

THE EXAMINER.

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THE POLITICAL EXAMINER.

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

No. 124.

REFORM NOT TO BE EXPECTED FROM THE HOUSE OF COMMONS.

Mr. BRAND'S Motion for Reform was negatived last Monday by a majority of two to one. People will now begin to see that it is a mere jest to look to the Commons for self-reformation: it is not to be expected from them, after what has past: they have said too much against it to alter their way of talking; they have done too much against it to alter their way of acting; they have enjoyed Corruption too long to gainsay or give it up. The Ministers feel it necessary to their existence, the timid think or would wish to think it necessary to theirs, and the impudent swear it is necessary to the Constitution. Yet the majority, we are told, do not deny the utility of Reform; they only deny it's expediency at present and differ with the extent to which we would carry it; they will reform, but it must be at their own time and in their own way; and in the mean while we must be content with such little exertions of virtue as it may be their pleasure and present interest to grant us. "It is monstrous," say the Commons, "that you should make this clamour against our morals. Have we not given you promises? Have we not done much for you in point of fact, as in instituting enquiries, for instance, into—DAVISON'S case, and into—that man's—what's his name—in the public office there—? Nay, have we not gone so far as to enact that oaths be taken, as a security for our virtue—absolute oaths taken by gentlemen? What would you have more?"—Alas, we want a great deal more; we want real virtue and not the promise of it: we want honesty, disinterestedness, and equal justice: we want enquiry into much greater cases than DAVISON'S: we want a proper expenditure and a proper account of it; we want a Reform according to the letter of the Constitution, and nothing but the letter, for so happily is that Constitution composed, that the letter and the spirit of it are one. As to your oaths, we know they are worse than nothing,—things too weak not to be broken and only strong enough to render the takers of them sullen and impatient,—constrictions to make the Tount of corruption play higher,—broken bottles upon walls, to get uree which only irritates the plunderer by cutting his shins a little. You may have twenty new acts of Parliament of the same kind, as you have had before, "but what are twenty acts of Parliament amongst friends?" Look to your HANTS and MILLINERS, who

* SELDEN in his *Table Talk*, Third Edition, p. 26.

take oaths to discharge their trust properly. Look at your Knights of the Garter, and your Princes and Ministers among them, who take oaths to be temperate, chaste, and religious. Look at your Monarchs, who take oaths to love and to cherish the Constitution as they ought, and all of whom, says Mr. PONSORBY, have hated liberty, "except the virtuous SOVEREIGN now on the throne." The Placeman takes his oath to be honest, and walks away to cheat the public. The Knight takes his oath to be chaste, and goes back to dine with his strumpet. The Monarch takes his oath to be constitutional, and proceeds to become as despotic as he can. So much for oaths, which may do very well for the multitude when followed by instant punishment, but which are nothing in the way of great worldly temptation, supported by impunity. It is in vain that the Corruptionists look fierce on the occasion, and bluster about their honour and high gentlemanly qualities. Do they pretend to be more honourable and greater gentlemen than Princes? There are many of them, I have no doubt, who would be more scrupulous about their word in private, than about their oath in public. What is done for them by habit in the one case, is not done for them by habit in the other. We know from history, as well as from our own unfortunate experience, that political expediency is a monster of a most contradictory nature, and that weak men are too apt to make a distinction between political and moral honesty,—a distinction as foolish as it is iniquitous,—a distinction as impious and withal as impossible as if they were to try and divide a ray of the sun, and use one half for light and the other half for darkness.

So far then from looking to the House of Commons or to any man or set of men, possessed of power, for a self-reform, it is our business to trust reform to nobody but ourselves. The greatest glory of our Constitution, next to the freedom it guaranteed for us, was the provision it made, by it's distribution of power, against any undue

+ Dr. ARBUTHNOT, in his *History of John Bull*, an excellent satire as well as the most excellent specimen of idiom in the language, sets the political disregard of oaths in a light which would be shocking were it not exquisitely ludicrous. *John Bull*, in taking possession of Ecclesdown Castle, (Quankirk), exacts from the servants an oath of their regard for him:—I quote from memory, but am correct in the main words. The familiar and ready gravity of the passage, "Then they began," &c. is inimitable.

"J. B. Are you all glad to see me?"

All. Yes, Sir.

J. B. Very glad?

All. Very glad indeed, Sir.

J. B. Swear to me that you are so.

Then they began to damo and sink their souls into the lowest pit of hell, if they were not glad to see him in Ecclesdown Castle."

confidence in the virtues of men in authority. To preserve this Constitution, to restore this proper distribution of power, and to maintain those virtues which are not to be maintained of themselves, has ever been held, by the greatest and best of Englishmen, to be the duty of the community at large, and to be possible to none but that community. It was very well said, therefore, by Mr. Foxsonby, in his speech upon privilege, that if the people were dissatisfied with their Representatives, they must refuse to send them back again at the next election. There is still indeed a dilemma in this case, for elections are a much longer time coming round than they ought to be constitutionally; and what are the people to do in the mean time?—But the remark is sensible in the main, and ought to sink deeply into all our memories. The same man who tells us this wholesome truth, told us on a former occasion, with a tone full of indifference, that the sale of seats in Parliament was as notorious as the sun at noon-day;—it will be the business of the people, at the next election, to shew him that they have forgotten neither his advice nor his simile, neither his tacit reproach of the people nor his singular defence of their House of Commons. The People are at issue with the Commons: the fact becomes clearer every day, in the best-informed places in England, and displays at once such a strength and a temper, that it equally revives the hopes of the Reformists and refutes the accusations of the Corruptionists. The people see, that under a vain expectation of better days and a still vainer hope of correcting the abuse of prerogative, they have indulged their "Representatives" too much and too long—so much, indeed, and so long, that the Representation, by its time-serving, has fallen a prey to the Ministers and borough-mongers, and has become incapable of the smallest self-exertion for any good and constitutional purpose. It is therefore time for them, by every lawful means, to take the Constitution into their own hands, that is, to see to its reformation themselves, to commence it by setting their faces steadily against its corruptors, and to accomplish it, the very first opportunity, by taking the power out of the hands of those corruptors. "If you would have your work done badly," says the old proverb, "let another do it for you; if you would have it done well, do it yourself;"—This is what BONAPARTE says to himself, when he goes about his ambitious wars; this is what the great ALFRED said, when he toiled day and night to lay the foundation of our laws; and this is what the people of England must say, if they would preserve those laws and shew themselves worthy of such a lawgiver.

The reader will allow me to tell him a story, by way of relief from this round of dismal facts, called Politics.—There is a Gentleman now living, though in great sickness and disquiet, who has hitherto been much respected both abroad and at home. Though naturally of a reserved temper, he has been a little too fond of going to law with his neighbours, but is in the main a goodnatured honest

man, and extremely indulgent to the persons about him. Alas! had it not been for some of those persons, how happily might he have enjoyed the three large estates with which Heaven blessed him! But never was Gentleman so plagued with bad stewards. The Head-steward began first by losing for him one of his possessions beyond sea, in consequence of straining the rent and provoking the land-holders to shake off his authority. His affairs have never been comfortable since. One occurrence in particular, that happened about twenty years ago, went nigh to ruin him. A rich neighbour, whose estate lay on the other side of the river that ran by his grounds, chose to make an alteration in its management, and the aforesaid Steward and his Tacksman, forsooth, must trouble their heads with the business, and insist that the management should not be altered. The neighbour, who though a sad fellow at bottom had reason to complain in this matter, grew exceedingly angry: he drew off the other's friends one by one; and the tenantry on each side joining in the quarrel, never met without coming to blows. The only poor friend or two our hero had left on the other side of the river, were induced by his money to annoy his neighbour as much as possible; but though it was said they got great glory in their encounters with him, they also got terrible black eyes, and never came off without getting their crowns cracked. The only time when the other used to be worsted was, whenever he or his tenants attempted to take an airing on the water; for our hero had been expert in boating from his infancy, and made nothing of going out in a sunny and giving a whole party of them a ducking. These exploits on the water kept up his spirits tolerably well till the death of his Tacksman, who was a very specious sort of a fellow, and wrote his accounts in a flourishing kind of hand, that mightily amused the old Gentleman's eyes. This man's place was soon after obtained by a strange little fellow, who pleased the Head-steward by affecting religion and abusing certain unlucky Catholics that lived in the neighbourhood. He was a kind of half-lawyer, and instantly set every body by the ears that had to do with him. The tenants gradually learnt to dislike him, for he brought them all into disgrace one after another, till the 'Squire, who for some time past had begun to wonder where all his money went, looked a little more narrowly into his accounts, and lord! what a reckoning presented itself! Such bills for work done and work not done, for selling and surveying, for patching up barns and pulling down houses, for repairing the river-side, making presents to this assistant and that assistant, and losing at least a dozen lawsuits, besides Heaven knows what under the head of contingencies! Then the tenants were racked to death with high rents; his stewards had got two or three houses of their own a piece, and charged them all to their master on pretence of attending to his concerns; the tradesmen began to be clamorous, and swore they had not seen the colour of his money for years together; and all the while his neighbour over the river was

getting as rich as a Jew, laughing at his vexations, and scandalising him all round the country. So being informed when his stewards were assembled, he plucked up a spirit the other day in spite of his habits, and went up to them in the old counting-house, which he was shocked to find quite out of repair, and more like a bear-garden than a place fit for any decent person. Nevertheless he took off his hat as he entered, and advancing towards the table at which they were seated, humbly begged to know the reason of the strange bills that had lately been presented him. At this they all stared with an angry surprise, just as if an impostor had stood before them, and with one accord told him he did not know what he was about. It was in vain that he railed and entreated by turns, that he prayed and threatened, demanded and implored. If he was humble, they went on with their affairs without taking notice of him; if he grew angry, they demanded whether or not he meant to insult them. One of them snaps his fingers at him, and cries, "Hark'ye, old codger, d'ye think nobody honest but yourself?"—Another with a piteous smile begs him to go home and think better of it:—a third protests, for his part, that there is no spirit without extravagance, and that if it were not for a little vice the village-alehouse would be ruined:—a fourth says he will explain to him by and by, but that there is a time for all things, and just now the windows want mending:—a fifth says, Poh! Nonsense! and then helps himself to a cool hundred out of his pocket:—a sixth begs to know whether he intends to create a riot in the village:—and a seventh looks him full in the face, and says, "You're an ass."—I met him returning from this pleasant conference, and never saw him look so down-hearted. The worst of it is, that the chief of these fellows are Lawyers, and whenever he talks of going to law with them, they set up a shout of laughter, and ask him where he studied. They have even gone so far as to threaten to take out a statute of lunacy against him and clap him in a madhouse for life. At this minute they are all enjoying themselves on his estate, some carousing with wenches, others counting over his bank-notes in their prayer-books, and all of them wasting his substance in some way or other. However, he has since come to town to consult his friends, and has been seen in divers places, at Westminster, at Guildhall, at a Tavern in the Strand, and at another in Hackney, talking to himself in great agitation. His best friends assure him that the only way to get rid of the locusts that prey upon him is to keep his temper and dismiss them as calmly but resolutely as possible. His habits of easiness and submission render the task difficult, but it is his only resource, and I think he becomes more and more convinced of it every day. For my part, I do not fail to tell him so in public regularly every week, in spite of his Gang of Servants, who have more than once sent me threatening letters, and protested they would burn the house over my head. I am sure the Reader will sympathize in my endeavours, and despise the Servants as much as they pity the Master.

FOREIGN INTELLIGENCE.

FRANCE.

PARIS, MAY 16.—We extract the following passage from the continuation given in the *Moniteur*, of the substance of the recent advices from Spain:—

"The Duke of Castiglione having been obliged to go to Barcelona, leaving General Lacombe St. Michel to conduct the siege of Hostalrich, a movement which might expose the division of General Suchet's corps employed in the siege of Lerida, the Emperor has sent the Duke of Tarento to succeed the Duke of Castiglione, on account of the bad state of his health. The insurgents having collected their forces, the Spanish General, on the 13th ult. attacked the division of Lerida. He was completely defeated. We took from him between 3 and 4000 prisoners, including 300 officers, 8 Colonels, and a Major-General. Several pieces of artillery, four stand of colours, and a great number of muskets, fell into our hands. At the moment when the Duke of Abrantes was occupied in storming Astorga, a column of the enemy, consisting of 2000 infantry, and a regiment of cavalry, with the view of relieving the place, attacked Brigadier-General Bessieres at Cuencanilla. Scarcely a man of them escaped. The loss of the Duke of Abrantes, in the siege and in the field, amounted to 100 killed and 300 wounded; that of the enemy is calculated at upwards of 1500 men."

ITALY.

NAPLES, MAY 5.—The fortress of Santa Maura, after ten days' bombardment, has been obliged to capitulate.—The Isle of Corfu, considering its strong position, the number of troops there, and the quantity of provisions collected, can give no uneasiness with respect to any attempt of the enemy. On the 3d of this month there was a rather serious engagement between the flotilla of his Majesty and a large English frigate. After a contest of three hours, the enemy retired. We have to regret the loss of many brave men who fell in this action: it took place near Ischia.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

The House has been doing little this week, except hurrying the Duke of Brunswick's Annuity Bill through all its stages. This disgusting measure has now passed both Houses.

HOUSE OF COMMONS.

Monday, May 21.

The House resolved that the sum of 13,727*l.* be granted to the Trustees of the British Museum, for purchasing Minerals, the property of the late Hon. C. Greville.

PETITIONS FOR REFORM.

Gen. TABLETON said, he held in his hand a Petition, signed by 3000 inhabitants of Liverpool, praying for Parliamentary Reform. The Petition adverted to the several Expeditions sent out since the Revolution, which had failed. It alluded to the battle of Talavera, where the British who were wounded were left to the mercy of the enemy. It stated that an Expedition had been sent out to take Walcheren, which failed, and that numbers of men died by disease peculiar to the climate, which was well known to every man in the country, excepting his Majesty's Ministers. In consequence of these repeated failures no Commander had been brought to justice, except one who had the command at Buenos Ayres; and these, with the system of speculation that prevailed, which occasioned so heavy a burden of taxation, the Petitioners imputed to the mode in which several Members were returned to Parliament; and they therefore prayed for the release of Sir Francis Burdett, and a Parliamentary Reform.

Mr. ROBERTS presented a Petition from Worcester, praying for a Parliamentary Reform; and so also did Mr. WARDLE, signed by 1064 Freemen and Inhabitants of Canterbury, which stated; that where the unlimited privileges of Parliament begin, there the liberty of the subject ends; and while Sir F. Burdett was in the Tower, the Chancellor of the Exchequer, who connived with Lord Castlereagh in trafficking for a seat in Parliament, was at large!—These Petitions were ordered to be laid on the table.

THE ROYAL FOREST OF BERE.

Lord COCHRANE said, that the Royal Forest of Bere, in Hampshire, had fallen into decay under the present Warden, and by a Bill passed this day, he was to receive compensation by lands that were to be enclosed under the Bill. He thought he had no right to any compensation whatever. The timber for the Royal Navy ought to be protected, as he understood at present there was no timber sufficient at Plymouth to build a 74. He therefore moved,—“That the rights of the Crown and Claims of Individuals, respecting the Lord Warden of the Royal Forest of Bere, in Hampshire, relinquishing his Claims, be referred to a Committee.”—The question was negatived without a division.

REFORM IN PARLIAMENT.

Mr. BRANN stated, that both the external and internal situation of the country, and above all, the importance of the thing itself, was at this moment the most necessary measure that could be adopted to render the people happy. This was the time when the House of Commons of Great Britain was to be the astonishment or the derision of Europe. There must be reform: to acquire confidence with the people, the House must be identified with the people. That unhappily is not the case. The people know that at this moment a great part of the representation in that House is comprised of Borough nominees; persons not representing the people, but representing individuals, who in return for the seats which they hold under them in that House, expect a reciprocity of services. They cannot, must not, disobey their patrons. It is a thing too notorious; the facts establishing it are recorded on its Journals. They were so common and so public, that he would not waste the time of the House or its patience in reciting them. He would therefore at once proceed to his subject. The evils complained of were—First, where places almost uninhabited send Members to Parliament; and, secondly, where places populously inhabited read no Members to Parliament. These are the two great grievances. Every man with whom he conversed on the subject, who was not directly or indirectly interested himself, admitted the necessity of a Parliamentary Reform. He should now state the outline of his plan. First, with respect to DECAYED BOROUGHS. In ancient times, when a borough fell into decay, it was customary to relieve its inhabitants from the expence of sending Members to Parliament, by disfranchising them, and giving other boroughs more populous than eight. The principle, therefore, is recognized by the Constitution, and he had not to travel far to revive it. He wished these rotten boroughs to be disfranchised; it was these that created so much disgust out of doors; it was these that created so much distrust of the House throughout the country; and yet the disgust was not so much in the purchase of a borough as in the nomination, and that too for the obvious reason, because the Patron nominating always controuls the vote of him he nominates, so that the Member is not the representative of the place, but of the owner of the place he is supposed to represent. In fact, there are about 30 boroughs, whose electors altogether do not exceed 50 persons!! These things cry aloud for a Reform in Parliament. A fair representation cannot be expected to exist as long as Members are returned to Parliament from desolate and deserted villages. The right of election consists in extent of population and extent of property, whether that property be real or personal. Where there is no property there can be no complaint of want of being represented; and this was the view in which our ancestors held the right of election and representation, for they restricted the right of election in counties to freeholders, and in cities and boroughs to freemen and householders. He therefore, in following their example, should restrict the right of voting to freeholders,

with the addition of copyholders for counties, and to householders paying taxes for boroughs. This would produce no innovation, unless the addition of copyholders were to be so considered; but the justice of admitting them to exercise this right, he thought, would not be disputed now; and this was the general outline as to the state of representation and election in England. In Scotland, the necessity of Reform was also imperious; he would, therefore, extend his system there. There could be no constitutional objection to the disfranchising the decayed boroughs, and there could be no rational objection to it. He had no objection that those who call themselves the Proprietors of Boroughs of this description, should have a remuneration for their loss. Having stated thus much, he would proceed AS TO THE APPLICATIONS OF THE MEMBERS TO THE NEW PLACES. He would have Members applied to those towns that were most populous, and were not now represented. It would be found most astonishing, but yet true, that there are at this moment within the hills of mortality, north of Oxford-street, not less than 400,000 inhabitants unrepresented!—whilst places that scarcely have an inhabitant, and some that actually have none, such as Gotton, St. Mawes, Old Sarum, and others, send Members. He appealed then to the wisdom of the House, and above all, to the regard they had for their country, whether they would countenance this vast disparagement any longer? He hoped that they would not; he still had a sanguine expectation that the House would at last rouse itself from its lethargy, and assert the rights of the People.—The loose Members shuck off from the disfranchised boroughs he would send to Sheffield, Manchester, and such places. On the state of the Representation in Ireland, he could not venture to make any great essay because of the Union; but still much might be done there with respect to the representation. The DURATION OF PARLIAMENTS was another object that he wished to be altered. He did not mean that the country should have an Annual Parliament; they were too short, and its Members would not have the opportunity of knowing their duty. Neither did he mean that they should continue to have Septennial Parliaments; they were too long. His intention was to create Triennial Parliaments; that would be striking a medium between the two extremes. But when he urged those alterations, he emphatically desired that it might be understood that in his opinion even triennial Parliaments would have the most dangerous effects, unless they were accompanied by a NEW MODE OF ELECTION, namely, that of voting by Districts, where the Sheriff should go round the county, and get the aggregate of the votes. The voting by Districts would save an incredible expence to individuals of every description, candidate as well as elector. In towns the people might vote by parishes, and this would prevent a great number of mischievous consequences, that in the present mode of electing constantly occur. Having thus stated the whole of his plan, he observed, that the only novelty in it was the introduction of copyholders to the right of election; as to all the rest, it was nothing more than was already to be found in the Constitution. He wished to see a reduction in the number of Placemen and Pensioners having Seats in that House. They could not be called incorruptible, who must inevitably be at the mercy of the Minister of the day. Reform was requisite; it was urgent; he meant moderate Reform; and unless that were obtained, we should have nothing short of a Military Government. The People, he contended, looked for it. Unless there be Reform, the sun of this Constitution is set. But, on the other hand, if it be adopted, the gloomy horizon will again be enlivened, and the beams of liberty chase the glorious day.—The Hon. Gentleman concluded with moving,—“That a Committee be appointed to enquire into the State of the Representation of the People in Parliament, and the most effectual means to remedy the evils thereof; and to report the same to the House.”

Mr. H. GIBBY was against laying down any mathematical plan for the formation of that House. When a Gentleman was elected by any body of men to a seat in that House, he conceived him to be a representative of the whole people of this country. Representatives were not sent into that House from the Army and Navy, yet we had Naval and Military Officers

in the House. Neither were the Inns of Court represented, and yet the House was not without its proportion of Lawyers!!—As to the idea of seats being bought and sold, he denied it—(A laugh)—he totally denied it; and if this practice did prevail, it was principally with West India Proprietors, &c. as to whom he saw no reason that they should not be represented. The situation of the country was most flourishing.—The people of the country lived at their ease; Justice was distributed with an equal hand; and he could not see that Reform was at all required.

Mr. NOEL supported the motion, which was not to innovate but renovate the Constitution, which time had injured.

Lord MILTON spoke against the motion. In America the plan of a new Constitution, beautiful and smooth, had been tried, and had failed. The House, as now constituted, spoke the general sense of the country, and he would not consent to enter upon a track that might lead to a total change. If the People were dissatisfied, they had the remedy in themselves, as the Parliament was the creature of their own creation!!

Sir J. NEWPORT deprecated innovations as much as any man. Gentlemen had no objection, however, to those innovations which had for their object, to narrow the rights of the People. The Noble Lord had instanced America. He totally differed from him. The proofs of a good Constitution were, that the people were governed to their own satisfaction, that their taxes were small, and that their debt was on the diminution rather than on the increase. If these things were so with America, could the Noble Lord deny that the attempt to frame a Constitution for them, had answered? He did not say there might not be parts of the plan of his Hon. Friend of which he might not approve; but at the same time, sufficient had been stated to induce him to go into the Committee.

Sir JAMES PULTENEY entirely agreed with the observations which had fallen from Mr. Giddy. If the House were entirely to speak the will of the People, it would become an absolute and decided democracy.

Mr. JACOB instanced many illustrious individuals who were returned for close Boroughs, and expressed his determination to vote against the motion.

Mr. S. BOURNE was against the motion. The real question was, whether property or numbers should decide? and he being of opinion that property rather than numbers should predominate, and taking into consideration the temper of the times, was prepared to give his opposition to the motion.

Mr. WARDLE had no hesitation in declaring, that the right of Election should be regulated by the property of the country. It was a doctrine which he ever should maintain, that people could not be taxed unless they were represented. As to the duration of Parliaments, the Hon. Mover preferred triennial. By an Act of Edward III. Parliaments were ordered to be holden every year, and oftener if necessary. This rule was strictly observed to the 18th Richard. II. and was then first infringed, by which he lost his Crown, and finally his life.—Then in the reign of Charles I. when for 12 years together there were no Parliaments at all. After this time triennial Parliaments were first introduced, and came at the time of the Revolution to be considered as the law of the land, although in the Bill of Rights, "frequent Parliaments" are the words made use of. The idea of triennial Parliaments was a sentiment held sacred till the reign of George I. in the year 1716, when instead of 3 years, Parliament itself passed a law declaring that it should live for seven years. It might be argued that the supreme Legislature cannot be bound. But if the Representatives of the People took upon themselves to destroy the power of the people, he should venture to assert, that if ever high treason was committed against the State, it was in that very act. Taxation and representation should go hand in hand. That was all he asked. The advantages to be derived from this rule he could not pretend to calculate, but when he heard it contended, that when that House imposed Taxes on the Public, they also taxed themselves, he could not forbear thinking that the sums distributed from the public revenue among the Members might account for some of the votes given by them.

Mr. WHITBREAD expressed his complete assent to the arguments advanced that night by Mr. Brand. To the necessity of a Reform he had been uniformly alive. It had long engaged the attention of that House. It had to boast in its favour the conviction of many great men, who, though differing on other subjects, in the necessity of Parliamentary Reformation all concurred. It had been considered by Mr. Pitt himself as of the most vital importance; acting upon that feeling, by him it was submitted to the consideration of that House, and was prevented from being carried into effect only by a majority of 20 votes. The motion now proposed wisely abstained from urging any distinct plan; it was the course pursued by Mr. Pitt when he came forward the advocate of Reform; it was that adopted by the Irish Parliament. Such also was the course recommended when he had first the opportunity of expressing his opinion on the subject, when it was introduced by his dear and Noble Relative (Earl Grey).—A Right Hon. Gentleman (Mr. S. Bourne) had asserted that the principle of Reform had been tried in two different parts of the world, and that in both the experiment had failed. He (Mr. W.) begged leave positively to deny it. Reform had not failed, because Reform never had a trial. (Hear, hear!) In America the experiment had not been made. There it was Creation, and not Reform, that had taken place; and what an awful admonition to that House must arise from inquiring what the causes were which forced upon America the necessity of that Creation. All the evils which accompanied that unnatural contest—all the calamitous consequences which first tore America from England, and scattered the seeds of future desolation throughout the whole earth, might have been avoided, if the British House of Commons had been reformed. To the corrupt Constitution of the Parliament, said Mr. Pitt, was to be attributed the alienation of the Colonies—the disgrace of the parent country. It could not, therefore, be said that Reform had failed in America; but it was too manifest that the want of Reform in England had forced America to the necessity of a political Creation; which, so far from failing in its object, had far exceeded the extent of human hope—exceeded, inasmuch as it was the work of one of the greatest and the best of men—of that Patriot (Washington), who communicated to the Government he had reared a certain portion of the purity of his own unsullied life; inasmuch as it has grown from the weakness of infancy to the strength of manhood, engaged in all the pursuits which lead to greatness and to power—capable of existing upon its own resources, and too likely to become your future rival—(Hear, hear!)—If such was the case as to America, how was the assertion of the Right Hon. Gentleman borne out by a reference to France? Can he affirm, that even there the experiment of Reform was ever tried? Unfortunately for France, for Europe, and humanity, Reform was refused. To all applications for the redress of abuse, to every proposed amelioration of the system of its Government, the answer of those then in power in that country uniformly communicated denial, until those denials terminated in the overthrow of the French monarchy.—(Hear, hear!) When we see Ministerial majorities ready to defend every rash prospect of war—to screen every delinquency—to protect every malversation, and to refuse every popular appeal for redress—can it be a matter of surprise to find the country anxious to correct that which they consider the source of all the national evils, namely, the imperfect representation of the people in the Commons House of Parliament? Then how was that remedy to be effected? It was by giving to the people their due influence in returning men to that House, who came there the representatives of the country, and not of their own money. In considering the mode of that reform, it was impossible to overlook the consequences which followed from men finding their way into that House by the nomination of Peers. What was the case of a nominated Member on a pinching question? Was he not bound either to vote with his patron or to vacate? The latter was the uniform practice when such circumstances arose. Such a man, when he took his place in that House, came not as a representative of the people, but as the delegate of the nobleman. It was manifest that in the public mind there prevailed

a great growing indisposition to that House.—(No, no, from many Members.) That such indisposition existed he was persuaded, and he apprehended that those who did not believe it would not awaken from their delusion until it was too late. It had been generated by acts done in that House during the present and latter Sessions of Parliament. Many of its decisions have given great disgust, so much, that in their wrath against that House, they would deprive it of those privileges which to a House of Commons duly constituted, they would freely grant. The opposers of Reform endeavour to deny that it is the wish of the country. They ground the assertion on this, that the people have not petitioned for it. But they have years ago petitioned, and the reason they did not repeat them was, that they feel disappointed and disgusted with the apostacy of those who once were firm supporters of it. They have found all their Petitions for the redress of grievances disregarded.—But it was most idle to believe that they did not wish for Reform in their hearts. Its necessity became every day more absolute. Wise councils might do a great deal, but for complete recovery, in his opinion, a Reform in the construction of that House was essentially necessary. What has been the fate of other nations who neglected the means of national safety? Did Prussia reform? Did Austria redress the people's grievances? Why has Spain been the theatre of havoc and desolation?—Were their miseries to be traced to the experiment of Reform? Or rather, was it not the effect of the resistance with which their respective Governments treated every proposition of redress and amelioration? Had Sicily reformed?—And what will be its fate, unless that Government shall be wise enough to accede to the reasonable wishes of the people? Subjugated Europe has fallen, not because she made rash experiments on her systems of Government, but by sanctifying every abuse, and pertinaciously refusing to accede to the just desires of the people. What was the effect of the denial of reform in Ireland? It was this—that the corruption of its Parliament became so destructive, as to have rendered it necessary to merge it in the legislature of Great Britain. Far better would it have been for the reciprocal happiness of both islands, that the course of reform had been pursued, and that the two Independent Parliaments had been continued. When the Right Honourable Gentleman talked of virtual representation and its beneficial effects, how was it that he did not speak one word of the representation of Scotland?—Did it exist there?—How was it that it escaped his observation?—Was it that he knew nothing of its situation, of its crying grievances upon that subject; or that with the skilful adroitness of a dexterous pleader, he carefully abstained from that which must have exposed his fallacious sophistry. Compensation for boroughs had been alluded to; to it he was decidedly averse. There was not a feature of right connected with such a principle. The thing here was different from that of Ireland, where compensations were made. There it was admitted by the Right Hon. Gentleman who now was at the head of its Exchequer, that every thing connected with the Union was bought (Hear, Hear!)—Mr. Whitbread proceeded to comment upon the mischiefs which must follow from collusions between the patrons of boroughs and the Minister—the one bartering his patronage either to gratify his ambition or his avarice; the other the honours of the Crown, or the money of the people, to acquire Parliamentary support. In adjuring that House to acquiesce in the motion for the going into a Committee, he would appeal to the authorities of the dead to strengthen the admonitions of the living. “I call upon you (said Mr. W.) to bear in remembrance the mighty characters who have expressed their decided support to this question of Reform. The horrors of that democracy, which the denial to Reform had accelerated in France, have subsided from their own exhaustion. England, though buffeted in the tempest, has escaped from the general wreck which has befallen so many other nations. Will she not profit even by their example? Will she, with their calamities and their fate speaking to her with more than oracular force, refuse to redress, and by such infatuation, hurry to the same destiny? Events have taken place within these walls which have sunk deep

into the hearts of the people. It is true, many Gentlemen opposite think the impression done away. If the first Minister of this country thinks himself justified by the decisions of this House, he must allow me to tell him, that he grossly deceives himself. Let me assure him, that the votes of this House, which were meant to justify his actions, have in no inconsiderable degree increased the advocates for Parliamentary Reform. All men see the absolute necessity of reforming—they see that danger pressing upon them, which was so feared and so expected, when our expenditure was ten millions: When afterwards twenty millions. How much more chilling the prospect when it has been increased to seventy millions, and when we contemplate the awful truth, that all human resources are finite?” With respect to the sale of seats, he would contend that the man returned by his money could have little connexion with the public feeling. With constituents he could never come in contact, perhaps never see them. He therefore felt and acted as the representative of his 50001. Mr. Whitbread next adverted to the Septennial Act, which abstractedly considered, he thought most tyrannical. He would vote for Triennial Parliaments, and for regulating the manner of taking votes. The latter would be a consequence of the first, and without it the other would be intolerable. Whether under a reform the Members returned would be intrinsically better than those who now sat there, he would not say; but by coming in under so many popular checks, as much good would be produced as if they were intrinsically better. After expressing his wish to see, though not the efficient Officers of the Crown, yet their dependants, removed from that House, he concluded with observing, that even though no other good was to follow but the satisfaction of the people, for that the exertion should be made, and from its accomplishment the most salutary benefits would follow.

Mr. CANNING said, the leading argument which had been used in favour of Reform, was, that it would conciliate the great body of the people: he did not believe it, because he did not believe that the great body of the people was discontented. No doubt there was a party in the country who, pretending Reform and seeking anarchy, reviled and distrusted that House; but the object of whose views was not its improvement, but its destruction;—a vain, contemptible, degraded Crew, who magnified themselves into the nation, and diminished the nation into a faction—who declared their own infallibility, and deprecated the judgment of all others; a body who were too weak to be respected—too despicable to be feared. But even this wretched body, though they demanded Reform, declared that it would not prove sufficient. No; they would have the House of Commons omnipotent; they would have it every thing; all other establishments nothing; they would make it, like the rod of the Prophet, swallow up all around it. This was the eternal creed of Reformers, ever weak, ignorant, and insatiable. “Why, (said Mr. Canning), why should we embark upon this dangerous voyage? Why should we trust ourselves to this unknown ocean? We have heard that the ancient empires of the earth have been uprooted; that the most solid democracies have been crushed; that oligarchies the best established have been destroyed, and that England alone stands erect among the ruins! And why have we so stood? because, say the reformers, we have been radically corrupt. Sir, I will not bow to the whimsical deduction; I will rather deduce from some wise distinction the source of our prosperity. Like the nations which have fallen, we have a Monarchy limited—like the nations which have fallen, we have an aristocracy incorporated; but unlike every one of those nations, we possess an House of Commons! This is our proud distinction—this is the sole palladium of our salvation; and this we are now called upon to regenerate, by the mad cry of unmeaning reformation!”—But, (say the discontented), the House of Commons as it now is, has hurried the nation into extravagant expenditure, and unnecessary wars. It is not the fact. There has not been a war during this century which was not in its commencement popular. The people it was who goaded even the pacific Sir Robert Walpole into the declaration of war which,

in the end, overthrew himself, and overturned his administration. The people it was who at first urged the American war, and at last decried it when it became unfortunate; the people it was who encouraged the war with France, which saved this country from all the miseries entailed on that. The Friends of Reform passed their unqualified censure on every vote of that House, and every Member with whom they were dissatisfied. All with whom they were not pleased, had, it seemed, some sinister motive. Now, even allowing this to be the case, how would the Reformers remedy it? Would they banish human nature from their reformed House of Commons? No, but they would banish the boroughs. Now if they would only take the trouble to examine the borough Members votes, they would find that just as many voted on the popular as on the unpopular side of the question, so they would neither lose nor gain by their Reform. The compliances which the Reformers sought from the House it was impossible they ever could obtain. The House of Commons owed to the people a manly, but not a servile obedience; they should act towards their Creator, as men virtuously but freely founding their hopes of retribution on their consciousness of honesty. The next stand which the Hon. Member made was at the Revolution. Now from that eminence, looking downward to the present time, he could not discern, with the exception of the Septennial Act passed in all the pride and glory of the Whigs, one single measure which did not tend to ameliorate the people—he could not discern, mid all the perils of surrounding nations, a nobler security to English independence, than the established House of Commons. He saw no necessity for experiments; *the House of Commons was all that the honestly patriotic could desire it.* What question but here met a discussion? What grievance but here met its remedy? What man in the land so poor but here had his advocate? The experiment of Reform had been tried in France and failed. No honest visionary should now be so blinded as to seek here, in the hope of benefit, what the corrupt men there sought to cover their ambition. If they did, some more cunning and ambitious visionary would take advantage of the tumult to place himself on the Throne. They would soon see popular commotion end in military despotism, and find philosophical disquisitions superseded by practical preparation. "I cannot consent, (said Mr. Canning) to hazard this. Let the venerable fabric, which has sheltered us for so many ages, and stood unshaken through so many storms, still remain unimpaired and holy, sacred from the rash frenzy of that ignorant innovator who would tear it down, careless and incapable of any substitution."

Mr. TIERNEY was no advocate for violent efforts at Reform, but he was anxious for some approach towards it, because it was certain that in a few years some reform must be forced on them. In this he meant nothing of that wild affair which was called Radical Reform, a thing which was only another name for Revolution. He had no idea of courting popularity, for popularity had now come into such rude hands that it was no honour to any one. The Radical Reformist was not to be content with any concession; give him a vote for the Copyholders, and he would demand universal suffrage; give him all the men for voters, and he would desire to have all the women; give him the women, and he must have the children too.—(A laugh).—The people of England were wise, and might safely be trusted with power; no evil could accrue from giving them a close connection with their Representatives.—But it was certain, that the people had now acquired a contempt for the House of Commons; and it was the surprise of all men how the House could suffer the Chancellor of the Exchequer to retain his place as he did. While the votes of Canning and Walcheren were fresh in their memories, it was not wonderful that that House should lie under suspicion with the people. The tumult which had since been raised saved the Minister, and Mr. Perceval owed his place to Sir F. Burdett. No body of men in the world, but the House of Commons, could have given the votes they did on these occasions; and they put it beyond all doubt that a Reform was necessary.

Mr. W. SMITH was surprised there could be a doubt of the undue influence in the House. It was proved, that the Peers

had the power of returning 70 Members, and yet the House would pretend to be indignant if a Peer attempted to influence a vote of a Member, or a proceeding of the House! This was absurd and disgraceful. Why did they not at once expunge every Resolution denying the right of Peers to interfere, and if they must be mean, be at least consistent?

Mr. PONSONBY professed his willingness to go into full enquiry in Committee on the subject of a Reform, which he thought essential to the general safety.

Mr. C. WYNNE and Lord PORCHESTER spoke against the motion.

Mr. BRAND replied generally to the several objections, and while he disclaimed all intention of leading the House into any specific measure, which their better judgment might disapprove, avowed his determination of bringing in, early next Session, bills containing the separate points of reform to which he had already alluded.

On the division there appeared—For the Motion, 115—Against it, 234—Majority, 119.

Tuesday, May 22.

ASSESSED AND PROPERTY TAXES.

Mr. PERCEVAL obtained leave to bring in a Bill to regulate the Surcharge both in the collection of the Assessed and Property Taxes. With respect to the Assessed Taxes, he wished to prevent Surcharges on account of labourers employed for a short time in gardening, or windows in a manufacturer's room. With respect to the Property Tax, he wished to take away altogether the affidavit which is now required in appealing from a surcharge, and to substitute a declaration. If there appeared to be any intentional falsehood in this declaration, then he should propose a certain punishment (imprisonment for a certain term) but not the penalties of perjury. He should propose also, that Surveyors, making vexatious surcharges, should be punished by a diminution of their profits.

General LOFT's motion, to relieve the Officers in the Navy and Army from the payment of the Property Tax out of their present pay, was withdrawn.—Adjourned.

Wednesday, May 23.

The Stocks Market Bill was thrown out by a majority of 25.

EXPULSION OF MR. HUNT.

Mr. CALCRAFT moved—"First, That Joseph Hunt, Esq. a Member of the House, was guilty of a violation of the Act of the 46th of the King, for regulating the Office of Treasurer of the Navy, by embezzling money to a considerable amount.

"Secondly, That for the said offence the said Joseph Hunt be expelled the House."

Mr. PERCEVAL observed, that instead of the word "embezzling," it would be more correct to alter the Resolution, by inserting the words "misapplying the public money to a large amount;" with which Mr. Calcraft complied, and the Resolutions were then carried *nem. con.*—A new Writ was ordered to be issued for a Burgess to serve in Parliament for Quecnborough, in the room of Joseph Hunt, Esq. who has been expelled.

[Previously to the vote of expulsion being put, a Letter was read from Mr. Hunt, dated from Lisbon, in which he stated that the Commissioners of Military Inquiry "had drawn conclusions from imperfect information," that his withdrawing himself (absconding from justice) was occasioned by the "prejudices raised against him;" that he "intended to return as soon as his health was restored;" and therefore wished Mr. Calcraft would have the candour to postpone his motion.—This impudent letter was of course treated with contempt.]

Mr. GIBBY brought up the Second Report of the Committee appointed to search for Precedents in the case of Sir F. Burdett.—A conversation ensued.—Mr. WHITBREAD was of opinion that the High Privilege and the Low Privilege Men were equally in the wrong.—The Report was ordered to be printed.—Adjourned.

Thursday, May 24.

VOTE OF CREDIT.—KING'S MESSAGE.

Mr. PERCEVAL brought up the following Message:—

"G. R.—His Majesty, relying on the experience, zeal, and affection of his faithful Commons, and considering the great importance of providing for any emergency, recommends to them to take such measures as may enable him to disappoint and defeat the designs of the enemy, and to adopt such proceedings as the exigency of affairs may require."—This Message was referred to the Committee of Supply.

SIR GEORGE SHEE.

Sir J. NEWPORT proposed a vote of censure on the Irish Government, for having improperly granted compensation to Sir George Shee, in lieu of Fees of the Office of Receiver General, which office had been abolished.—Mr. BANKES, Mr. H. THORNTON, Mr. WILBERFORCE, and Mr. BARHAM, supported the motion, which was opposed by Mr. W. POLE, Mr. FOSTER, and Mr. PERCEVAL, and was of course negatived by a large majority.

LOAN BILL.

Mr. TIERNEY and Mr. HUSKISSON made some remarks on the Loan Interest Bill,—and the Plan of Finance adopted by Mr. Perceval, which they both disapproved of.—Mr. ROSE and Mr. PERCEVAL defended that Plan, as the only one which could be adopted in the present state of the country.—The House divided on the Bill, when there appeared a majority of 64 in its favour.—Adjourned.

Friday, May 25.

In a Committee of Ways and Means, the Irish Loan of 1,400,000L. was stated to have been contracted for on the same terms, and by the same persons, (Barings and Goldsmid) as the English Loan.—A fresh Lottery of 60,000 Tickets was moved for and agreed to; and the enormous sum of two hundred and sixteen thousand pounds was granted to his Majesty, to purchase the Earl of Ormond's right to the Duty of Prizage and Cuttillage of Wines imported into Ireland. The yearly average of these duties was stated to be 13,000L. [The Earl of Ormond is yet to prove his right to those duties.]

Alderman COCHRAN presented the Petition (founded on the Resolutions) from the City of London, agreed to on Monday at the Common Hall. It was read and ordered to lie on the Table!

Mr. TAYLOR suggested the propriety of forming a Committee to enquire the number of causes in arrear in the Court of Chancery, and to suggest some remedy for such delay.—Mr. TAYLOR did not attribute this evil to the Lord Chancellor, who was more than usually active in the discharge of his official duties; but to the immense increase of suitors in that Court. The motion dropt for the present, at the suggestion of Mr. PERCEVAL, who said that the Lord Chancellor was now considering a remedy for the grievance.

IRISH CATHOLICS.

The debate on this important question was resumed, when Sir WM. SCOTT opposed the motion for a Committee, in consequence of instructions he had received from the University of Oxford, with which he heartily concurred in opinion: the civil and religious establishments of this country were not to be disturbed by the Catholic claims.

Sir JOHN NEWPORT supported the motion, as he was convinced the Established Church would ultimately fall, unless the penal laws against the Catholics were abrogated. After the Union, Mr. Pitt said, the extension to the Catholics of those privileges which they did not then enjoy would be perfectly safe; and this hope had been held out at the Union.

Lord CASTLEREAGH would not oppose the Catholic claims, if adequate arrangements were made for the security of the Established Church; but he did not think the present was the best moment for urging the question.

Mr. LAMB was of opinion that procrastination would be destructive.

General MATHEW warmly urged the policy of immediate concession. Ireland could raise 50,000 men, (and such men!) for months together. Bonaparte, when he had subdued Spain, would turn his attention to Ireland, and it would require but 48 hours to carry his plan into effect. Pitt, Fox, and Burke,

a triumvirate he despaired of ever again seeing, were all in favour of Catholic Emancipation. Till that was accomplished, we could only hope to govern Ireland with the bayonet.—General MATHEW drew an animated picture of the horrid cruelties practiced on the People of Ireland during the Lieutenancy of Lord Camden. He had himself seen, in violation of every principle of justice, honest, industrious, and innocent men dragged to loathsome dungeons, and then hurried without trial to a triangle or a gallows, to be half-hanged or tortured, in order that they might impeach their countrymen!! These atrocities took place under the very nose of Lord Camden, who is now a secret adviser of the Crown!—But this was not all: even the cries of the widowed mother and orphan child became incentives to the lust of a brutal soldiery; and many were the instances where the wives and daughters, in the very view of their agonized parents, were barbarously violated (he was sorrow to say it) by English fencibles and German mercenaries!!!

Lord JOCELYN and Mr. SHAW opposed the motion.

Mr. Secretary RYDER professed the same opinions held by Lord Grenville; the Catholics should concede the Veto.

Lord DUNSTON said his Protestant Constituents were in favour of the Catholic claims.

Mr. PONSONBY was of opinion that the Catholics should make every concession to the Protestants that did not violate their consciences; he was also firmly persuaded, that if Ministers persisted in their present line of conduct to the Irish Catholics, such a commotion would one day arise in Ireland, as would either reduce it to a heap of ruins, or for ever separate it from England.

Mr. PERCEVAL would always persist in resisting the Catholic claims, convinced as he was that the Roman Catholics would never rest satisfied till their religious establishment had overwhelmed that of the Protestant faith.

Mr. WHITBREAD supported the motion, and contended that the Chancellor of the Exchequer, from the first moment of his getting into power, had done every thing possible to aggravate the situation and insult the feelings of the Irish Catholics. This system was to be attributed to the Extraordinary Privy Counsellor (Dr. Duigenan) who seemed to enjoy the peculiar patronage of the Right Hon. Gentleman, though it had been deemed prudent to silence him in that House. Mr. W. denied that the Catholics had such a devotion to the Pope as to interfere with their allegiance to their lawful Sovereign. Even the French Catholics had totally destroyed the temporal power of the Pope.

Mr. CANNING, though he spoke against the motion, expressed his hope and opinion that the time would soon come when the claims of the Catholics might be acceded to.

The Debate was then adjourned to Friday next.—Adjourned at four o'clock.

TUESDAY'S LONDON GAZETTE.

Admiralty-Office, May 22, 1810

Admiral Lord Gambier has transmitted a letter which his Lordship had received from Captain Hardyman, of his Majesty's ship Armide, inclosing one addressed by him to the Hon. Rear Admiral Stopford, giving an account of an attack made on the 4th instant by the boats of the said ship, assisted by those of the Cadmus sloop, and Monkey and Daring gun vessels, under the directions of Lieut. Samuel Roberts, first of the Armide, upon an enemy's convoy of armed and coasting vessels at the Isle of Rhe. Seventeen vessels were taken possession of, thirteen of which were burnt, under a heavy fire from the batteries and armed vessels, and the others left on shore. Captain Hardyman highly commends the conduct of the officers and men employed on that service. Lieut. Townley, of the Armide, was unfortunately killed on board an armed vessel which he had carried, whilst repelling an attack made upon her by two pinnaces of the enemy; two seamen of the same ship, John Trueman and John Dempster, were also killed, and three others severely wounded.



A letter has also been received from Capt. Cockburn, of his Majesty's ship Implacable, giving an account of the Nonpareil schooner, commanded by Lieut. James Dickson, having on the 10th inst. captured, after a sharp action of one hour and a quarter, off the river Vilaine, La Cannoniere, French National brig, carrying three long twelve pounders, and two twenty-four-pound carronades, with sixty-one men.

BANKRUPTCY ENLARGED.

H. Mew, Newport, Isle of Wight, shopkeeper.

BANKRUPTS.

- G. Klugh, Coventry-street, Haymarket, tailor.
- D. Christie, Bradfield, Berkshire, shopkeeper.
- S. Peg'ar, Mewnham, Gloucestershire, linen-draper.
- W. Taylor, Clifton, Lancashire, innkeeper.
- T. Watkins, Plymouth Dock, tavern-keeper.
- R. Nixon, Sanderbush, Cumberland, dealer in horses.
- C. Pratt, Long-acre, money-scrivener.
- J. Sweeting, Old Bond-street, tailor.
- J. Baker, Shepton-Mallet, Somersetshire, inn-keeper.
- R. Storey, Clement's-lane, tailor.
- C. Hoyland, Warrington, Lancashire.
- T. Collett, Uxbridge, Middlesex, grocer.

SATURDAY'S LONDON GAZETTE.

This Gazette contains an account of the capture of the Dutch National corvette De Havik, of 10 guns and 52 men, by the Thistle schooner, commanded by Lieutenant Peter Proctor, "an old officer of much merit," after a close action of one hour, and a running fight for four hours more. The Dutch Admiral Buyskes, late commander in chief of Batavia, was on board the Havik, and was wounded in the action, as were also seven of the crew. The Thistle had one man killed and six men wounded—Lieutenant Proctor being himself also wounded. The Havik is a very large vessel, and the capture of her by such an inferior force does Lieutenant Proctor and his gallant crew great credit; it is to be hoped that "an old officer of much merit," as Sir J. B. Warren calls him, will soon have a larger ship under his command.

BANKRUPTCIES SUPERSEDED.

- W. Kirkpatrick, Manchester, merchant.
- J. Youdan, Lambeth, victualler.
- J. Dean, Langley, Cheshire, corn and flour-dealer.

BANKRUPTS.

- D. Trott, Old Change, calico-printer.
- A. Evered, Lower Grosvenor-street, wine-merchant.
- W. Poulter, Upper-Thames-street, wholesale-stationer.
- R. Dove, Monmouth-street, victualler.
- V. Cooper, New-Bond-street, milliner.
- R. Cook, Little St. James's-street, victualler.
- W. E. Roberts, Liverpool, woollen-draper.
- A. J. Graham, Liverpool, master-mariner.
- R. Salter, Bathurst, Somersetshire, baker.
- W. Post, Bristol, carver.
- J. Moore, St. John-square, Mark-lane, brandy-merchant.
- S. Hackney, Dowgate-hill, rag-merchant.
- J. Tripp, Bristol, woollen-draper.
- F. Harrison, Clifford's-Inn, Fleet-street, merchant.
- J. Rogers, Strand, merchant.
- W. Osborne, City-road, builder.
- W. Pickard, Little Moorfields, breeches-maker.
- H. J. and J. Emmett, Gerrard-street, Soho, tailors.
- R. Lowe, Great St. Helen's, broker.
- G. Herron, Becondry-street, fellmonger.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Cons. 70½ | Ominum 13

AN HUMBLY ARTIST, and A BELIEVER, shall have insertion. The LETTER TO MR. YORKE, Teller of the Exchequer, is delayed till next Sunday, for want of room. AN ADMIRER OF FEMALE EXCELLENCE shall certainly appear next week. S. M.'s Letter was not received till one month after its date.

THE EXAMINER.

LONDON, MAY 27.

THE reader knows how much has been anticipated lately of Spanish powers and Wellesleian activity. Of WELLESLEY we hear nothing at all; and the only information received, or at least published, by Government, is that Murcia and Carthage have fallen into the hands of the enemy, and that BLAKE's army has been again dispersed. "But," says the sage and sententious *Courier*, "they may be expected to re-assemble." May they indeed! And so may the swallows next season, in order to fly away again.

THE existence of the Finance of this country is dependent on the great question of REFORM. If the Commons are really to be the Representatives of the People, then the people who feel for themselves, will have a chance of doing something for themselves, and by a painful economy and the blessing of Heaven, may be strong enough to retrace the ascent of their prosperity; but if every new and wretched Minister is still to do as he pleases with the Commons, if our last treasures are still to be wasted with idiotical lavishness, and millions heaped upon millions of debt, we may all as well hope to live in spite of death as to see our finance flourish in spite of rottenness. Mr. PERCEVAL comes forward with a face full of gay triumph, and informs us that he has done wonders for the country by borrowing another twelve millions at 15 per cent. below the legal interest. The Commons of course agreed to think this wonderful:—wonderful indeed, that the loan-jobbers should put up with a good bargain while they can yet make one! We are told also with the same triumph, that we are to have no new Taxes this year; and the Commons again cry, wonderful: We are not told what Taxes we shall have next year, if possible, to make up for them. BONAPARTE may treat his subjects with a year's freedom from conscription, but the next conscription shall anticipate two years. In these good bargains and pleasant indulgences, I can see neither confidence nor kindness; I can see nothing but the incipient fear of proceeding, badly disguised under an aspect of kind dispensation. If it is not a fear of proceeding, it is something worse,—a relaxation that must be followed by double restrictions,—a confidence that no past event will warrant, no future will justify. Instead of the implicit smiles that the "faithful Commons" bestowed upon the Minister's 15 per cent. they should have asked him why so great a loan as twelve millions is still necessary, and how long he can expect the country to go on adding millions to millions of debt? This is what every person asks, who is at all acquainted with the progress of debt, except those who grow rich as the nation grows poor. Even Mr. HOSKISSON, in spite of his uneasy coquetry with ministerial principle, is compelled to ask the same questions. He said that "he could not

approve of the principle of going on from expedient to expedient, and thinking that every thing is atchieved because the difficulty of the moment is got over. This practice put him in mind of an anecdote which happened during the French Revolution. Having had occasion to hold some conversation with a person who was at the head of the French finances during that turbulent and uncertain period, he asked him what the result would be, if he followed the course he was pursuing? The answer was, 'It will last our time, and then,' or to use the significant expression of that person, 'after us the deluge.'—Still however Mr. Huskisson thinks we have ample means for continuing the contest, provided the means be properly used; but still the question recurs, how long is the struggle to be continued; and it is a question that no Minister will or can answer. The Reformists do not despond of the real strength of the country, if properly roused;—they do not despond, even though the present hollow system of finance fall to pieces, as it assuredly will. England would be in a desperate state indeed, if what were to ruin the present system, must inevitably ruin her with it. What we dread is the shock of financial dissolution, and we would either counteract its bad effects altogether by putting on a stern economy, or at least prepare for it to the best of our ability by smoothing the way for a better system of things subsequent to that shock. The echoers of 'Change Alley cry out,—“What are a few millions to England,—to old England, to rich old England?” So saying, they ruffle the bank-notes in their pockets:—formerly the phrase would have been, they chink the guineas. Truly, the millions are not so much after all, when we consider that they are paper and not gold; but they are a great deal to the English people, whose contributions are not less the result of labour, because rags and not guineas are the consequence. Paper is unhappily the representative of English toil, if not of English wealth; if it really is the representative of wealth, where is the wealth to be found? Produce it,—give it circulation,—let the loan-jobbers shew that the millions which pass so gaily between them and the Minister are something more than mere accommodations: we cannot go to the Bank to demand change for our notes: Mr. Pitt was too cunning not to put a stop to that opportunity of enlightening and redressing ourselves. Will the specie appear then, when this mighty representative faculty can no longer exist? Will the imaginary god of our wealth shew himself in person, when the hollow idol that has represented him is broken to pieces? No; paper money, which was invented by a Government that could not pay real money, is at length drawing to a conclusion well worthy of its origin, and we may see by its decay that it has no stamina whatever. Sixty years ago we had no notes under those of twenty pounds; but war and corruption required greater facilities for bad Ministers, and since that time the people of England, with the eyes and mouths of so many fishes, staring, gasping, and saying nothing, have seen fifteen-pound notes, ten-

pound notes, five pound, two pound, and at last, the modest representatives of twenty shillings! The greater the shift the more evident becomes the want of means. I have no doubt that these twenty shillings will in a short time be split into ten shillings, and then if the People chuse to be fishes still, into five and two shillings, and even sixpenny tokens. Here at last the old question, “Where is all this to end,”—can be put no longer, for the thing is ended—the bubble is burst—neither payment nor representation can go further. Yet this is the finance, this finance of twenty shilling notes, this ragged representative of a nonentity, which we are desired to call “progressive improvement!” The following elegant passage is from a writer, much more bold than elegant in general, but who well understood and exposed these gross deceptions:—

“Do we not see that Nature, in all her operations, disowns the visionary basis upon which the Funding System is built. She acts always by renewed successions, and never by accumulating additions perpetually progressing. Animals and vegetables, men and trees, have existed ever since the world began; but that existence has been carried on by successions of generations, and not by continuing the same men and the same trees in existence that existed first, and to make room for the new, she removes the old. Every natural ideot can see this. It is the Stock-jobbing ideot only that mistakes. He has conceived that Art can do what Nature cannot. He is teaching her a new system,—that there is no occasion for man to die,—that the scheme of creation can be carried on upon the plan of the Funding System,—that it can proceed by continual additions of new beings, like new loans, and all live together in eternal youth. Go, count the graves, thou ideot, and learn the folly of thy arithmetic.”

Some private accounts have been received from Halifax which state, that some events of a very unpleasant nature have occurred in Canada. Emissaries from BONAPARTE have been, it is said, very actively, and in some instances successfully employed in that Province, among the French inhabitants, and a plan was actually formed to surprise Quebec. The plot, however, was detected, and several persons were taken into custody, among whom we are sorry to find mentioned some persons of considerable rank in the Province. It is added, that in consequence of this discovery every proper precaution had been taken, and that tranquillity had been perfectly restored.—*Sun.*

Government have received advices from Carthage, by which it appears, that through the exertions of Col. Roche, two Spanish three-deckers, of 130 guns each, have been saved from falling into the hands of the enemy, who, 3000 strong, entered Murcia on the 23d ult. and on the following day were within six leagues of Carthage.

New-York Papers, to the 4th of last month, have been received. It appears that a resolution to repeal the Act of Non-Intercourse has been carried in the House of Representatives by a majority of 69 against 53.

Doctors BAILIE and DONDAE arrived at Windsor on Thursday evening, and remained with the Princess AUCLEIA till Friday morning. Her Highness had not experienced any material change since Monday.

The True Briton Indian is missing. It is hoped, however, that she is not lost.

Some disturbances have taken place at K. kenny, between the Catholics and Protestants; the forerunner, we fear, of sad doings in that devoted country. A Catholic lost his life in the quarrel, which is said to have been caused by some Protestant's asking, whether a Priest, who had died, had taken to hell the spectacles he wore when alive?

On Friday night the defendants in the action brought by Sir FRANCIS BURDETT against the SPEAKER and SERJEANT of the House of Commons, moved by their Counsel to amend their Pleas!!!

The Borough of Queenborough (a *Treasury* Borough) has become famous for returning Public Defaulters. Both Mr. HUNT and Mr. VILLIERS have represented this place. It is true, an impure source must produce a corrupt stream.—This is one blessed effect of the Borough system!

The Anniversary of the Election of Sir FRANCIS BURDETT was celebrated on Wednesday, at the Crown and Anchor, by 500 Electors of Westminster, with Lord COCHRANE in the Chair. Among the company, were Mr. JONES BURDETT, Colonel BOSVILLE, Major CARTWRIGHT, Major WORTHINGTON, Mr. PALMER of Worcester, Mr. COKE of Norfolk, Col. WARDLE, Mr. STURCH, &c. &c. Several excellent speeches were made, which are excluded by our confined limits, and many appropriate toasts and sentiments were drunk.—Mr. JONES BURDETT, contrasting the impunity allowed to such men as CASTLEREAGH and PERCEVAL with the severity shewn to poor offenders, who were often punished with death for stealing a few shillings,—quoted very happily the following lines from SHAKESPEARE'S *King Lear*:—

“Through tattered clothes small vices do appear,
“Robes and furr'd gowns hide all, plate sin with gold,
“And the strong lance of justice hurtless breaks;
“Arm it in rags, a pigmy's straw doth pierce it.”

THEATRICAL EXAMINER.

No. 69.

LYCEUM.

If the Comedy of the present time has any merit over its predecessors, it is that of good morals. We have still, it is true, a number of broad hints and double meanings, for these are easy modes of being humorous, which the dramatists cannot find it in their hearts to reject or in their heads to supply; the simplicity of country girls is a great medium of drollery on these occasions; widows furnish excellent subjects for allusions, for shakings of the head, and side touches of the nose; and as to a Stage-Irishman, he is a very Cupid turned giant. But in a general point of view, in the characters, conduct, and event of the play, the moral is not to be compared; rakes and demireps are no longer the heroes and heroines of the drama; good-temper, disinterestedness, generosity, and other social merits, are the main objects of praise and reward; and if virtue is not much recommended by her dress, vice is never rendered ensnaring by hers. When Managers therefore revive a Play, they should select one that possesses qualities which the modern drama ought to acquire, such as composition, wit, and character; not one that exhibits vices which it ought to avoid, as Mr. ARNOLD has done in reviving the *Confederacy*. The plot of this piece is certainly well managed and entertaining, and the characters are not only drawn from life but drawn and harmonised

with great spirit; but it contains nothing of sentiment, nothing of what deserves to be remembered in the closet, and not an iota of moral. The author, Sir JOHN VANBRUGH, after taking his plot from the French, and his idea of fine writing from the conversation of rakes and demireps, seems to have sat down to his task without even thinking that there was such a thing as virtue; and he has accordingly treated it, both in the conduct and conclusion of his play, with an *indifference* truly abominable. He would tell you, that his object was to admonish old men against having young wives; but what is the main story? Two old misers marry young women; after a time, each falls in love with the other's wife, and the confederacy consists in the agreement of the wives to dally with the passion of their respective lovers, and get as much money out of them as possible. They do so with a conscience perfectly comfortable: when they are detected, their husbands, who are of course detected too, have all the laugh against them, and the ladies walk off with their money. Now where is the moral of this? The young wives are not put in the way of other temptation; they are not faithless to their marriage vows; their fault does not arise from their youth as opposed to the old age of their husbands, but from their extravagant wants as opposed to miserly treatment; and even in this view of the case there is no moral, for the wants are so extravagant as almost to justify the niggardliness. The under story has no pretension to the shadow of a moral.—A young hoyden, a favourite medium of our old writers for double meanings, goes skipping and crying about the house for love of “the Colonel,” which Colonel is an impudent fortune-hunter, and though detected at the conclusion, is nevertheless as successful as love and money can make him, and thus regains the respect of his detectors. The most harmless as well as original character in the play, is one Mrs. *Amlot*, a lame female pedlar and mother of “the Colonel;” the cunning with which she gains herself of the ladies' necessities, her mixture of goodnature, humility, and insolence, and the fondness that breaks through her anger against a son that disowns her, are highly entertaining and sketched with a masterly hand. VANBRUGH was one of those writers who excelled not so much in wit and knowledge as in that ready seizure of circumstances, which produces good situation, contrast and harmony of character, and a fluent sprightliness throughout that amuses much more than it instructs. He is, therefore, intelligible to all, and never tiresome, but these qualities, in extending and adorning his influence, only render him the more dangerous.—POPE, who was sufficiently tender towards the immoral dramatists of his time, is nevertheless forced to exclaim,—

How VAN wants grace who never wanted wit!

The want of grace, however, is much more conspicuous than the wit, unless the poet used the word in its vulgar sense for general humour and liveliness: but POPE, who had so much wit himself, could not define it properly, and even taking his very bad definition for granted,* VANBRUGH does not deserve the praise. Of our author's private character, the accounts are contradictory. His biographers praise him for good-humour and sociality, but much has been said against his heart, and I have read somewhere, though I cannot now recollect in what book, a most bitter philippic against his general conduct. Perhaps his charac-

* True wit is nature to advantage dress
What oft was thought, but ne'er so well express'd.

ter suffered a good deal, and very naturally, from the depravity of his writings, for it is difficult to think well of any man's heart who could set entertainment so entirely above goodness. ROWE, in a parody on HORACE'S Ode *Donce gratus, &c.* makes old TONSON the bookseller speak of him in an agreeable way enough:—

I'm in with Captain VANBRUGH at the present,

A most goodnatur'd gentleman and pleasant;

He writes your comedies, draws, plans, and models,

And builds Duke's house upon very odd hills.

The truth is, perhaps, that VANBRUGH, who had seen much of life and possessed much of it's graces, was led by the brilliancy of his qualities, to sacrifice every thing to what is called making a figure. He had a taste for music, had been in the army, was a comic writer, an architect, and a man of rank; and it sometimes depends very much upon circumstances, whether combinations of this kind are useful or injurious to a man's habits and character. Where various powers of pleasing are properly regulated by some happy turn in the temper or some laudable exercise of the mind's strength, they are the greatest helps in the world not only to good fame but to the general recommendation of virtue; but there is a charm in pleasing the common run of the world, which puts men of talent so much at their ease, and sets them upon so joyous an elevation, that they are too apt to give into the delusion, and for the sake of a flashy kind of present reputation, sacrifice their health, their consciences, their utility, and future fame.

I confess it is not with satisfaction that I am compelled to do justice to the actors of such a play as the *Confederaty*. Had the performance been to a better purpose, I should have expatiated with delight on the ease and provoking indifference of Miss DONCAN in the principal wife, and on DOWTOW's perfect representation of *Moneytrap*, his doubtful looks in the midst of hope, his helpless oglings, and gaping impotence of smile. Whether Mr. MATHEWS thinks as badly of the play as myself, I cannot tell; but he certainly does not exert himself to recommend it. His performance of *Gripe* is dry and spiritless by the side of DOWTOW, and yet he has one or two good situations for display. In the scene where he flings in a passion with *Brass*, he gives one or two excellent touches of impatient rage with words cut short, a neck thrust forward, and a trembling munching of the lips; but he does not exert himself unless absolutely compelled. Some actors are apt to fancy, though I trust Mr. MATHEWS is too sensible to entertain such a notion with them, that when another has a more prominent part in a drama than themselves, it is either useless or below their ambition to do as well as they can; whereas they ought to consider that every character is or ought to be the best in it's way, and that though the play does not do it's best for them, they are bound to do their best for the play. MELVIN is a good *Brass*, and acts the impudent knave with much easy spirit, particularly in his sudden revolt from his master the Colonel, and the admonitory buffings with which he resents his attempts at authority; but *Brass* is not a character of difficult comedy, whatever fame the late Mr. KING may have obtained from it's performance; sheer impudence, though an imposing, is a very monotonous kind of behaviour, and requires little conception or expression. Mrs. SPARKS performs *Mrs. Amlot* with very good mediocrity of manner, and a very praiseworthy lameness of leg; but

here again there is little required; the character acts for itself. With regard to the mock Colonel, I must confess, in justice to Mr. PALMER, that I never saw him play any thing worse: he is too old for the brisk fine gentleman, too monotonous, too unwieldy in air and gesture; and in fine, when I saw him in it, he forgot his part. Mr. JONES, who is young, slipshod, and active, performs it a great deal better. Mrs. EDWIN, in the hoyden, conceives the prominent parts of her character with much spirit, and very well understands the tone and look of silly rapture; but in no character does she exhibit more the want of that flow of action, of which I have before spoken; her performance is full of abrupt gaps; when she has looked and said a good thing, she turns off with an air of fatigue and self-recollection, that contradicts her own acting, and most unpleasantly surprises the spectator. As to Miss BOYCE's performance of *Mrs. Moneytrap*, Miss BOYCE is, as I have said before, a pretty little statue, and she would be still prettier, had she not a perpetual trick of frowning, which in her gayer moments makes her look as if she was attempting to laugh away a headache.

Mr. ANNOLO, I trust, will think a little more seriously of revivals of this kind. There are many amusing authors, deserving revival, that would do his audiences much more good; very few that can do himself so much discredit and then so much harm.

COVENT-GARDEN,

TO THE EDITOR OF THE EXAMINER.

SIR,—The inferior merit of most of the actors employed in the representation of *Leaz* has already been noticed in the *Examiner*; and it would not, perhaps, have been proper to renew the subject, did not Mr. FAWCETT's performance of *Kent*, on Wednesday last, call for the severest censure, as another instance of the Manager's contempt of propriety and of the performer's want of modesty. Common-sense is certainly a most uncommon thing, and it has long since passed into the maxims of wisdom, that we must not expect to make a silk purse out of a sow's ear,—or one might imagine that the Manager's common-sense would manifest to him that this was an enormous piece of injustice to our British dramatists, those "best-belov'd of bards," and of disrespect to the public, "that most liberal and enlightened of publics." But, Sir, we know that

"Of all the vices that conspire to blind
Man's erring judgment, and pervert the mind;
What the weak head with strongest bias rules,
Is PRIDE; the never failing vice of FOOLS."

The prominent feature of Mr. FAWCETT's performance was impudent vulgarity. When he first appeared, he looked as dignified and surly as a bundle when he heads a corporation procession. His eye-brows were contracted, and his lips protruded; there was a roll in his walk, and a sort of uneasy motion about his head, that seemed to say he was fearful he could not sufficiently elevate it. He contrived to throw a sort of mouthing dignity into his sentences, and to speak with a sort of proud syllabic precision that seemed to say, "I am Sir Gravity, and when I speak, see no dog barks." But as men generally find restraint to be a painful effort, and as actors are but men, Mr. FAWCETT sometimes descended from his stilts to rush into a low familiarity, with a vehemence equal to the haughty and forced dignity he at first endeavoured to

assume. "Pistol was alive again," and I assure you, when he came to deliver *Leir's* message to *Regan*, in *Kent's* subsequent raillery, or severity (if you please), he contrived to assimilate himself as much as possible to a drunken linker, who was quarrelling with his host and hostess because they would no longer supply him with liquor.

Possibly Mr. KEMBLE may conceive that the audience is sufficiently treated when he condescends to appear before it; and he may hope to shine with additional lustre among so many dowdies, both male and female. But he should be assured that it is a subject of notorious complaint against him; and that the public will not always let this silently pass because he is a diligent Manager. It is in vain that he lays claim to our applause for the correctness of his scenery; for the splendour and classicity of his dresses; or for his industrious attention to the minutiae of stage appendages. Under other circumstances, these might tend to complete the delusion and realize the scene; but at present, the imagination of the spectator, which must always be accessory to the delusion, is called upon too largely, and his feelings are continually disturbed by the moanings of a *Batsrow*, the whinings of a *Brunton*, or the vulgarity of a *Fawcett*.

This will be a perpetual cause of complaint, unless the audience becomes sensible of what is due to itself; and, indeed, the evident impatience with which much of last Wednesday's performance was borne, gives us hope that "the many-headed monster of the pit" will one day teach Mr. KEMBLE propriety, Mr. FAWCETT modesty, and send Miss *Burston* back to the nursery.—I am, Sir, yours, &c.

May 26, 1810.

R.

FINE ARTS.

[An error or two crept in last week to our short account of the CALCOGRAPHIC PLAN. It mentioned seventeen hundred guineas were to be raised, when it should have said, seventeen thousand; and there was also some confusion in the mention of the number of plates, and their different styles, which should have stood thus:—Twenty Plates are to be engraved,—ten in the line manner,—six in the dotted,—and four in mezzotinto.—The plan is proceeding with the greatest promise of success: there is indeed every reason to believe that the shares will all be subscribed for in a few weeks.—The Earl of DANTMORRE and Sir ABRAHAM HUME have been added to the Committee of Management, who proceed in the accomplishment of their object with a steadiness and activity that must command success.]

ROYAL ACADEMY EXHIBITION.

148. *Cleopatra dissolving the Pearl*. T. STOTHARD, R. A.—However deficient this Artist is in paintings on a large scale, his small designs on paper and canvass have an amenity, propriety of sentiment, and force of character, that result only from vigorous genius. For truth and energy of character his painting from *Chaucer's Pilgrims*, now engraving by the imitable SCHIAVONETTI, has perhaps never been surpassed, and *Cleopatra dissolving the Pearl*, though less defined and correct in the drawing, and with a sketchy deficiency of precision, nearly approaches it in force and propriety of character, and is fertile in poetic invention. *Cleopatra* reclines on a couch with her paramour, *Anchises*, and with an air of boastful indifference, drops the valuable pearl into the dissolving cup. A group of wantons are strewing flowers over their heads,

and another of infants are significantly playing with the useless arms of the effeminated general. Groups of satyrs and courtezans are revelling in the tumultuous joys of the grape; dancing and music, which have overpowered the faculties of others who are asleep on the ground; or carried off by their jovial companions. Cupids are actively engaged in decorating the apartment of revelry with flowers, or shooting arrows at the throng, and an unseen fiend is equally busy in infusing poison into a chalice of wine. This is a fine moral allegory, and I hope the *Sheridans* of the day will improve by it.

99. *Titania*. H. HOWARD, R. A.—The subjects which Mr. HOWARD generally selects, and his style of displaying them, evince a classical and poetic taste. His inventive talent is well seconded by a firmness of hand and a transparent purity of colour. His figures, enlivened by a vigorous fancy in their composition and expression, have however, the appearance of being painted in a great measure from statues. Thus the figures in this piece are in many respects playful, animated, and graceful, and the fairy character well sustained in the general attitude and expression, yet still there is a heaviness of limb, a want of fleshy variety of touch and gradation. They are outlines filled up with colour, and the fairies look like inspired marbles suspended in the air. Graceful as is the position of *Titania*, the square attitude of her arms is the reverse of it; beside that it counteracts the intended character of sleep, which relieves the muscles from action, and whose opiate wand strokes the limbs to a graceful supineness of position. The incident is otherwise faithfully and energetically described, and especially the affectionate delight which animates the fairies in beholding their queen safely and sweetly reposing on a bed made and "o'er-canopied" for her by *Flora*. The silvery tone which pervades the piece, displays the magically mild effulgence of moon-light.

114. *Titania, Puck, &c.* H. THOMSON, R. A.—The line of feminine grace best consists in a gentle variation, such as is presented in the form of the Roman letter S, so exquisitely elucidated in the works of CORREGGIO and RAFAELLE, and the statues of antiquity. Though this principle has in a degree been here deviated from in sudden turns and foreshortenings, so as to occasion the charge of "severity and stiffness," yet the form of *Titania*, almost wholly exposed to that "chartered libertine" the air, forcibly reminds me of some words in the poem of the Seasons, descriptive of *Lavinia*:—

"A native grace

Sat fair proportioned on her polish'd limbs."

The colouring of her flesh is rich, delicate, replete with all the varieties of breadth, tint, and gradation, and equals the best of the late Mr. HOPKINS. In *Titania's* fairy page and sentinel, we recognize the artfulness of SHAKESPEARE'S *Puck*. This beautiful picture is certainly Mr. THOMSON'S masterpiece.

TO THE RIGHT HON. LORD ELLENBOROUGH.

MY LORD,

May 21, 1810.

Since I had the honour to address your Lordship on the 7th inst. the Select Committee of the House of Commons, appointed to search for Precedents in support of the authorities exercised by the House in matters respecting Sir FRANCIS BURDETT, have made their Report to the House, and stated,

"That the privileges of Parliament were necessary to the security of the State; that the Law of Parliament was the Law of the Land, according to the maxim laid down in Magna Charta, which says, that no Freeman shall be committed to imprisonment without the judgment of his peers, or according to the Law of the land; that this maxim recognized the law of Parliament; and that the right of committal was established by ancient usage, and was as clear and incontrovertible as any other part of the Law of the Land; and was necessary to the security of the State itself."

That the Law of Parliament is the Law of the Land, according to the maxim laid down in Magna Charta, which says, "that no Freeman shall be committed to imprisonment without the judgment of his peers, or according to the law of the land," I have not denied: on the contrary, I have asserted the fact.—That the Parliament, my Lord, collectively, considered with all its constituent parts of King, Lords, and Commons, is possessed of the fullest judicial authority, I think no man, who has looked into the law books, can deny;—for, as I have before observed, "it is so high and mighty in its nature, that it may make law, and that which is law it may make no law." But I do contend, and I will contend, with Magna Charta and the 2d Book of the Institutes before me, against the assumed propositions of any Committee whatever, that the House of Commons SEPARATELY, and as only one distinct branch of the Parliament, has not been, and never can be, recognized as having right of committal according to the law of the land—"it being sought out against the great Charter, and therefore of no value, and to be holden for nought."—2d Inst. 77; and, my Lord, I will be bound to prove the premises from the Institutes themselves—I will therefore begin with Sir EDW. COKE's observations on that Great Charter to which the Committee have referred,—a Charter, which we are informed in the Proeme to the second part of the Institutes, had then been "confirmed, established, and commanded to be put in execution by thirty-two several Acts of Parliament."

My Lord COKE, in observing on the very passage quoted by the Committee, *Nullus liber homo capiatur aut imprisonetur*, says,

"Attached and arrested are comprehended herein:—1st. No man shall be taken, (that is) restrained of liberty, by petition, or suggestion to the King, or to his Counsel (see W. 1st. c. 15.) unless it be by indictment, or presentment of good and lawful men, where such deeds be done."—2d Inst. 46.

And he observes, (in W. 1st. c. 15, to which he refers) as follows—

"So as *mandement le Roy*, is as much as to say (as some affirm) as by the King's Court of Justice: for all matters of jurisdiction and proceedings in law are distributed to the Courts of Justice, and the King doth judge by his Justices.—8 H. 4. fol. 19 & 24. H. 8. cap. 12: and regularly no man ought to be attached by his body, but either by process of law, that is as hath been said by the King's Writs, or by indictment, or lawful warrant, as by many acts of Parliament is manifestly enacted and declared, which are but expositions of Magna Charta; (see the several statutes referred to) and all statutes made contrary to Magna Charta, which is *Lex terra*, from the making thereof until 42. E. 3, are declared and enacted to be void, and therefore if this 2d of W. 1st, concerning the extra-judicial commandment of the King be against Magna Charta, it is void, and all resolutions of Judges concerning the commandment of the King are to be understood of judicial proceeding."—2d Inst. 187.

And just above, commenting on the same words, *Mandement le Roy*, he says,

"1st. The King, being a body politique, cannot command but by matter of Record, for *Rex Precipit* and *Lex Preci-*

pit, are all one; for the King must command by matter of Record according to law. 2dly. When any judicial act is by any act of Parliament referred to the King, it is understood to be done in some Court of Justice according to the Law, &c. The words of the Statute of 1 R. 2. c. 12, arg. *Si non que il soit per briefe ou autre mandement le Roy*; and it was resolved by all the Judges of England, that the King cannot do it by any commandment, but by Writ, or by Order, or Rule of some of his Courts of Justice, where the cause dependeth according to law. And Bracton saith, *Nihil aliud potest Rex, quam quod de pere potest.*"—2d Inst. 187.

So much saith Sir EDWARD COKE, as to the judicial power of the first branch of the Legislature, *Le Roy*. Now let us proceed to the next,—the Lords Spiritual and Temporal—which are particularly recognized by Sir EDWARD COKE, in his observations on the subsequent words of the passage quoted by the Committee—*Nisi per legale iudicium*; upon which he says—

"By this word *legale*, amongst others, three things are implied—1st. That this manner of Trial was by LAW before THIS STATUTE.—2dly. That their verdict must be legally given, &c.—2d Inst. 49.

And on the words *iudicium Parium Suorum*, he before observes—

"By judgment of his peers. ONLY a Lord of Parliament of England shall be tried by his peers, being Lords of Parliament: and neither Noblemen of any other country, nor others that are called *Lords*, and are no Lords of Parliament, are accounted Peers. Peers within this Statute, &c.—2d Inst. 48.—And though of ancient times the Lords and Peeres of the Realme used in Parliament to give judgment, in case of treason and felony, against those that were no Lords of Parliament, yet, at the suite of the Lords, it was enacted, that albeit, the Lords and Peeres of the Realme, as Judges of the Parliament, in the presence of the King, had taken upon them to give judgment, in case of treason and felony, of such as were no Peeres of the Realme, that hereafter no Peeres shall be driven to give judgment on any others, than on their Peeres, according to law."—2d Inst. 50.

Here, my Lord, we see what Sir EDWARD COKE (as courtly a lawyer as ever sat on that Bench on which your Lordship at present presides) says of the judicial power of two separate estates of the Parliament; by which it does appear, most clear and incontrovertible, that neither the King nor the Lords Spiritual and Temporal have the right attached to its individual branch, of committal of any individual of the commonalty, without due process of common law used and accustomed before the Great Charter—that is, "by indictment or presentment of good and lawful men, where such deeds be done in due manner, or by Writ original, according to the old Law of the Land,"—for, as Sir EDWARD COKE expresses it, "it would be sought out against the Great Charter, and therefore of no value, and to be holden for nought."—2d Inst. 77.

And now I shall proceed to investigate as to the power of the third estate, the House of Commons, in judicial proceedings,—and shew what the Books say of its individual capacities:—And here I shall preface my quotations with Sir EDWARD COKE's excellent motto to the 2d. Institutes,—*"Quod non lego, non credo."*

Sir EDWARD COKE observes on the Preface of Statute Westm. Prim. as follows: "Where it is said, by all the Commonalty, all the Commons of the Realme are represented in Parliament by the Knights, Citizens, and Burghesses."—2d Inst. 158.—And in commenting upon the following words, *"Per assentiments des Archevesques, Evques, Abbes, Priors, Countes, & Barons, & tout la Comminalia de la terre illoiq sumtones*, he says,

"Here is a complete Parliament for making or enacting of Lawes, the King, the Lords Spiritual and Temporal, and the Commons: for if an Act be made by the King, and the Lords Spiritual and Temporal; or by the King and the Commons, this bindeth not, for it is no Act of Parliament; for the Parliament concerning making or enacting of Lawes consisteth of the King, the Lords Spiritual and Temporal, AND the Commons: and it is no Act of Parliament, unless it be made by the King, the Lords, AND Commons."—2d, Inst. 157.

The construction therefore of a *complete Parliament* doth consist of three estates, of the King, the Lords Spiritual and Temporal, and the Commons; this hath been declared in the Preamble of a Statute made in Parliament by that noble and wise King, Edward the First, of whom Sir E. COKE elsewhere says, "of this worthy King we have spoken in other places: this we will add out of an approved auther, *Nemo in consiliis illo argutior, in eloquio torrentior, in periculis securior, in prosperis cautior, in adversis constantior.*"—And no Act of Parliament can be valid unless made by the joint concurrence of the *whole THREE Estates*; for if the Act be made by the King and the Lords Spiritual and Temporal only, or by the King and Commons only, "this bindeth not, for it is no Act of Parliament."—2d Inst. 157. It therefore doth appear most CLEARLY and INCONTROVERTIBLY, that the House of Commons, *even with the King*, and without the concurrence of the House of Lords, cannot make any Act which bindeth the subject; and in all its individual Acts the House of Commons *must be guided by the Law of the Land*, according to Magna Charta—c. 29—which Sir EDW. COKE says, is by due process of Common Law, accustomed and used before 9th Henry 3d.

I shall trouble your Lordship, in my next, with some observations upon the notable words of the Great Charter, *Per Legem Terræ*, and shew *from the Books*, that the House of Commons, in its individual capacity, has not the right of committal of any person, but within its own walls, "*flagrante delicto*," and "*sedente curia*;" and that a committal thereout, by the Speaker's Warrant alone, is not a committal "*Per Legem Terræ*."

I shall conclude this letter, my Lord, with a hope, that the dignified decision which your Lordship will shortly be called upon to give on the great question now at issue between the Country and its Representatives, may, like your Lordship's general decisions from the Bench, which have hitherto given so much satisfaction to your Country, as being so uniformly supported *Per Legem Terræ*, be so truly constitutional and supported *Per Legem Terræ*, that these notable words, like those which my Lord ERSKINE has been dignified with as his family motto, "*Trial by Jury*," may become perpetual in your Lordship's Heraldry, "*Per Legem Terræ*."—I have the honour to be, with all respect, your Lordship's obedient Servant,

THISMANES.

CITY.

MEETING OF THE LIVERY IN COMMON HALL.
On Monday, at one o'clock, about 3000 of the Livery assembled in Common Hall, to take into consideration the rejection of their late Petition by the Honourable House.—Mr. FAVEL opened the business in a very sensible speech, and proposed a string of Resolutions, which were agreed to, and will be found below.—Mr. WAITMAN followed with some biting observations on the Counter-Declaration Men, several of whom stood grumbling and writhing by his side on the Hustings.—Even those men were very properly allowed a hearing, which they had denied to their brethren at their "Adjourned Meet-

ing." and Messrs. KEMBLE and DIXON exposed themselves at some length.—Mr. QUIN and Mr. THOMPSON replied to their absurdities; after which a Petition to the House was read and agreed to with acclamations.—Votes of Thanks were then passed to Lord ERSKINE, Sir S. ROMILLY, Mr. WHITBREAD, Alderman COMBE, the LORD MAYOR, and Sheriff WOOD:—The two latter Gentlemen returned their thanks for the honour.—Mr. THOMPSON objected to the vote of thanks to Mr. WHITBREAD, on the ground that Mr. W. had rather appeared to favour the assumption of power by the House of Commons: but this objection was very properly overruled.—When the Hall broke up, the populace took out the horses from the carriages of the LORD MAYOR and Mr. Sheriff WOOD, and drew them home in triumph. The Counter-Declaration Men sneaked home amid the hootings and hissings of their fellow Citizens.

RESOLUTIONS.

1. Resolved, That the rejection by the House of Commons of our late humble Address, Petition, and Remonstrance, appears to us a violation of our constitutional and indisputable right to state our complaints and grievances, and to call for relief and redress.

2. Resolved, That such rejection is an additional proof of the shameful inadequacy of the Representation of the People in the Commons House of Parliament; and more forcibly demonstrates the necessity of a speedy and substantial Reform in that Hon. House.

3. Resolved, That we have viewed with mixed sentiments of indignation, concern, and pity, the Address of certain Persons, styling themselves, "An Adjourned Meeting of Liverymen, held at the London Tavern, the 4th day of May," inasmuch as the statements contained in that Address, imputing to the great Body of their Fellow Citizens, in Common Hall legally assembled, motives and designs to "vilify and degrade the Legislature," to "alienate the affections of the People from the Government;" to "produce contempt and distrust of the House of Commons;" to "introduce anarchy;" and to "subvert the Constitution;" are false assertions, originating with individuals who derive influence and emolument from the heavy burthens of the People.

4. Resolved, That among the names of those affixed to that Address, appear the signatures of Contractors, Commissioners, and Collectors of Taxes, Placemen and Place-hunters; with a long list of their Agents and Clerks, of their Dependants, Emisaries and Minions.

5. Resolved, That it is undeniable that power, influence, threats, and delusions have been employed, to prevail upon many to concur in the said Address.

6. Resolved, That whilst we disclaim any imputation against the motives of several who, by gross misrepresentations, by arts of the basest kind, or by downright intimidation, have been compelled to lend their Signatures to the said Address, it is to us a source of high consolation that their Address carries within it its own refutation, consisting only of allegations unsubstantiated, and of calumnies, which those who have propagated them must know to be groundless.

7. Resolved, That the said Address appears to have for its real object the excitement of civil dissension, the increase of public abuses, and the further and fuller participation in the wages of corruption, by many of those who have signed it, and who taking advantage of the present unhappy contest between Arbitrary Privileges and Constitutional Freedom, have endeavoured to confuse and distract the public mind, for the support and continuance in place of a corrupt, weak, and wicked Administration.

8. Resolved unanimously, that in the years 1679 and 1680, under the infamous Government of Charles the Second, the City of London, and other parts of the country, petitioned the King for the redress of grievances and the sitting of Parliament.

That various Counter Petitions were presented to his Majesty, expressive of their abhorrence of the said Petitioning as tumultuous and seditious, and encroaching on the Royal Prerogative.

That on the 21st of October, 1680, the Parliament met, and

its first acts were to to expel Abhorrrers, and to pass a vote "That it is and ever hath been the undoubted right of the subject to petition the King for the calling of the Parliaments, and redressing grievances; that to traduce such petitioning as a violation of duty, and to represent it to his Majesty as tumultuous and seditious, is to betray the liberty of the subject, and to contribute to the design of subverting the ancient legal Constitution of the kingdom;" and they appointed a Committee to inquire after all those who offended against those rights, and accordingly expelled several of its Members, and petitioned his Majesty to remove others from places of trust." That on the 28th of October, 1689, the Commons voted—"That Sir F. Withers, by promoting and presenting to his Majesty an Address, expressing an abhorrence to Petition his Majesty for the calling and sitting of Parliaments, hath betrayed the undoubted Rights of the Subjects of England; and that the said Sir F. Withers be expelled the House for this high crime."

That for the exercise of the undoubted right of petitioning, the City Charters were seized by a *quo warranto*, and it was argued for the City by Sir George Treby, their Recorder—"That the Constitution and the Law of the Land had given to the subject the right of petitioning, and of access to the Supreme Governor, to represent to him their grievances, and to pray a redress of them; and that the same law gave them also a right to state in their Petitions those facts and reasons which caused their grievances, provided those facts were true." And further, "That as there was one part of the Constitution which gave the King power to prorogue, so there was another part of the Constitution that gave the Subject an original right to petition for redress of grievances; and that, therefore, to punish a man for shewing in his Petition those grievances which he desires to be redressed, and the causes of them, was the same thing as to deny him the right of petitioning; and that such denial would infer oppression and the most abject slavery; for, when subjects are misused and grieved, and are denied the liberty to complain and pray the King to redress those grievances, or shall be punished for petitioning against them, they must necessarily be abject slaves."

9. Resolved, That these arguments having been over-ruled by venal Judges, judgment was obtained against the City; the Abhorrrers for a time triumphed; the Liberties of the People, with the Right of Petitioning, was subverted; and the succeeding Monarch, in consequence thereof, driven from his throne and dominions.

At the Revolution of 1688, in the Bill of Rights, "the undoubted right of the subject to Petition," was, among other things, "claimed, demanded, and insisted upon."

This right has been of late again invaded, the people oppressed, with unprecedented grievances and calamities, have been denied access to the Sovereign, their Petitions have been rejected by the House of Commons, and their grievances remain unheard and unredressed.

The exploded doctrine of passive obedience has been revived in all its extravagance, and a new race of Abhorrrers have sprung up, who, like the Abhorrrers in the days of Charles II., by the foulest calumnies, by vilifying and traducing the Petitions of the people, are (in the emphatic language of the then House of Commons) "betraying the liberties of the subject, and contributing to the design of subverting the ancient legal Constitution of the kingdom." That as the corrupt participators in public abuse, under the mask of loyalty, subverted the liberties of the kingdom, and involved James II. in ruin, so the corrupt and unprincipled of the present day, under the same legal pretence, would involve the country and Sovereign in similar difficulties, if suffered to persist. It therefore becomes the supererogatory duty of every real friend to the country, to resist their mischievous designs, by recurring to the genuine principles of the Constitution, and by using every legal means for obtaining a full, fair, and free Representation of the People in Parliament.

10. Resolved, That inseparably attached to our glorious Constitution, we admire, venerate, and will support and defend our King, our Lords, and our Commons, in their respective and collective capacities, with all their just prerogatives, rights, and

privileges; but we can never consent to grant separately to King, Lords, or Commons, a power contrary to, and above, the laws of the land, which are and must continue to be the results of their collective wisdom and authority.

11. Resolved, That notwithstanding the rejection of our late Petition, we still feel it our duty to give to the House of Commons every opportunity of hearing and redressing the grievances of the People, and that an honorable Address, Petition, and Remonstrance, be presented to that Honourable House.

12. Resolved, That the said Petition be fairly transcribed, and signed by the Lord Mayor, the Aldermen, and 13 Liverymen, and presented to the House of Commons by H. C. Combe, Esq. one of their Representatives.

ACCIDENTS, OFFENCES, &c.

A dreadful fire broke out on Friday morning in the extensive warehouses of Wilbeam and Co., leather-dressers, in Russel-street, Bermondsey. In two hours the premises were totally consumed, when the walls fell with a tremendous crash! Several houses, warehouses, sheds, &c. have also been destroyed, and upwards of one hundred persons, men, women, and children, have been thrown out of employment, though no lives have been lost.—The loss is estimated at 100,000l.

An unfortunate female cut her throat, at her apartments, in Mary-le-bone-street, on Monday night, when in a state of inebriety. She was only eighteen years of age.

On Wednesday morning, the ancient mansion of the Noel family, at Exton, near Stamford, was discovered to be on fire: before any assistance could be procured, the dining-room, drawing-room, library, and all the apartments immediately adjoining, were in flames; and a short time only had elapsed before the whole of the rooms east of the great hall were a heap of ruins. There was not time to save any part of the valuable library, which, together with the whole of the furniture, and some pictures, were entirely destroyed. Gainsborough's Woodman, together with a few others, were saved with extreme difficulty. The loss cannot yet be ascertained. About half of the house is completely in ruins. Only a small sum is insured.

MARRIAGES.

On Tuesday, at St. George's, Hanover-square, the Marquis of Ely, to Miss Dashwood, daughter of Sir Henry Dashwood. The bride appeared in a dress consisting entirely of lace; head-dress, feathers with diamond ornaments, valued at a thousand guineas.

At St. George's Church, Hanover-square, on Tuesday, J. W. Veavers, Esq. to Miss M. Eldridge, of Hemmingfield Abbots, Huntingdon.

On the same day, at the same place, Mr. Thos. Matthews, plumber, Marlborough-street, to Miss M. Ballard, Oxford-street.

On Thursday, at Ewell, Surrey, Mr. S. Ritchie, to Miss Broadbent.

DEATHS.

On Tuesday, aged 85, at his residence in Millman-street, Foundling Hospital, the Chevalier D'Eon.—This celebrated and well-known character, for some time officiated as Minister from the late Court of France to that of Great Britain. The Chevalier was for many years believed to be a female, of which sex he (for so we may now speak) wore the attire, &c. However, this curious question was on Wednesday set at rest, his body being dissected in the presence of some professional gentlemen, and several persons of consideration.

On the 12th instant, at Camberwell, in the 82d year of his age, Shovel Blackwood, Esq. grandson of the illustrious Admiral Sir Cloudesley Shovel.—An exemplary, affectionate wife, and a large circle of relations and friends, are left to lament his loss.