources every where; its valour is heightened by implacable hatred to its tyrants:—there is no reason to despair; but there is just reason for shaking off that eternal indolence which characterises all our actions." In truth, this paper, it is to be feared, is but the first betrayal of a secret conviction in the minds of most rational Spaniards, and the voice will most probably soon become general;—but its complaints should have been addressed particularly and exclusively to the Higher Orders of Spain, for they are the men whose indolence and want of virtue are the ruin of their country. The "good Spaniards," that is to say, the Guerillas, the Peasants, the Partizans—in short, the Inferior Orders, have done their duty, as far as the habits produced by the old tyranny would allow them; nay, considering those habits, they have gone beyond expectation; and every body, who anticipated otherwise, must be happy to beg pardon at their hands for estimating them according to their lords and masters;—but every thing seems to portend, that here the good hopes of Spain must termi-

nate; and the sum of its resistance to France will probably end in this awful lesson,—that a nation cannot be conquered at the pleasure of the ambitious, so long as the People retain in them the least spirit and the least hope of liberty; but that it is very possible for a degenerate Nobility and a corrupt Government so to weaken the principle of resistance beforehand, that the choice between masters shall become a matter of comparative indifference, and the people finally yield to foreign tyrants out of sullen contempt for their own.



ADDRESS TO THE PEOPLE OF SPAIN, &c.

“ Cadiz, July 16, 1811.

“ Representatives of the People! Be not surprised, that, in these days of grief, we address you in the language of truth; nor ascribe to disrespectful motives, feelings inspired by the purest patriotism. It is matter of astonishment, that, after a struggle of three years, we yet remain either so confident or so torpid, that we regard with indifference the imminent danger which surrounds us, leaving to chance the decision of the happiness of so many generations. Should this appear an exaggeration, let us turn our eyes to the series of our miseries during the last three years of blood, and consider what has been the fruit even of our victories. Let us not deceive ourselves; if the Spanish nation has displayed an energy and valour which, properly directed, would have shaken off the Tyrant, and driven his hands from our territory; yet it is too certain, that by an unhappy fatality, this nation, which has made, and is making, such efforts for its freedom, has the mortification of seeing all its sacrifices fruitless, and of lamenting every day new reverses of fortune.

“ Would to God that melancholy experience did not confirm this bitter truth, which has been again pressed upon our minds by the unhappy news of the fall of Tarragona. An event so gloomy leads us to make some disagreeable, perhaps, but useful reflections. Since the beginning of May it was known that the enemy were directing their attempts against Tarragona. Day after day confirmed this news, and the necessity was known of sending a force to prevent it from yielding to the troops which began to press it. At such a crisis, it might have been expected that we should have been wholly occupied with alarm, anxiety, and resistance, till we could afford it succour; instead of which a fatal inaction prevailed; we lived in tranquillity, as if under the shade of beneficent peace.

“ In this disgraceful apathy we were, till the terrible news of a great misfortune restored us for a few moments to the knowledge of our situation. At these moments, we perceived our errors, and took some steps to remedy them; but still it appears too certain, that the great object of the deliverance of the Peninsula is not that by which we are exclusively occupied. With such apathy and indifference, can we think to triumph over the Usurper of Europe? Representatives of the People, good Spaniards of all parties, listen to us! Tarragona has been the prey of the enemy; his hosts are preparing for new conquests; we are lost if we do not make extraordinary efforts. The Spanish nation can and ought to be free; it has resources every where; its valour is heightened by implacable hatred to its tyrants. There is no reason to despair; but there is just reason for shaking off that eternal indolence which character-

izes all our actions. Without great sacrifices—without great efforts and activity—without a decided determination to save the country, our degradation is certain. We are capable of every thing; but if we do not endeavour to apply extraordinary remedies to the existing crisis—if we do not employ ourselves on affairs of importance, instead of spending our time on trifles, we cannot fail to be unfortunate at last: *Tarragona has fallen.*”

There is a report that a Treaty of Peace has been signed between Russia and Turkey; but the fact is doubted.

The East India Fleet passed Dover on Friday for the River, American Papers to the 14th ult., and private letters to the 15th, arrived on Friday. Mr. FOSTER and Mr. PINKNEY reached America at the same time. Mr. FOSTER lost no time in presenting his credentials to the PRESIDENT, and the negotiation was immediately entered upon; but report says, that a suspension of the discussions very shortly took place, in consequence of the necessity under which the British Plenipotentiary found himself, of writing home for further instructions on the subject of the late action between the American frigate President, and British sloop Little Belt. The Court of Inquiry at Halifax has decided that the latter did not fire the first shot. Nothing can be more conciliatory than the conduct of our principal naval Officers on that station. Several American seamen have been given up from the British ships of war, on regular applications being made for that purpose.

By the Malta Mail letters and papers to the 18th of last month were received from Cadiz, at which place General BLAKE is said to have arrived on the 11th. The Cadiz Gazette contains a tediously minute and uninteresting detail of the operations of BLAKE'S Army, which appears to have been extremely harassed by rapid marches, during excessive heat—a great portion of the troops were absolutely barefooted. The Cadiz Gazette of the 2d July, announces the capture of the city of Niebla, after a sharp resistance—but this event is not noticed in BLAKE'S dispatch; and from a subsequent report of an officer of the Spanish Staff, it appears, that so far from having succeeded in taking Niebla, the party which made the attack had been repulsed. The motive for detaching BLAKE from the Allied Army is yet unexplained. In some letters it is insinuated that the garrison of Cadiz has been so weakened, that the Regency had expressly ordered the return of BLAKE—but it does not appear that any considerable portion of the British troops had been withdrawn. SOULT is asserted to have detached a strong reinforcement, which having joined VEXON in the besieging camp before Cadiz, has excited considerable apprehensions of some desperate attempt to assault at that place. But the private letters from Cadiz give much more cause of apprehension from the treachery of internal enemies, than the attack of the besiegers. IMAZ, whose dastardly surrender of Badajoz was about to be submitted to a criminal tribunal, and GREGORIO, another officer, under accusation, effected their escape from the Castle of St. Catherine, in company with an Aide-de-Camp of SOULT, and went over to the enemy. That the French party in Cadiz is numerous, cannot be doubted; and it is openly asserted, by the Captains of American vessels that have recently left that port, that intelligence is incessantly conveyed from the city to the enemy by private telegraphs. The activity of the Guerillas is unceasing; but the cause of Spain derives but slender aid from her own population—

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oppression—

which is, in truth, divided—one powerful party being unquestionably in the interest of France.

ANOTHER FORGERY.—“The *New York Evening Post* of June 29, contains another of those abominable forgeries with which, for some time to come, we may expect the American Papers to abound, for we know there is an infernal forge now continually at work in America, for the studied purpose of issuing pretended State Papers to the world, some of which the author had the audacity to offer to us for publication; and it has been in consequence only of our indignant rejection of his fabrications, that the public understanding has been insulted by them, through the medium of the American, instead of the English Press.—But as we would not permit our columns to be prostituted to the base and infamous purpose of falsehood, so shall we be watchful of the author of the disgraceful and criminal expedient: and in whatever shape or quarter he presents himself, he shall not go unexposed or unpunished by us.—The Boston Papers are the vehicles which this impudent fabricator of falsehood has for the present chosen to serve his diabolical purpose. In those Papers it was, that the audacious forgery respecting the British Constitution first obtained publication; and in the same Papers has since appeared another “*Most Important State Paper*,” purporting to be “*Additional Instructions from the Duke DE CADORE to M. SERRURIEN*,” the French Envoy to the American Government. The pretended Letter is copied by the *New York Evening Post* from a Boston Paper; but the Editor thinks it necessary to apologize for inserting it, observing, in candour, that “he could not yield it any degree of credit.”—The forgery is indeed so palpable, that we shall not insult the understanding of our readers by devoting any part of our space to it.”—*Post*.

IRELAND—*unhappy Country!*—The measures resorted to for the government of this country would induce a belief, that the Servants of the Crown had been for centuries, and still continue to be, actuated by an opinion, that Ireland was and is a stain in the Crown of the British Monarch, and a grievous weight on the English People; that Ireland, this gem of the ocean, stands a blot in the view of Majesty, and bears so heavily on his British subjects, that to relieve the offended eye of the one and oppressed feelings of the other, by a dissolution of the connection, had become an act of duty and of patriotism. In no other way can the reasonable mind discover a pretext for those measures, which at once oppress, degrade, and insult Ireland. Her people taxed beyond their means—steeped to the chin in misery—excluded from political power—and interrupted in the exercise of a public right—lowered to the base rank of bondsmen, &c.—threatened with fine and imprisonment should they presume to look for freedom—aliens in their native land, and slaves under a free constitution—at home loyal, yet insulted—patient, though disgraced—abroad, dauntless, yet the road to high reward shut against them—boldly seeking danger, though in the awful hour of death denied the consolations of their Church—at home, displaying all the genuine characteristics of good citizens and loyal subjects—abroad, bravely fighting the battles of their Prince, and proving to the universe, that in the high qualities of the soldier, the men of Ireland are not excelled by any nation on earth—at home and abroad faithful, generous and valiant—true to their Sovereign—forgiving to those who exercise domestic oppression—terrible to those who oppose them in the fo-

reign field—yet ever suffering under the deep wound of political exclusion, and subject to the daily contumely of every petulant clerk in office.—The more rash the Secretary, the more offensive and oppressive his measures, the more certain, it would seem, is his increase of place, power, and emolument. The instructions of the British Minister to the official creature of his will, in this unhappy country, are not known by the letter, but their spirit pervades the land. The written instrument rests putrescent in the Cabinet, but the effluvia strikes upon the offended sense at every turning. The effect is alternately deteriorating and maddening—now it sinks the noble spirit of this Island to a state of nerveless despondency—again it raises it to all the energy of despair. Such is the fearful history of the past; and had not the Irish People an illustrious and liberal Prince, to whom they can appeal with confidence, their future prospect would be cheerless. To that Prince they now turn in hope—they implore him to interpose his shielding arm between their already lacerated, oppressed, and insulted country, and the iron rod of a rash, intolerant, and incapable Administration.—Their patient suffering, under unremitted privation and disgrace, is a proof of their loyal attachment to his Person and Government; and their blood, staining every quarter of the world, and shed in defence of his Crown and Empire, is the corroborating testimony.—Should then his deeply injured yet strongly attached People of Ireland be still dear to his royal breast—should they still hold a place in the affections of his heart, and should their lives, their liberties, their happiness and services, be of value in his estimation, they now earnestly implore him to cause a saving spirit to descend upon their averted Island—one that will rescue them from the anarchy and death which may fatally flow from the measures adopted and pursued by the intolerant, unjust, and insolent servants, who have been set over them, and who appear to rise and revel on the surrounding calamity.—*Dublin Evening Post*.

Notwithstanding the Proclamation interdicting the election of Delegates to the Catholic Committees, we find that such elections are proceeded upon without hesitation on the part of the Catholics, and without interruption on the part of the Government or Magistrates, to whom the Proclamation is addressed.

The embarkation of troops for Ireland took place on Monday morning, at Dover, when the five following regiments were embarked, without the least accident, viz. the Royal Cornwall Miners, the Royal Cardigan, the Royal Merioneth and Carnarvon, and the Montgomery; they will sail next tide. The Middlesex Militia, as they were going to embark, received a counter order.

The 13th Light Dragoons went out to Portugal 18 months ago, and were then nearly 1000 strong. Since that period, they have at different times received reinforcements to the amount of 500 more; but so constantly have they been in action, and so severely have they suffered, that on the 1st inst. they could only muster 60 men and horses fit for duty. It will be recollected that they have formed part of the advance during the whole of the contest. It must also be stated, that part of a squadron of them were taken prisoners on the bridge of Badajoz, shortly after Massena's retreat; that many of them have been invalided, and that a number still remain in the hospital.

The following description of the field at Albuera, after the immense slaughter on both sides, is given in a Portu-

guese Paper:—"Nearly 3000 dead bodies, in a putrid state, and tainting the air with infection, were left unburied on the ground; the living soldiers dared not approach their putrid dead companions, but were forced to leave them a prey to flocks of vultures, ravens, and other ravenous birds, which came in multitudes, attracted by the stench: they were all consumed to the bare bones in a few days."

"I have been blamed for having stated in my Reflections in the *Times*, the 13th Dec. 1810, that I had only left France because you" (BONAPARTE) "had not named me General of Division, instead of publishing that it was only owing to your tyranny and your cruelties. Bred up to a military life, I have troubled my head very little about politics; I have always had a full persuasion that a good soldier ought to serve his Government faithfully, without making it his business to scrutinize its conduct in the other departments of the public administration. I therefore freely confess, that I left you in order to revenge myself for your injustice towards me, and in the hope of bettering my situation and that of my family, by furnishing the English Government with your own plans and my means of execution, which I thought would have brought me great advantages.—Deceived in my expectations, by a fatality which I have every reason to believe you are the author of, be well assured that my thirst for revenge will but increase with all these crosses; and that sooner or later I will make you experience, otherwise than by pamphlets, that I am the worthy pupil and the zealous avenger of the illustrious Kleber."—General SARRAZIN'S Notes, published in the *Times* of Monday.

"A Parliament, says BLACKSTONE, may be dissolved by the demise of the Crown. This dissolution formerly happened on the death of the reigning Sovereign; for he being considered in law as the head of the Parliament, that failing, the whole body was held to be extinct. But the calling a new Parliament immediately on the inauguration of the successor being found inconvenient, and dangers being apprehended from having no Parliament in being, in case of a disputed succession, it was enacted that the Parliament in being shall continue for six months after the death of any King or Queen, unless sooner prorogued or dissolved by the successor; that if the Parliament be, at the time of the King's death, separated by adjournment or prorogation, it shall, notwithstanding, assemble immediately; and that if no Parliament is then in being, the Members of the last Parliament shall assemble, and be again a Parliament."

The Bishop of CHERESTER, in his late visitation, held at Lewes, delivered a charge to the Clergy, in which he regretted that no beneficial change, either in the political or religious world, had been felt since he last had the honour of addressing his brethren. Some attention had been paid by the Legislature to the cause of religion and the establishment, by sums of money voted to the poorer Clergy; but the clamorous spirit of the Irish Catholics, and the increase of Dissenters and Sectaries within the last few years, made him fear that, before long, the religion of the Church of England would no more be the religion of the majority of the nation. He concluded by exhorting the Clergy, by their precepts and their practice, to vindicate their character from all misrepresentation, and preserve, as much as their efforts could effect it, an Establishment, whose overthrow would probably be accompanied by the overthrow of the State!

In the evidence annexed to the Report of the Committee on the Weaver's Petition, it appears, that the average wages of mechanics in Lancashire did not amount to more than 8s. a-week in February last, and that the average earnings of the cotton-manufacturers (of whom one-third were out of employment) did not exceed 7s. 11. The number of spinners in Manchester and its vicinity is computed at 9000, and the number of weavers at 12,000. When in full employment, the average earnings of the weavers are stated at 11s. per week, and when only partly employed, at 5s. 6d. At the same time the same witness mentions, that the common rate which he pays for country labour at his own residence, is 2s. 6d. per day. A Mr. SMITH, from Glasgow, was also examined, the substance of whose evidence was, that the earnings of the manufacturers in that part of the country are now only one third of what they were nineteen years since.—How long ought this monstrous state of things to last?

The Report of the Committee on the Laws relating to Penitentiary Houses has been printed by order of the House of Commons. It states, that from the evidence received, the Committee are of opinion, that the system of Penitentiary Imprisonment is calculated to reform offenders, and ought to be pursued, but that it is not expedient to erect for that purpose a Penitentiary House, or Houses, for England and Wales, but that it would be more advisable that a separate House or Houses should be erected, in the first instance, for London and Middlesex, and that measures should be taken for carrying on the Penitentiary System, as soon as may be practicable, in different parts of the country.

A law-suit of a curious nature, though not unprecedented in literary annals, is now pending in Paris:—it is an action for damages brought by M. BOUVET, of the Imperial Academy, against the conductors of the *Journal l'Empire*, for having, in a critique on a Latin poem, written by him on the birth of the King of Rome, declared that his metre was false, his lines full of barbarisms, and that on the whole he was an indifferent poet! M. BOUVET, who is a school-master, declares that his reputation as a man of letters is affected, and lays his damages at a considerable sum.

The Surveyors of Taxes, by direction of the Commissioners acting under the Property Acts, are calling for a List of all the "Methodist, Dissenting, and other Meeting Houses," with the names of the Trustees and Managers, what money on interest, and to whom such interest is paid, and to what amount per annum.

At the cross-examination of the Grammar School of Dumfries, a young Lady, from the parish of Kirkmahoe, supported the honour of the Greek class, and completely demonstrated the fitness of the female faculties for receiving a classical education. She made Latin and Greek exercises and versions, read Homer with ease, and answered every question which was put to her in philology, antiquity, or grammar, with accuracy and promptness.

ECONOMY.—The following unique return, respecting the increase or diminution in the expenses of his office, has been made to Parliament, amongst others, by that distinguished Reformer, the *Master of the Horse*:—

"No increase has taken place during the said period; but a temporary diminution has arisen from the circumstance of not filling up the place of one of the Stud Helpers (who died on the 11th of January, 1810, the Master of the Horse supposing that the situation of the stud did not then, nor since, require it; producing a saving, in salary, allowances and liveries, of about 80l. per annum."

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The following is an extract from a New-York paper of the 18th of July:—

"In the ship *Ann-Maria* came the following wax passengers, viz.—King of England, Bonaparte, Washington, Jefferson, Madison, Hamilton, Burr, Pickering, Hillhouse, Giles, and Mrs. Clarke.—They were seized with the rest of the cargo, on their arrival, although they were East Haven manufacture, but have since been liberated."

From the population returns now making, there appears to have been a considerable addition to the number of inhabitants, since last returns: but there is a great majority of females, owing, doubtless, to the sanguinary war we have been so long engaged in.—In Marybone alone the females outnumber the males by upwards of eleven thousand. Its whole population is estimated at 75,642, which is more than Birmingham contains by 5000.—St. Giles's parish contains 34,672 inhabitants, of which 20,066 are females and 14,606 males; and this appears to be about the general proportion.

HORRID MURDER.—A barbarous murder was committed at Harford, Dorsetshire, on the evening of Thursday se'n-night, by a monster of the name of *Zekiel Peele*, on the person of his master, Mr. Johnston, a respectable farmer. A Correspondent informs us, that the offender had lately been discharged from his service, and prosecuted by his master for larceny; but the prosecution was dropped, in consideration of the mournful appeals of seven children.—Johnston was smoking his pipe in his parlour alone, and the assassin attacked him with a knife used by the butchers for slaughter, and plunged it into his back, betwixt the shoulders, to the hilt, before he was observed. No person, excepting an elderly maid-servant, was in the house, and means were taken to prevent her giving an alarm, by fastening her in a closet. The assassin has not yet been secured. The deceased lived about two hours after the attack.

The admission of the following case into the *Examiner* having been solicited, it is impossible to refuse such a claimant.—As it however bears the character of an Advertisement, it may be proper to remark, that from the commencement of the Paper to this present hour, not one six-pence has ever been received for any Insertion whatever:—**A CASE OF REAL DISTRESS.**—A Gentleman who was in a respectable banking and mercantile line, from which he was reduced by unavoidable misfortunes, with a wife and eleven children, had been endeavouring by his industry to support them, when he was seized with a severe illness which rendered him unable to follow his employment. To maintain his family in this distress, he was obliged to dispose of almost every article they were possessed of; and his wife, who is near being confined of her twelfth child, is destitute of the necessaries which her situation requires—without even bed or linen, except what has been borrowed, and the rest of the family are in a similar state of distress. To alleviate this misery, the present application is made to the generous and humane, from whom subscriptions will be received by the following persons, who will give every information respecting the truth of the above statement:—Mr. Ross, 8, Lombard-street; Mr. Paterson, 39, Ludgate-street; Mr. Dick, bookseller, 24, Holywell-street; Mr. Ogle, bookseller, 295, Holborn; Messrs. Normville and Fell, 29, New Bond-street; and Messrs. Trenchard and Williamson, linen-draper, 58, Leadenhall-street.

SIR FRANCIS BURDETT AND THE SPEAKER.—This cause, which was recently tried at Bar, in the Court of King's Bench, was decided by a Jury in favour of the defendant, and that in the action against the Serjeant at Arms, the Court gave their judgment in demurrer against the plaintiff.—Sir FRANCIS, not being satisfied with the result in either cause, it is said, has now brought his writ of appeal, and both actions will be again agitated in and before a tribunal of a higher import than that in which they have already been discussed, namely, before the Court of Exchequer Chamber, which has paramount jurisdiction above the Courts of Westminster Hall. This Court is composed of the twelve Judges, all of whom sit together and hear the Advocates on both sides, and afterwards pronounce their judgment *seriatim*; from whose decision there is no other appeal but to the House of Lords, which is made, in the first instance, by petition; but then it is a petition of right.

Colonel GREVILLE, it is said, has obtained a licence for a Theatre, "merely to perform Burlettas, Music, and Dancing, and *Dramatic Entertainments by children under the age of seventeen.*"—If this be true, it is a disgrace to all the parties concerned—to the licensers and licensed—and ought not to be tolerated in a nation having the least regard for public morals.—The Duchesses, and Marchionesses, and other Lady Patronesses, of which the Colonel boasts, ought to be ashamed of lending their sanction to a plan, which must inevitably tend to corrupt the rising generation, and add to the list of abandoned and unhappy females. *Dramatic performances by children* are equally objectionable to a true taste as to a sound morality.—Nothing can be more disgusting, than to see infants making love to each other, and hear them utter language which had much better be avoided even by adults. There is one consolation, however, attending such a scheme, and that is, that it will not stand long, even if carried into effect; for the English people have too much sense to relish and patronise such childish exhibitions. A similar attempt, made some years ago, totally failed, and the present one will doubtless be equally denounced and despised.

THE KING'S ILLNESS.

MEDICAL BULLETINS.

"Windsor Castle, Aug. 4.

"The King has had several hours sleep in the course of the night, but the symptoms of his Majesty's disorder remain the same."

"Windsor Castle, Aug. 5.

"There is no alteration in his Majesty's symptoms since yesterday."

"Windsor Castle, Aug. 6.

"There is yet no improvement in his Majesty's symptoms."

"Windsor Castle, Aug. 7.

"His Majesty has passed a sleepless night, and is not quite so well this morning."

"Windsor Castle, Aug. 8.

"His Majesty has had several hours sleep in the course of the night, and appears to be refreshed this morning."

"Windsor Castle, Aug. 9.

"His Majesty is much the same as he was yesterday."

"Windsor Castle, Aug. 10.

"His Majesty has passed the last twenty four hours in a more composed manner; but in other respects his Majesty remains the same."

"The accounts of last night (Friday) we regret to state, are by no means of an encouraging or satisfactory description. His MAJESTY'S aversion to food still continues, and extraordinary expedients are obliged to be had recourse to, in order to administer that degree of nourishment necessary to the preservation of life. In this way sufficient sustenance has been contrived to be administered, to remove for the present the apprehensions entertained by reason of the total abstinence from food, in which the Royal Sufferer had for so many days inflexibly persevered. By order of the Queen's Council, a consultation of such of the Faculty as are most eminent for knowledge in the peculiar complaint by which his MAJESTY is afflicted, has been held; and the result is understood to be the adoption of the means to which we have alluded for affording the necessary degree of nourishment for the preservation of existence."—*Post.*

"The reports that his MAJESTY'S apartments have undergone material alterations for the convenience of his taking exercise in them, is erroneous. No change or alteration whatever has taken place; and so far from the floor being covered with cork, his MAJESTY has not even had a carpet in any one of his rooms since his residence in the Castle."—*Post.*

FINE ARTS.

PRESENT STATE OF PAINTING AND SCULPTURE, AS EVINCED BY THE LATE EXHIBITIONS.

As praise and pecuniary reward are the main stimuli to the efforts of Genius, the Exhibitions of Painting and Sculpture in the Metropolis may be justly regarded as tests of the nature and extent of the patronage conferred on those Arts; set to the Exhibitions; as to the best sources from which fame and profit can be derived, are sent nearly the whole of what is annually estimable from the hands of the Professors.

Estimating therefore the present State of Painting and Sculpture from these criteria, it is highly gratifying to find that they assumed last season a more important aspect, and acquired a vigour of talent and patronage that promises a long and more dignified existence.

The Painters of Landscape and Portraiture exhibited a mass of excellence in the Royal Academy and Water-Colour Exhibitions, that greatly exceeded any individual display of former years, and their aggregate remuneration was proportionably great. To the increased talents of most of the established Artists was superadded the improved powers of the junior ones; and the unusual merit of even some of the Honorary Exhibitors may be adduced as proof of the more than ordinary ardor in the cultivation of Art.

Familiar-Life Painting boasted an extraordinary portion of ability. In the early genius of Mr. COLLINS was recognised a bright addition to the constellation of excellence shining in the performances of SHARPE, CHALON, BIRD, HEAPHY, the admirable RICHTER, and imitable WILKIE.

But the most gratifying view of the Fine Arts was exhibited in the Historic region. The abilities of Mr. LANE, which had for a few previous seasons been seen gradually rising on the hemisphere of elegant intellect, shone out with more than ordinary effulgence. His picture in the Royal Academy of *Christ derided*, would have conferred honour on more practised professors. The science and taste it displayed, the results of carefully cultivated powers,

are pledges of exalted eminence; and I will not for a moment chill the warmth of my expectations by thinking, that so much evident industry will relax in its endeavours to reach the station allotted to those who nobly aspire to the loftiest attitude of their profession.—*The Maniac*, and *P. Howorth in the character of the Infant Hercules*, were also spirited proofs of the lofty aim of the young Associate DAWE; as was a vigorously drawn and expressed subject by Mr. A. PERTAL, of *Ardeus and Eurydice*;—one by Mr. HILTON, representing *John of Gaunt reproving the King*;—and one by Mr. JOSEPH, of *Achilles shouting from the Trench*.—If to these efforts of the younger Artists at the Royal Academy, be added those by the same class at the British Institution, constituting the Paintings for the Prizes, which, except Mr. HAYDON'S *Dentatus*, surpassed in merit those painted in preceding years, we shall have the satisfaction of observing a considerable increase of rising and highly promising talent. But while the Institution has been twining wreaths of honour and presenting pecuniary rewards for youthful genius, it has not been regardless of maturer talent. It has conferred signal and highly deserved respect on the genius of the President of the Royal Academy, in its purchase and deposit in its Gallery of his grand picture of *the Miracles of Christ*; a purchase as generous as it was judicious; for though a work that embodies so much merit of various science, of judgment, of taste, and industry, possesses an inherent and intellectual worth that transcends any specific pecuniary return, yet the sum of three thousand guineas was liberally bestowed on the painter, inasmuch as it far exceeds any sum ever bestowed on any single production of the art in England, and as the profits of its single exhibition, which has already doubled its cost, are to be exclusively applied to the express uses of the Institution. Beside the advantage of elegant ornament for the portfolios and parlours of the tasteful, derived from the large print which is to be executed from this noble work, it will be a standing and stimulating study to the aspiring artist, and, I hope, the commencement of a National Gallery of Art, to which the public may have access for their amusement and farther improvement in pictorial taste; a desideratum, the possession of which would be infinitely beneficial to the art, in the relish it would more generally excite for its productions.

From the above exhibitory evidence of the state of Painting, and from the admirable Statuary which last season, at the Royal Academy Exhibition, ornamented the Model Academy at Somerset House, from the hands of FLAXMAN, BACON, THREED, BUBB, NOLLEKINS, GARRARD, and CHANTREY, is to be deduced this pleasing conclusion, that Painting and Sculpture are rising from the state of torpor to which for many years past they were reduced,—that they are invigorated by a considerable increase of patronage and talent,—and bid fair to add a still more exalted character to British intellect.

R. H.

PUBLIC EXPENDITURE.

The Tenth Report from the Committee on the Public Expenditure, has just been published. It relates to the Audit of Accounts, and contains much curious matter.—The Committee recommend that all fees paid on passing accounts should be abolished, and a compensation made to the officers entitled to them, according to an average of five years of war and five years of peace. The accounts

respecting forage for the cavalry (under which head such knavery was practised during Mr. Windham's Secretaryship), are still, it appears, falling into arrear, as, in fact, are all the military accounts; one great cause for which, as stated by Mr. Stuart, is, "that Paymasters and others have had a new lesson to learn every two months."—The accounts of the War Office, says the Report, have "accumulated to a mass of arrear, that has nearly, if not wholly, precluded any accurate investigation."—All this was during Mr. Pitt's admired Administration, and when that "virtuous" Statesman, Mr. Windham, was Secretary at War,—a man for whose death the tears of the Whigs have not yet ceased to flow!—"If arrears still continue to accumulate," continues the Report, "some other system must be adopted, by which an effectual remedy may be applied to the disordered and disgraceful state in which the accounts of this great branch of public expenditure has been for so many years suffered to remain."—Yet our readers know well, that all these things were under the absolute control of that greatest of Financiers, the "immortal Pitt," for upwards of twenty years, the very period in which this confusion has arisen,—a confusion so useful and consolatory to certain agents and their accomplices. It is curious to observe, that in the Exchequer, the Journal of Expenditure and the Imprest Rolls "have ever been written in the Latin language, and with the uncouth and almost unintelligible Exchequer figures."—This, it must be admitted, is an excellent mode of keeping clear accounts; and the Committee naturally observe, that "if they can discover nothing but embarrassment and obscurity, in continuing to keep accounts in a mixed language which is hardly understood, and in a notation which cannot be summed up!"

WHIG PATRIOTS.

MR. EXAMINER.—The *Morning Chronicle* of last Monday contained an article of a description, which, in my judgment, ought not to pass without due notice. The Editor termed it a "Sketch of the Character of the late Duke of Devonshire;"—but a more decided puff never appeared in print.—It is pretty generally known, that the late Duke of Devonshire was a man of respectable understanding and of decent habits, and that he preferred (wisely perhaps) a retired to a public life. In characterising such a man, at once a Duke and a Whig, it might naturally be expected that the *Chronicle* would indulge itself in a little embellishment of panegyric; but when it describes the deceased as a critic, politician, poet, & philosopher, who "joined every quality of the head and heart which go to the formation of a perfect character," and asserts, moreover, that "it is the simple and naked fact, acknowledged by every one who knew him, that his heart contained an assemblage of every virtue that exhibits man in the image of his Creator,"—one cannot sufficiently deride such a miserable attempt to give immortality to mediocrity.

It is not, however, this total departure from decency and truth, that has induced me to notice the article in question. Had the *Chronicle* contented itself with merely puffing off a deceased partizan, a silent shrug of contempt would alone have been excited;—but in praising the dead, the *Chronicle* has thought fit to libel the living, in a manner at once exhibiting its inconsistency and malignity.—The Duke, says this Whig Journal, "understood nothing of the modern popular jargon of the *Independence of the*

Crown; by which those who have elected themselves to be Leaders of the People are seeking alliance with the Court, against the Whigs, in order more effectually to destroy the Crown itself, after depriving it of its true constitutional defence."

Now, I ask you, Mr. Examiner, whether it be possible for the most venal paper of the day to have made a more outrageous charge against the Reformists, than this of the *Chronicle*, which plainly and directly asserts, that the Leaders of the People are striving to overthrow the Constitution? Thus, Sir, has this "Organ of the Whigs" openly joined the *Post and Courier*, in their attempts to put down Reform and its advocates, by exciting the doubts of the moderate and the fears of the timid.—The article in question was not a mere paragraph, sent by some courtly correspondent, and placed in a corner of the paper.—No; it was duly ushered in by an announcement; it occupied more than two columns, and was distinguished in the usual manner of important information; so that it must be considered as a kind of Manifesto from the Whigs, expressive of their sentiments in regard to the Reformists, whom they have thus denounced as hypocrites and traitors.

For my own part, Mr. Examiner, as a decided advocate for Reform, I cannot but think that this denouncement of our cause will be of great service in the end. The conduct of the *Morning Chronicle* has of late been more than suspicious, and it is better to have an avowed than a concealed enemy. When the *Chronicle* proposed, as an efficient Reform, the mere return to Triennial Parliaments,—which alone would have only doubled our calamities,—it was tolerable clear that nothing good would proceed from the Whigs. Such an exposition of sentiment sufficiently proved that the People were to expect nothing from their getting into power, and that their sole object was place. Indeed, it appears to me clear, from history, that it is to this body of politicians that the country is chiefly indebted for the very corrupt state of Parliament, its seven years sittings, and all the consequent mischiefs. Ever since the days of Sir Robert Walpole, that leviathan of venality and true Whig,—the Parliament has been managed by a corrupt influence, formerly silent and secret, but now shamelessly avowed and open.

But that nothing should be wanting in this display of hostility to Reform, the *Chronicle* concludes with an Etonian expression of sorrow for the loss of one of its greatest enemies,—in a style which would not have disgraced a Tabernacle Orator, when descanting on the blessed qualities of some deceased babe of grace.—"In 1806, the world was deprived of Mr. Fox, and our tears are yet flowing for Mr. Windham.—Short, indeed, has been the space within which the grave has been heaped with every thing great and excellent in this country!—But we must look forward still; and since it is not granted to us to avert the growing difficulties of our situation under the guidance of these virtuous men, we must learn by their example how to meet them."

Really, Mr. Examiner, one must stop to take breath here! Mr. Windham, the colleague of Pitt, the patron of speculators,* the advocate of eternal war, and the inveterate and outrageous enemy of every sort of Reform,—a great, an excellent, and a virtuous man! Why, Sir, this

* See Mr. Pool's Pamphlets relative to frauds committed by Mr. Windham's Foreign Corps Agents, who were, notwithstanding, employed and promoted by him.

is the very climax of ministerial cant:—fortunately, however, like every other species of cant, it only serves to hold up its author to more than common contempt. After this, as certain of the Whigs are shortly expected to join Mr. Perceval's Administration, it will not excite our surprise to hear the *Chronicle* pronouncing an eulogy on the merits of that eminent Statesman. Mr. Canning is doubtless delighted at hearing his old sentiments echoed by the "Organ of the Whigs;" and, in short, the Corruptionists in a body may be expected to hold a general meeting, in order to present the Editor with "a Piece of Plate," as a token of union and gratitude!

That these patriotic worthies, Mr. Examiner, may live to enjoy their proper reward, and be held up as an exalted example to the rising generation, is the warm wish of your obedient servant,

ROWLAND ROPESEND.

Execution Dock, Aug. 7.

PAPER AGE—LORD STANHOPE'S BILL.

SIR,—The poet who has so beautifully described the successive ages of the world, closes the scene, as you no doubt recollect, with a picture of that in which he lived. The spirit of prophecy and of poetry are so nearly similar, and have been so often united, that I regret he did not stretch the keen eye, which could foresee the immortality of his own works, down to our times. He would have given so pleasant a uniformity, and such a completeness to the scene, if he had commenced with the golden, and gone through the various ages down to that of paper. There is another part of the *Metamorphosis*, too, which would have received a very pleasant addition, if he had been aware of what was to happen. I allude to that beautifully poetical part of the 15th book, which relates to the Pythagorean philosophy,—in which he might have followed a bank note from its vegetable state, till it encompassed the form of some beauty, graced a beau's neck, or wiped the perspiration from the brow of a prime minister; nor have left it till, after having been metamorphosed in Threadneedle-street, the lady had gained a lover with her quondam chemise—the beau had paid half a dozen tradesman with his cravat—or the minister had purchased a borough with his pocket handkerchief.

That this is the Age of Paper is certain. We have paper wars, paper blockades, and paper money; and the rage for paper runs so high in a certain quarter, that we may soon expect to hear of pasteboard men of war, mounted with paper guns. Such a state of things is no doubt very alarming to some people; but, for my own part, I, who

No revenue have, but my good spirits,

To feed and clothe me—

have little more to complain of than the unceasing disputes that have disturbed almost all sorts of company since this question has been agitated. What people dispute about, however, is the remedy for this "effect defective;" they being pretty unanimous in execrating the causes and causes of it; a line of conduct that to me looks like ingratitude. Your coffee-house politicians do not consider how the present state of affairs has enabled them to shine with such magnificent things as balance of trade, foreign policy, commercial relations, theory of taxation, principles of money, budgets, bonuses, and bullion, and many other like magnanimous topics, that sound so well when seasonably introduced by an afternoon politician over his glass of wine. For myself, I am as much obliged by the

opportunity of flourishing which has been offered me, as if I had used it, and have been not a little amused by the various expedients made use of in the traffic for guineas. The proverb says, "Paululum pecuniarum præstat ingenium;" and De Yonge exemplifies it by the ingenious plea, that he has not sold guineas, but bought bank notes. Then we hear of one wit who conceals the guineas, he is going to export, in hollow reeds,—of another, who hid his in sugar casks,—and of a third, who made so many hiding places in a sloop, that, after taking out 7500 guineas, the officers pulled the vessel to pieces in search of further booty. But the greatest wag I have yet heard of is he who offers ten pounds reward for the recovery of eight guineas he lost some time ago.—Such ingenuity was like enough to evade my Lord Stanhope's Bill; and it is with the view of making you acquainted how this is accomplished, that I now write. His Lordship's Bill does not, I believe, prohibit the sale of Country Bankers' notes at a depreciated price; and, under this impression, people give at the rate of six country one pound notes for five guineas!!!—Now, Sir, I wish to know of some of your legal readers, whether, under Lord Stanhope's Act, this is criminal? If it be not, his Lordship's Act is as flimsy as the paper it pretends to protect; and I think it is a very natural inference, that so flimsy an article was manufactured not a hundred miles from Threadneedle-street.—Your's, Sir, respectfully,

R. F. E.

Birmingham, Aug. 2, 1811.

Pray, is there any truth in the report of Lord Stanhope's having discovered the philosopher's stone? His Lordship loves broad hints, and I am happy to oblige him.

DARTMOOR PRISON.

SIR,—Perhaps there has been no accusation of late brought forward against his Majesty's Ministers in which there is so much misrepresentation as in that concerning Dartmoor Prison; and what Lord Cochrane very injudiciously began, has been echoed through the whole circle of those Politicians, the climax and *maximum* of whose politics begin and finish with the condemnation of men in power. But your Correspondent *Humanitas* appears to have surpassed all others in his misrepresentation of that Siberian desert, as he is pleased to style it; and he has mixed so much of the *horribile dictu* in his account of it, that one would really imagine his fiery fancy had led him into a poetical description of the Alps or the Andes. A few plain truths will, however, I presume, set this matter right, bring back those tender minds that may possibly have been led astray by the fanciful vagaries of *Humanitas*, and prove that *montes parturiunt nascetur ridiculus mus*.

I am a native of Devonshire, born within a very few miles of this horrible desert, and may, therefore, lay claim at least to some knowledge of it, and of the country round about it.—Dartmoor is an extensive circular common, with a diametrical road through it, of about twelve miles in extent; and the surface consists of alternate hills and valleys, very much resembling some parts of the West Riding of Yorkshire, except that the latter are much more cultivated than the former.

Humanitas must be extremely ignorant of what constitutes a mountain, to call the Dartmoor Hills cloud-capped mountains; for, compared to a real mountain, they are mere mole-hills. I really believe there are but few of them indeed much higher than Highgate or Hampstead Hill. As

to the clouds with which *Humanitas* has capped them, they are mere fogs, such as are always to be seen in uneven countries, arising from the vallies and ascending hills; and which, in the ardour of his imagination, he has converted into clouds: with as much propriety might he translate the smoke of an iron-foundery or a glass-house into the rolling volumes of Mount Etna.

Humanitas asserts that the "regent of day" never sheds his benign influence over this Common for months together; to which I must give the negative with as much force as it can be given; and declare, that it is otherwise than truth, except in the depth of winter, when all places are alike. The sun shines as brilliantly on Dartmoor as on any other parts of the county, and the air is far more pleasant and agreeable there than in some parts of it, where it is frequently unpleasantly hot. Devonshire may possibly be subject to a little more rain than many other parts of England, owing to its maritime situation; but so far from rendering it unhealthy, it is considered as one of the most healthy counties of the kingdom; and it is well known that convalescents are sent there, who have no opportunity of visiting the south of France.

Nor is Dartmoor troubled with a superabundance of rain, at least not so as to render it so deleterious as *Humanitas* would represent it. I suppose *Humanitas* travelled over it on a rainy day, when the sun might be obscured by the passing clouds, and therefore concluded that Dartmoor never felt the cheering ray of the "regent of day."—And what is more common, in the variable climate of this country, than that it should rain in one place, and be, at the same time, dry at another at no great distance, especially during a thunder-storm? And because this happened to be the case when *Humanitas* travelled over it, Dartmoor must be perpetually deluged!

Humanitas is as unfortunate in his account of its insalubrity as he is in his topographical description of it. If we are to judge of the salubrity of a situation by the complexion of its inhabitants, the people of Dartmoor give a decided negative to all the hasty assertions of *Humanitas*, and prove, beyond all contradiction, that that ill-described Common is highly healthy. I have known many of its inhabitants, and do now know several, who have spun out the thread of life to a good old age, in an uninterrupted course of good health: and such is their general feature to every traveller, except *Humanitas* and my Lord Cochrane.—But where is *Humanitas*? Why, forsooth, a resident almost on the very verge of this pestiferous desert!! Poor fellow, what malignant star can have driven him there!!

It is lamentable to observe with what a jaundiced eye a prejudiced person will view and distort every object around him. Fired with the lame and foolish description of my Lord Cochrane, away goes *Humanitas* to have an ocular view of this *rudis indigestaque moles*, and every hill is quickly converted into a snow-top'd mountain, and every agreeable stream (of which there are many on this moor) into a frightful bog. To a mind thus tainted, nothing will appear in its proper colours. A Venus de Medicis will be more ugly than a Fawn, and the elegance of an Apollo be far surpassed by the beauty of a Cyclops.

In his eagerness to panegyricise my Lord Cochrane, *Humanitas* has unfortunately overlooked the most brilliant part of his Lordship's character, and chosen that in which he is certainly the most vulnerable.—Lord Cochrane, in his ve-

hement desire to find out something that might enable him to raise an accusation against Ministers, takes a journey to Dartmoor Prison, where, being refused admittance, and not wishing that his labour should "return unto him in vain," thrusts his nose into the key-hole of a door (very likely of the common sewer), and being saluted with an abominable smell, comes back, and declares to Parliament that it is the most loathsome prison upon the face of the earth, or something to that purpose; and *Humanitas*, with just as much consistency, brings forward the complaints of the Officers on guard at the Prison, in proof and justification of his assertions concerning the climate of Dartmoor. They may indeed consider it, in some sort, as a species of transportation, who have been accustomed to indulge in the gaieties of Plymouth. Dartmoor does not abound with those receptacles of sloth and luxury, so multitudinous in that town.

The humanity of some men is like an exotic plant, which requires the aid of all the paraphernalia of a hot-house to keep it alive, and which, after all, wears but a sickly aspect. In what part of his own country stand conspicuous the monuments of *Humanitas's* humanity? Or does it begin and end with the Dartmoor Prison? But observe my Lord Cochrane's. That Noble Lord can raise a clamour against a prison, and yet when the affair of *Richardson* and the gagged seaman is brought forward, his Lordship gets up in his place and declares there is as much humanity as possible exercised towards sailors!!!

Aug. 3, 1811.

T. H.

TRAVELLING EXTORTIONS.

Sir,—I wish, through the medium of your Paper, to open the eyes of the public to abuses, I may say impositions, that I am surprised the travelling part of society have not long before resisted, and these are, the illegal *Extortions made by Innkeepers for Posting*. It is a common practice, on a journey from Hyde-Park-corner to Hounslow, or from Hounslow to Hyde-Park-corner, for the Post-Master to charge twelve miles, although it is a notorious fact, that the nine-mile-stone stands in the town of Hounslow. If you happen to reason with any of the innkeepers on the irregularity or impropriety of such charge, the weak answer they give you is,—“Sir, we pay duty for twelve miles!” Yes; they establish and comply with a fraud of 3*d.* a mile duty more than they ought to pay (if they pay it at all) to extort fifteen pence more; and as the same evil of overcharge prevails in every stage, not only all down the road to Plymouth, but in every road throughout the kingdom, it is high time that the public were awakened to their interest, and roused to resist such glaring impositions, particularly as they tend to promote further extortions upon travellers.

Egham, Surrey.

COMMON HONESTY.

CHANGE.

August 3, 1811.

MR. EXAMINER,—As I understand the Stamp Office refuse to accommodate any person paying stamp duties with a single sixpence of change, I should be glad to be informed what becomes of all the small money which this office is in the daily habit of receiving?—The reason for my making this inquiry is, that I have been informed that the description of coin in question, received at this office, is so disposed of as to prove an emolument to the Clerks.—If such an in-

situation as this, Mr. Examiner, be false and unfounded, I am sure it is highly proper it should be contradicted:—if true, it is equally proper it should be exposed.—Your compliance in suffering this inquiry to appear in your paper, will greatly oblige your very humble servant,

REVITT.

POLICE.

ROY-STREET.

THE MOCK PARSON.—The deceptions which this man has practised have been to a much greater extent than those of any swindler that has appeared for a number of years past, as he has perpetrated his depredations in all parts of London, and in different counties, and with a description of men, such as the clergy, who are, it would be supposed, not easily duped. He got a pretty good footing at St. Clements Church, in the Strand; by merely calling there, sometimes in a carriage, gig, or on horseback, pretending he was just come from the country; and, under pretences of being familiar with Colleges and Gentlemen belonging to them, he imposed on Mr. Gurney, the Rector, and Mr. Shepherd his assistant, and got acquainted with their connexions, frequently having dined with them, and having often done the duty at that church. Dr. Hawker was engaged to preach a charity sermon at that church lately. Tucker made his appearance in the vestry at an early hour, and although Mr. Shepherd had promised to read the prayers for the Doctor, this fellow got possession of the surplice, against the consent of the Clerk and Sexton, and went to the desk. Mr. Shepherd coming into the church in good time, was displeas'd; the Clerk and Sexton offered to put him out; but Mr. Shepherd declined that; however, it was from this circumstance, and his wanting to borrow Mr. Shepherd's Master of Arts' gown, for the purpose, as he said, of going to the Installation of the Duke of Gloucester, at Cambridge, that he became suspected by that connection. On Sunday se'night he went to Hammersmith early, previous to the commencement of the Church Service, and called upon the Rector, and introduced himself as having just come from Oxford, &c. as the Rev. Mr. Tucker; that he was going to dine and spend the day with the Master of the Academy, in Hammersmith, and offered his assistance in the Church Service of the day. The Rector received him very politely, and accepted his offer; observing, that probably he would give them a sermon. Tucker replied, he was not exactly prepared for that, but would read prayers, and preach in the afternoon. The Rector very readily agreed to this. Tucker said he had not a gown with him; the Rector, without hesitation, lent him his best gown. After the morning service was over, Tucker strutted through the town with the Rector's gown on; and went to the academy where he formerly lived as usher; the master and family were much surpris'd to see him, especially in the clerical dress; but he had a tale ready made to impose upon them; he told them that their suspicions of the impropriety of his conduct when he lived there were groundless; that he had good friends who had got him into the church; since which time he had got acquainted with their Rector, who had invited him to Hammersmith that day to assist him in the duties of the church; that he was going to preach in the afternoon and hoped they would go to hear him, to which they agreed; and being deceived by his false representations, invited him to dinner, &c. In the mean time an inhabitant of Hammersmith called upon the Rector, and asked him if he knew who it was that read prayers? The Rector replied in the negative, but said he was very well known to the master of the academy. The person told the Rector he had no doubt, of his being an impostor.—They in consequence went off to the academy, where they found Tucker in the Rector's gown. The person publicly accused him, and told him of his tricks. The Rector insisted upon having his gown again, and a considerable sum was sent for. Tucker denied the charge, and appeared so much hurt at the circumstance, that it made him ill; and he went into the garden. To avoid suspicion that he was going to make his escape, he did not take his hat with him; but when he got into the garden he took off the hat of one of the biggest

boys, telling him he was going to take a walk into the adjoining fields. The boy perceiving him to be the person who had read prayers at the church in the morning, had no suspicion of any thing being wrong, so that his escape was not discovered for some time after, and he made clear off.

ACCIDENTS, OFFENCES, &c.

Tuesday afternoon, as the Rev. Mr. Aston Smith, Secretary to the Portuguese Ambassador, was riding in Hyde-Park, the horse took fright, and ran furiously through Grosvenor Gate, when Mr. Smith was thrown off, and unfortunately fractured his skull. Mr. Chevalier, the Surgeon, immediately attended, when he was trepanned; but after languishing without speech during the night, he expired in the morning.

On Tuesday morning, a part of that stupendous sewer, now constructing which is intended to carry the water from the north western extremities of the town to the Towers, at Belgrave House, gave way, owing to the falling of a confectioner's ice-house near the corner of Half Moon-street, in Curzon-street, when one of the workmen and a lad were buried in the sewer. Immediate aid was afforded, but unfortunately the man was dug out quite lifeless; the lad, though much hurt and bruised, was living.

A duel was fought on Wednesday morning last, at six o'clock, between a Captain in the Guards and a Gentleman resident in Chelsea. The scene of action was a wheat field, belonging to Mr. Cannlug, at Brompton. Two shots were fired, but without being attended with any serious consequences.—Another duel was fought at Fulham Fields, on Friday morning, between a Mr. Combe, and an Officer whose name we did not learn. The former Gentleman was wounded in the breast on the first fire. The combat was in consequence of dogs quarrelling which belonged to the combatants.

MARRIAGES.

On Monday, at Koole, in the county of Kent, Lady Mary Sackville, eldest daughter to her Grace the Duchess of Dorset, to the Right Hon. the Earl of Plymouth.

Tuesday morning at Lady Ann Wyddham's house in Cutzon-street, Miss Lambton, to the Hon. Frederick Howard, third son of the Earl of Carlisle.

DEATHS.

On Tuesday last, at Chichester, Sussex, suddenly, in the 30th year of his age, James Elmes, Esq. Architect, of London.

On Friday, the 2nd of August, at his apartments, Islington, Richard Choyce Sawden.—“In early youth (says a Correspondent) his talents were devoted to the defence of his country, in which honourable profession he attained the rank of Lieutenant before he reached the age of 21. At this time he took possession of the property, amounting to about 6000*l.*, bequeathed him by his father, the founder of the Philosophical Society of Amsterdam. An unfortunate carelessness of character, perhaps increased by his naval habits, prompted him to dissipate, in the parlours of Pall-mall, what would have rendered him independent.—This is the gentleman who succeeded from Ranelagh, some few years back, in company with the celebrated Grouart Garnerin; and who afterwards accompanied him to Paris, where they together performed a second flight. Returning to England he found himself obliged to exert his talents, being totally deserted by his relations; for support; and the stage suiting the volatility of his disposition, was with avidity adopted; under the feigned name of Stapleton;—his success in provincial theatres was even beyond his expectations; but since his debut in London, having incessantly laboured under the miseries of a devouring consumption and “hectic’s fiery purg,” no just discrimination of his abilities has been made—he oft too severely felt the lash of criticism;—but in *w.*, alas, he is gone—aged 31.—Esteemed when living, and now lamented by all who knew him.”

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