

No. 402. SUNDAY, SEPT. 10, 1815.

## THE POLITICAL EXAMINER.

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

No. 391.

### GLOOMY STATE OF THINGS IN FRANCE.

No. II.

#### THE BOURBONS.

We have more than once noticed the perpetual assumptions, with which the revivers of the barbarous doctrine of divine right argue the present question. That doctrine itself, for instance, is one of them; they do not undertake to explain it to us and defend; they affect to regard it as a self-evident thing which we are bound to think proper and expedient; and yet it was but a few years back that in England as well as France this doctrine was every where regarded as an exploded absurdity. That they should do so, does not surprise us; they feel the doctrine to be untenable; but it is proper to let them see that others understand them.

Some people may wonder, considering the odiousness of this doctrine to every liberal mind, that its revivers do not affect to deny it; and so they would, if they were able. They never state the terms broadly, as the Jacobites used to do; the word "legitimacy" is now used instead,—a pretty delicate phrase, implying a flat contradiction to its intended meaning; for legitimacy is something according to law, and law is of human institution, and implies a human power superior to that which it sanctions. Law also is changeable in the long run, and of course legitimacy with it; otherwise there is not a dynasty in Europe but what is illegal; for you may then go back to the sovereigns and the laws that preceded it, and as reasonably twit the BOURBONS with the usurpation of HUGH CAPET, as they might do NAPOLEON the 2d with those of his father.

This absurdity however is an additional recommendation of the word with those who make serious use of it. A word will often do more than people imagine, and to confound its meaning will help to confound the principles of which it is the symbol. The revivers of the doctrine of divine right hope, that by substituting the word "legitimacy," they shall at once divert the attention from the more glaring absurdity implied by the epithet divine, and as the right of sovereignty was formerly taken for a law of heaven, so now it will come to be regarded as a law of earth, and the same thing, in part, with law itself. There is an instance of this already in the word "loyalty," which now means a personal attachment to the sovereign, whereas its real signification is reverence for the laws; yet if you push the courtiers upon its etymology, they will take advantage of its corrupted use to confound it with its pure one, and say, "Ah, these things, you see, have always been thought one and the same." Our readers therefore will do well never to let this new-fangled word escape

their mouths in a tone of admission; they should either use the phrase divine right,—the gravity of which there is no reason to apprehend now-a-days,—or accompany the word "legitimacy" with its due emphasis of quotation. There are inverted commas in tones as well as in types.

It will be asked then by many, whether those who cry out in favour of the doctrine really believe in what they endeavour to blind our eyes to, or whether there is not a secret cause which induces them to take it up in default of a better? This is an important question as affecting the immediate subject of our article. We answer, that of the advocates for the restoration of the BOURBONS, a small part do believe the doctrine, and the greater part only make a cloak of it. The former chiefly consist of members of the BOURBON family themselves, of the old noblesse who had lost by the revolution, and of the bigoted part of the emigrants in general,—“enlightened men,” as FOUCHÉ calls them, “who because they have learnt nothing for the last five and twenty years, think their former knowledge must be all-sufficient.” The latter are made up of two classes;—men of the world, who pay their court to sovereigns in general;—and passionate writers and debaters, who because they differ with the Revolutionists, are prepared to run to any extreme in the heat of argument.

The great secret is this,—“that “legitimacy,” as they call it, is the only claim which the BOURBONS have for their restoration. It is pretended, that the settlement of France is the real object, and that this can only be secured by the restoration of the old dynasty; but facts, in the mean time, are diametrically opposite to this pretension; the returned dynasty does not settle France; it is another question why it does not; but the fact is such. Now what merit in the BOURBONS, what recommendation of their dynasty, can be found, as long as things are in this state? Why, that the BOURBONS are legitimate,—that is to say, that they have a certain ideal ornament of royalty about them, which in these most enquiring and disastrous times is to do instead of the substance:—

But we stop short, in order to have room for the first half of the following most interesting Document, which otherwise we should be compelled to abridge, and to which we request the reader's particular attention. The other half and our own Observations will be continued next week. FOUCHÉ, the author of it, is, we believe, a man of the world; but he is also a clever man; he is in a situation too of some peril; and at all events, whether he is sincere in his professed good wishes for the BOURBONS, or is only preparing for his safety in case of a new convulsion, what he says must be highly worthy of notice.—For our parts, we look upon the paper as a very exact account of the blessed chaos, in which this premature endeavour to return to the origin of French things has produced.

## REPORT TO THE KING REGARDING THE INTERIOR OF THE KINGDOM.

SIRE,—I have laid before your Majesty the situation of your kingdom, as it regards foreign armies; the disorders to which I had the honour of calling your attention are temporary; resignation moderates them, time will repair them; their cause is known; but there are others more serious, a picture of which it is my duty to bring under your view. France is at war with herself; we are threatened with all the calamities that can arise from the rousing of passion, and the conflict of opinion.

The many political tempests that have agitated us for 25 years, have scattered us with their violence into contending parties; so many public and private disputes, such a discordance in actions, wishes, and fears, have been the consequence, that it is now impossible to rally desires, unless at the same time opinions are also rallied, by setting the heart at rest, and insuring tranquillity to all interests.

All is danger or obstacle in the element by which we are surrounded. The majority of men of energy, who have combated and overthrown the last power, sought only to put an end to tyranny. Every arbitrary government would surround them again with their enemies. It is not merely for the struggle of two governments, but for the difference of principles, that war has again burst forth in La Vendee; they lay down their arms, but war is not ended: an opposition of the same kind agitates and disunites all classes of citizens, even to the members of every family. Its habitation is in the most ardent passions, in the desire as well as in the fear of witnessing the triumph of old opinions.

Public calamities have served only to augment our disorders; the two parties either aggravate each other by their reproaches and their threats of re-action, or urge themselves by their hopes. All will submit to the King, all at least will have the language of submission; but the one will demand as the condition of their fidelity the maintenance of the rights of the people, while the other, on the contrary, wish to retrograde, that every thing should be put in dispute, in short, that the present should decide all the past in their favour. Indeed, it would be now said, on a view of the state of public opinion, that France contains two nations contending against each other: one degree more of fury is only necessary to dissolve the social compact, and a few false measures on the part of Government, are only required to produce a general conflagration.

On a view of the state of public opinion, and of the conflict of passions, there are found distinguishing shades between the various departments, between the citizens and the armies, and between the parties and the factions.

Minds are more calm in the centre of France; there obedience will be more prompt; but the Capital must be considered a distinct class. It is not, and can no longer be the rule and example of the provinces; since a factitious opinion there so quickly takes the place of a real opinion, each party there finds auxiliaries and accomplices in a momentary triumph; every thing is to be apprehended from its slightest agitations, while what appears its most perfect repose can give but a feeble security.

The North has evinced moderation, and your Majesty has received some proofs of attachment; the character of its inhabitants render it susceptible of disturbance; a constitutional regime, under the Government of the King, would gratify the wishes of the departments of the North.

The West presents a frightful contrast: a great number of persons in La Vendee, in Limousin and Poitou, are devoted to the King, but either from terror or from passion, for the last twenty years, they have confounded the cause of the ancient regime with the cause of royalty. Perhaps an imprudent zeal would consider it an advantage to calculate on this armed population, on these credulous, simple and ignorant peasants, made soldiers by a long habit of arms, and their chiefs with the most blind submission, to claim the attention of your Majesty,

The employment of these soldiers, the support of such an army, would lose the Royal cause without redemption, because they see there the evident project of placing the counter-revolution on the throne. It is, nevertheless, not to be believed that opinion would be unanimous in these departments. Armed federations have been there formed; one part of the towns is opposed to the country, and those who gain would resist whoever should attempt to dispossess them.

The *Royalisme* of the South breaks out in attempts; armed bands penetrate into the towns and overrun the country. Assassinations and robberies multiply; justice is every where silent; the Administration every where inactive; the passions that agitate, alone speak and are listened to. The necessity for terminating these disorders is urgent, for soon the resistance provoked by such excesses would be as much applauded as the aggression. The lower orders, the greater part of the cultivators, a portion of the inhabitants of the small towns, the whole Protestant population, and those of the Reformed Religion, are interested. The departments of the Pyrennees wish for neither troubles nor reactions. Auvergne, although submissive, is of a constitutional sentiment only, and at Lyons two parties prevail.

Towards the Eastern frontier, Alsace, Loraine, the three Bishopricks, Ardennes, Champagne, Burgundy, Franche Comte, and Dauphiny, present a danger of a different kind. A moral opposition to the government of the Royal Dynasty is there nearly general. Twice invaded by foreigners, these departments have suffered more than the rest; they had rather gained than lost by the Continental commerce; the extent of their national domains made them still more dread the presentations of the ancient possessors. It was also in these provinces that some errors of the former Ministers of the King, being judged with precipitation, chiefly excited alarm. It was there that the war was most national.

In this view I have only inserted the most prevailing opinions, some of which are not without mixture. The Noblesse and the Clergy, La Vendee excepted, have no where any party. All France revolts at the excesses committed in the South, by those bands that exclusively call themselves Royal; even their existence is a state of rebellion. Fanaticism, civil war, and the counter-revolutionary sentiment, excite horror every where.—Scarcely a tenth part of the French nation can be found who are willing to revert to the old regime, and scarcely a fifth part who are heartily devoted to legitimate authority. This will not prevent the great majority from submitting sincerely to your Majesty in your capacity of Chief of the State. That submission will be lasting; in the course of time it will even assume the character of love and confidence, if France be constantly governed by liberal ideas, eminently constitutional, and completely national.

On the supposition of civil war, the Royalists would reign absolute in ten departments; in fifteen others the parties would be balanced; and in all the rest of France only a few handfuls of Royalists would be found opposed to the great mass of the people. There would be sufficient means of forming a Royal army, but how long would resistance be maintained, or even the fidelity of that army preserved which had been so much reckoned upon? There are besides a sufficient number of ancient Nobles, or of partisans of the Court in every department, to establish there an appearance of public opinion, and even a certain majority in the Electoral Colleges. It must be inferred that the party of the Noblesse is still of some importance, when the public functionaries employ all the efforts of Government to support them; is it deprived of that support, the population absorbs it; some serious errors on this subject might circulate round the throne, and for this reason I endeavour to excite attention to them. I shall have other occasions to characterise the public feeling; I ought first to speak of the army.

Various motives have produced the submission of the army; in some this submission is a sincere return to their duty to the King; in many others it is the effect of necessity; in the greater



number it is a sacrifice made to the repose of France. It is now wounded and humiliated at beholding its dismemberment and dismissal. That army has been employed in invasion and conquest; repose is repugnant to it: ambition, unbounded by fortune, had rendered it enterprising; and though it had no longer at its head as General that warlike Chief of the State, it could not but long remember its ancient standards. Ought we to strive to place it on harmonious terms with the other armies of Europe by giving it modest notions, a moral and monarchical point of honour, a sort of religion for legitimacy? Or indeed was it indispensably necessary to disband them? This question ought not to be decided by the laws of rigorous justice; we should rather consult the art of governing the future and the reason of state.

The fewer old officers and soldiers there remain in the new corps about to be formed, the more discontent and sedition will be found in the midst of the people. It will require a long time before the object is accomplished of estranging a new army from the interest of the old. The civil disturbances will become much more serious in more stormy elements, and if the clash of the various factions be survived, every thing will be in a state of preparation for a civil war: under the most favourable supposition, the disbanding of the army will have the effect of recruiting the brigands, and it is impossible not to discover a cause of terror in the mere fact of throwing upon an electric population, already so much disturbed, 200,000 men connected with so many families, who are thus placed in opposition to the Government. No authority could withstand such an immense coalition of ill-will, hatred, passion, and of shattered and discordant interests.

Another danger will arise from the opposition of the political opinions of the parties and factions.

There are draw-backs in the march of ages and in the progress of civilization; the understanding itself has its detractors, and when they lead to too precipitate and extensive changes, it gives rise to resistance and continued agitations. The great struggle of the Revolution is not yet finished by 25 years of subversion; each of the ancient factions was not completely extinct when the invasion of the Usurper revived the parties, disclosed new ones, and made a full discovery of the extent of the factions.

To speak in the first place only of the simple difference of opinion; if this difference be extremely wide, if it produce a sort of rupture in the State, it is in vain for authority to govern in the sense which it believes prevalent; another opinion comes across it which also pretends to be the public opinion: a reign could not be of long continuance if it had only this minority in its favour, since even the support of the majority would still allow the strongest resistance to be kept up; on the one side the sacrifice of their opinions will be difficult, and on the other impossible. It remains, therefore, but to chuse rightly, and to make reason and justice triumph over old passions and ancient prejudices. Similar contrarieties doubtless exist in the other states of Europe, but they do not refer to such mighty interests, nor unite themselves to so many other oppositions.

After this danger comes that of parties, without calculating the Royalists, who are found in the year 1815 to be what they were in 1789. Among the old parties the Republicans and the Constitutionalists still subsist: if the Republicans have not been undeceived with regard to all their principles, they have at least discovered the impossibility of applying them to a great state. Having thus ceased to be dangerous to the power of monarchy, they became so to Bonaparte only on account of his tyranny, and with a very few exceptions Bonapartists would be found in the ranks of the Republicans. This would be to commit a great error; they are not less opposed to the Government of the King, having some difficulty in believing that a dynasty that has suffered so much by the Revolution, and which has struggled so long, can prevail upon itself either to pardon, to forget, or to deny its ancient doctrines, by giving sufficient guarantees for public liberty. This motive alone has recently induced them to take a part in all the measures that had for object the expulsion of

the Bourbons; that an impassable barrier is raised between the past and the present; that public liberty should be established on an immutable basis. With these conditions there is nothing to be apprehended from the Republicans; they would even become the firmest supporters of the Government.

The Constitutionalists are only a party to this exception, in as much as they are opposed to the Royalists and defend the rights of the people against them, as they were established during the Revolution, for every thing in the last 25 years has not been illusion or crime.

A stop has been put to glaring abuses and odious privileges, sage principles have been consecrated, and just barriers opposed to a power which had no restraint but its own discretion. It is not under this point of view that we are in opposition with Europe. What a Revolution would not have produced would have been obtained by the progress of knowledge alone. Now that France is acquainted with her rights, how can she be made to retrograde? It must first be in the power of man to destroy and forget his own ideas, to create for himself other truths and another kind of evidence.

The Constitutionalists revere also the principle of legitimacy. Two Monarchical Constitutions have been framed in France since 1789—both have consecrated the principle of a hereditary throne; but because both give the right to succeed to the throne, must we conclude that it transmits a power without limits? Does it perpetuate the manner of governing because it perpetuates the dynasty? And is there not a distinction to be made between the designation of the Prince and the nature of his authority? The first is undoubtedly regulated by birth; but the second can only be regulated by national laws. Such are the principles of the Constitutionalists.

This party, however, and this must not be dissembled, this party, although it does not hesitate to submit, has never ceased during a twelvemonth to be in opposition to the King's Government. In 1814 it was chiefly the Constitutionalists who censured violently, who attacked incessantly the most of the measures and acts of authority; and when such a struggle has once begun, when the multitude take a part in it, a revolution is not far off. This opposition brought out a number of parties who had never before shewn themselves. It was generally said, that the reign of the Bourbons would not be of long duration, that a crisis was approaching either from some enterprize of the Court, or a movement of the people. Some spoke at that time of calling a foreign Prince to the throne, others declared themselves in favour of the Duke of Orleans, a greater number still for the Regency; it seemed that a sort of moral Revolution had already taken place in the minds and hearts, and this circumstance, added to the treachery, explains only too well the facility with which Bonaparte replaced himself on the throne, and the impossibility in which the Court then was of defending themselves. In another moment less decisive, that where Bonaparte gave in his abdication, the same opposition to the King's Government was manifested in the Constitutional party with still more force than the former time. Why can I not avoid laying these details before your Majesty? But how is it possible to save the Monarchy, if we are not thoroughly acquainted with the evil, and with every danger? There is not a foreign Prince whom at this moment the party in question would not have preferred obtaining or receiving from the hands of the Allied Powers. The re-possession had reached such a height, that there was but one exclusion—that of the family of our ancient Kings. Your Majesty cannot help considering as a seditious act, the Declaration of the Chamber of Representatives, which tended to regulate the royal power before the throne was filled. The truth is, however, that a multitude of Frenchmen participate in the same blindness and the same resistance, because they had the same fears. Every one demanded conditions, every one dreaded reactions and vengeance; they wished guarantees, not against your Majesty, whose wisdom and moderation were known, but against the pre-

tensions so well known, and so often announced, of those who from their access to the throne, may one day have the opportunity and perhaps the power of making their triumph.

What obstacles will not this fatal disposition of minds produce? I have only entered into such painful details to arrive at this consequence.—The acts of the Government will be again attacked; they are so already; and this controul, with respect to principles, passes for a right and even for a duty, when it is exempt from bad intentions. Political doctrines are in the present day so generally diffused in France, that the people imagine themselves competent to decide on them. A demi-liberty, partial conditions, appear as insupportable as the most absolute power—they would excite the same commotions. What I have already said of the public spirit of the Departments has shewn, that in some provinces the Constitutional Party prevails more or less. This same party attracts also more and more notice among certain classes of citizens. The old rich families are in general more devoted to the King: it is the same in the tribunals among the people of the law, and the higher commercial classes: on the other hand, it is the great majority of the inferior citizens (*petite bourgeoisie*), retailers and petty proprietors, who are Constitutional, because they have had the greatest share in the Revolution. The purchasers of national estate and the families of soldiers add a great force to that party; but what gives it more especially an irresistible preponderance, is the mass of peasantry, who are at present very enlightened and in easy circumstances, irreconcilable enemies of the nobles and clergy, whose situation has been ameliorated by the Revolution. Passion calculates the strength of parties differently, and arrives in fact at other results. In such calculations the people pass for nothing.

I do not include the Bonapartists in the number of parties—there are none—there can no longer be any Bonapartists, except in a small portion of the army. It is not from attachment for the man of this party, it is still less from fidelity, that in the month of March a part of France was seen to associate themselves for a moment with his destinies; he owed his success entirely to our discords, which made him be regarded by some as a liberator, by others as an instrument; and this instrument gave us much greater reason for fear than for hope. There can be no party without a chief. Bonaparte has only had three months of a new existence by events which cannot again be renewed. All the remains of the Bonapartists are therefore confounded in the ranks of the Constitutionals and Republicans.

I come to the factions.—It is principally under this point of view that the situation of your Majesty is attended with danger. It is evident that there are two great factions in the State. The one defends the principles of the Revolution, and the other aims at a Counter-revolution. The force of the two factions may be measured: In the one there are the Nobles and the Clergy, the ancient possessors of national estates, the Emigrants, the old Royalists, and all that remains of the old Parliaments—enlightened men, who sincerely, because they have learned nothing for twenty-five years, cannot comprehend how their old knowledge should be deficient; a certain number also who cannot pardon what they have abhorred, or who prefer their repose to every thing; and have no hope of regaining it but in the old regime; lastly, unpassioned writers, and individuals whom a spirit of hatred impels always to violent measures—to extremities. In the other party is almost the whole of France—the Constitutionals and the Republicans, the actual Army and the People, all the discontented classes, and even a multitude of good Frenchmen, not less enlightened than attached to the King,—but who are convinced that every attempt of counter-revolution, and even a simple tendency to the old regime, would become the signal of an explosion similar to that of 1789, and would have the same result.

It is no longer a question of mere opinions—one of the two factions is in motion—hostilities commence—La Vendee is organized—troups are raised in the South, with colours which are

not even royal; and already bands have made their appearance in Languedoc and in Provence. They seek also to influence opinions. Even in the capital, those who are desirous of a counter-revolution, say so openly, which is a manner of preparing the minds. At a greater distance, the high-flown Royalist spreads his doctrines, and does not dissemble his projects.

The other faction, which looks on the execution of these projects as impossible, does not yet act. But will this inaction continue long? and what will happen if the combat commences? Under such grave circumstances, it becomes my duty to express my undisguised opinion to your Majesty. So long as France shall be occupied by foreign troops, their presence may contain, to a certain point, the popular party: the royal authorities may also, by their vigilance, retard the danger; but the moment would come when all the obstacles would be borne down: a civil war, when the cause of the King is the pretext, may last a little longer, but at length the mass of the people would be triumphant.

[To be concluded in our next.]

## FOREIGN INTELLIGENCE.

### FRANCE.

PARIS, SEPT. 4.—It is said that the 7th volume of the *Censeur*, which was on the eve of publication, was seized this morning.

The *Gazette de France* contains a letter from the wife of Gen. Gilly, denying that her husband had been in the department of Gard, having quitted Nismes on the 14th July, and consequently that he could not be concerned in the disturbances there.

This day, at three o'clock, the Emperor of Russia paid a visit to the King. Their Majesties remained together for nearly an hour and a half. Notwithstanding, we are assured that the Emperor will leave us to-day for Chalons-sur-Marne. After the grand review of the Russian army on the Plain of Vertus, he will return, we understand, to Paris, to spend only a few days. He is expected at Warsaw in the month of October.

The disbanding of the Army of the Loire is proceeding with the utmost rapidity. Every day numerous detachments of soldiers, without arms, pass through Orleans, and have their routes marked out by the Commandants of the Allied Troops.

SEPT. 5.—We are still ignorant of the day on which the proceedings against Marshal Ney are to commence.

According to the orders of the King, the Duke de Cornegliano (Moncey) has quitted Paris to proceed to Bitche: it was stated by mistake that he was constituted a prisoner in the Abbaye.

They write from Nismes, under date of the 29th of August, that every thing remained in the same state: the camp at Ners was increasing every moment: on the other side it was proposed to turn it. Still, however, the hope of a reconciliation was kept up, the peasants appearing determined in their defence, solely by the motive of their own preservation.

The latest intelligence from Nismes states, that the Austrians and the Royal Volunteers had marched from that town against the insurgent cantons of that department.

By an Ordinance of the King, the Chamber of Peers and the Chamber of Deputies are convoked for the 25th instant.

### PROCLAMATION BY THE KING.

LOUIS, by the Grace of God, King of France and Navarre, to all who shall see these presents, health:—

We have learned with grief that in the Departments of the South several of our subjects have recently proceeded to the most criminal excesses; that under the pretext of making themselves ministers of public vengeance, Frenchmen have, to satisfy private revenge, shed the blood of Frenchmen, even before our authority was universally re-established and acknowledged throughout the whole except of our kingdom.

Doubtless great crimes, infamous treasons, have been committed, and have plunged France into an abyss of misfortunes—direful persecutions have been exercised against such of our faithful subjects, who, following the banner of our well beloved Nephew, courageously attempted with him to save France; but the punishment of these crimes ought to be national, solemn, and exemplary. The guilty ought to suffer by the sword of the law, and not fall under the weight of private vengeance. Justice would be offended, discord perpetuated, and a door open to a thousand disorders,—social order would be subverted, were men to constitute themselves at once judges and executioners for injuries received, or even for personal attacks. Our intentions and our orders have sufficiently made known that the nation shall have justice done on the authors of these evils, and that indulgence granted to weakness or to error will not be extended to those criminals, whose public and proved guilt can be prosecuted without causing alarm to the multitude, who obeyed doubtless with regret the force of circumstances. We hope that this odious attempt to anticipate the operation of the laws and of our authority has already ceased. It must be regarded as an offence against us and against France, and whatever may be the regret we shall feel, nothing will be omitted by us to punish such crimes. Our worthy Nephew, whose name stands henceforth united with the sentiments of love and devotion manifested by our Southern Provinces, who, by his character of obedience, conciliation and energy, has preserved and still will preserve these provinces from invasion, ought also to be our agent in saving them from civil discords, and in repressing and punishing those who would pretend to abuse our name and his. But doubtless the noble ties formed between him and the inhabitants of the South, will not be broken by the culpable conduct of some men thirsting for vengeance and disorder. In this confidence and with this hope we have recommended by prior orders to our Ministers and our Magistrates, to cause the laws to be strictly respected, and to show neither indulgence nor weakness in the prosecution of those who have or who yet may attempt to violate them, being well convinced that our voice will not be heard in vain in a country from which we have received so many proofs of fidelity and affection.

Given at Paris, on the 1st of September, 1815, and of our Reign the 21st.  
 (Signed) **LOUIS.**  
 (Countersigned) **PARQUIER**, Keeper of the Seals, and Minister of Justice.

**ORDINANCE OF THE KING.**

**LOUIS**, by the Grace of God, &c.—To all who shall see these presents, greeting:—

With reference to our Ordonnances of the dates of the 24th July and 2d August, in virtue of which Marshal Ney is delivered over to the Council of War of the first Military Division, sitting at Paris (Department of the Seine); with reference to the arrest of the 21st August, by which our Minister, Secretary of State for the War Department, has pointed out the Members who are to form the said Council of War; considering that by the terms of that arrest, and in virtue of the 5th Article of the Law of the 4th Fructidor, year 5, Marshal Monecy, Duke of Conegliano, is called upon to preside at the said Council of War as the oldest Marshal of France; with reference to the letters of Marshal Monecy, from which it results, that in order to avoid sitting in the said Council of War, he has not the only excuse, which according to the 6th Article of the Law of the 13th Brumaire, year 5, can be considered sufficient; considering that the refusal of Marshal Monecy can only be attributed to a spirit of resistance and want of discipline, the more culpable, as he ought to hold out an example directly the reverse from the eminent rank he occupies in the army, and from the principles of subordination that after his long career he ought to respect; we have resolved to inflict upon him the punishment prescribed by the 6th Article of the Law of the 13th Brumaire, year 5, against every Officer who without sufficient excuse refuses to sit in the Council of War to which he is summoned. For these reasons we have ordered and do order as follows:—

**Art. 1.** Marshal Monecy is cashiered; he shall submit to an imprisonment of three months.

**2.** Our Minister, Secretary of State for the War Department, is charged with the execution of the present Ordonnance.

Given at Paris, at the Palace of the Thuilleries, Aug. 29, 1815; the 21st year of our Reign.

**LOUIS.**

**GOUVION SAINT-CYR,**  
 Minister Secretary of State for War.

**EXPOSE JUSTIFICATIF POUR LE MARECHAL NEY.**

This piece begins with expressing some wonder at the change that has taken place in public opinion relative to Ney.—“What sudden and terrible change has taken place in opinion with respect to Marshal Ney! Down to March, 1815, his name, rendered illustrious by 25 years of eminent services and brilliant exploits, was dear to the country. The very enemies of France admired in him the great Captain—all allowed him as much generosity in his sentiments as bravery and skill at the head of armies.”

The Expose then proceeds to state the number of battles he had been concerned in, and the humanity with which he always conducted himself—to shew that he had no motive for engaging in any conspiracy—that he had reached the highest dignities, and had as much property as he wanted.

“When one speaks of conspiracy, one immediately connects with it meetings of individuals; secret conferences, midnight mysteries. Where was Marshal Ney long before the very unexpected news arrived at Paris of Bonaparte’s landing? It was more than a month since, fatigued by the conversations kept up in the drawing rooms of the capital, he had retired to his estate near Chateaudun, 30 leagues from Paris. There he lived quite isolated, without any correspondence or communication that associated him with political combinations, with which it is well known he was quite unacquainted.

“On the 6th of March he received in his retirement a letter from the War Minister, dated the 5th, which was brought him by an Aid-de-Camp. The Minister ordered the Marshal to proceed in all haste to the Sixth Military Division, the Government of which was entrusted to him. The Minister entered into no explanation on the cause of that order; not a word was said respecting Bonaparte, or his re-appearance. The officer, who himself knew nothing of it, conversed with the Marshal only on the pleasures of the capital. Immediately on the receipt of this order, the Marshal commenced his journey for his destination. He passed through Paris, where he learned the landing of Bonaparte. Early on the morning of the 7th of March the Marshal called on the Duc de Berri, and afterwards on the Minister for the War Department. Both gave him reason to apprehend that he could not possibly obtain an opportunity of taking leave of the King. They advised him to depart without loss of time. The Marshal, however, resolved to compensate for one or two hours of delay by sacrificing so much of his rest, and persisted in waiting until he could have the honour of being admitted to his Majesty.

“Why this earnestness? It certainly was not, as has been reported, for the purpose of asking from his Majesty employment in the expedition against Bonaparte, or to solicit a command. The Marshal was in active service, and urged even by the letter of the Minister to proceed to his post. The Marshal did not come to offer himself; he obeyed the orders which called him.

“At the august aspect of the Monarch, all of whose traits breathe bounty, the Marshal, electrified by the flattering words in which his Majesty was pleased to address him, warmly participated in the solicitude with which all minds seemed to be occupied. Those who know the ardour of his liberal soul, and the promptitude of his language in seconding it, never would mistake for falsehood or stratagem any thing in which the Marshal may have said to the King even in language boldly figurative. Could duplicity have induced him to utter such accents, it would have led to no advantage.

“This is the place for decidedly contradicting a calumny directed against Marshal Ney, with the view of forever discrediting him. It has been invented and circulated with affectation in public, that on his departure the King ordered him a sum, according to some, of 500,000, and according to others, of from 6 to 7, and even 800,000 francs, to secure as far as possible his fidelity. This is a falsehood. It is not true that the King or any of his Ministers ordered Marshal Ney either 500,000 francs, or any sum whatever. On this point he invokes with the most respectful confidence the testimony of his Majesty. Nevertheless, this false and injurious insinuation has hitherto been generally credited!

“On leaving the King, the Marshal repeated to his family and his friends the same language he had held at the Thuilleries. He mounted his carriage, and set out for Berancon. All the Marshals, all the General Officers were already at their posts. He had no idea and no opportunity of forming a concert with any one.

The Expose proceeds to state, that Ney found Berancon quite bare of troops; that the Duke de Maillé on the 11th March in-

formed him of the troops at Grenoble having gone over to Bonaparte, and that the latter might be able to enter Lyons on the 11th. He (Ney) resolves to repair to Lons-le-Saulnier. He writes to Suchet that it was unfortunate Bonaparte had not been attacked. Ney's force consisted only of four regiments, without a single piece of artillery. The Expose then states the dispositions he made, and the letter he wrote to Oudinot to hasten the arrival of troops—"we are on the eve of a great revolution, it is only by cutting up the evil by the roots that we shall hope to avoid it."—His advanced guard passed over to Bonaparte. At Lyons the troops remained inactive. He found himself in the centre of insurrection. His army was alienated from him, and threatened him if he prevented their going over to Bonaparte.

"On the night of the 13th of March, the emissaries of Bonaparte came to the Marshal, whom they found in great agitation, accessible to all impressions, and trembling for the fate of France. They brought a letter from Bertrand, who told him that Bonaparte had concerted his enterprise with Austria, through the Austrian General Kohler. England had favoured his escape. Murat advanced rapidly to the North of Italy to assist his brother-in-law. The troops of Russia had returned to their distant quarters. Prussia could not contend alone against France. That if Ney continued to resist, he would give up France to all the horrors of civil war.—These last words completed the triumph over the Marshal's best resolution."

"After some excuses for this step, the Expose proceeds:—"Before repairing to Auxerre, the Marshal drew up hastily a long series of grievances, which was to be read to Bonaparte. It began with the severest qualifications, and the bitterest reproaches. I am not come to join you (said he in substance) either from respect or attachment to your person. You have been the tyrant of my country: you have brought sorrow into all families, and despair into several: you have disturbed the peace of the whole world, &c.—Swear, then, since fate has recalled you, that your sole future study will be to repair the evils you have inflicted on France—that you will render the people happy. I call upon you to take up arms only for the maintenance of our limits, and never more to pass them for the purpose of attempting useless conquests, &c. On these conditions, I renounce opposing your projects. I yield in order to preserve my country from the distractions with which it is menaced, &c. &c.—Bonaparte submitted to every thing demanded by the Marshal, and even promised much more for the prosperity of France."

"Soon after Bonaparte's return to Paris, the Marshal retired to his estate, not disgraced, as was said, but because he was soon undeceived respecting the false assertions given by Bonaparte of a speedy composition with the Powers.

"For one moment Marshal Ney conceived the hope of snatching his country from the calamities of foreign war—his expectation was disappointed on the 18th June. He immediately returned to Paris. And in what disposition? We may judge by the frank and vigorous declaration he made in the Chamber of Peers on the 22d June."

"Bonaparte sent by one of his Ministers an audaciously lying message to the Chamber. But Marshal Ney was there with his inflexibility of character—too honest a man to compound with his conscience—too much the friend to his country to suffer it to be abused by fresh lies. He declares openly that the 18th of June has left no other alternative but that of speedy submission. That if his open proposal had been followed, if on the 22d June it had been decreed to negotiate, the negotiation, conformably to the treaty signed at Vienna on the 25th March by all the Powers, would have restored the King sooner to his people. And who knows if in that case the French territory would have been occupied by so many foreigners, and such great evils thus turned aside?"

After stating that the public good was always his guide, the Expose concludes as follows:—"Such, without any disguise, is the conduct of Marshal Ney since the month of March 1815. Does this result from it, we do not say the prejudice, that he has committed the odious crime of treason, but even a real moral degradation? All crime, in the legal acceptance of the word, supposes premeditation or interest more or less prevailing. The crime of treason consists of long, successive efforts, of cowardly and perfidious combinations.

"An error of the moment, the effect of an unheard of concurrence of the most strange incidents—an error of which one sees in the principle a sentiment praise-worthy in itself, but ill directed—in short, an error which served the usurper in nothing, which profited nothing to the person committing it—is such an error any other than a fatal mistake?"

"Is it not then allowable for Marshal Ney to call to his support that judgment pronounced by the Monarch on such of his subjects as were misled? Are not the instigators of the disorder, the authors of the plot, formed in favour of Bonaparte, those whom his Majesty first consigned to the vengeance of the laws?"

"It is proved that, far from having formed any conspiracy, Marshal Ney, notwithstanding his fault, had entered into none; that he was sincere in his promises to the King; that he only yielded to the irresistible influence of the safety of the State, which was in his opinion compromised by an impending civil war; that his hands remained pure, his character independent and inaccessible to all the seductions of personal interest; that the first moment it was possible to repair his error, while there still was danger in pronouncing against the Usurper and in favour of the legitimate Sovereign, the Marshal did not hesitate to lay open his whole soul, and to vote that France should adopt the course of submission.

"By what fatal exception then is Marshal Ney treated as a criminal? He was certainly far from expecting such an occurrence, when in the last instance the place to which he had retired was surrounded. To have concealed himself, or to have fled, would have been easy; but both these courses were repugnant to his heart. With the calmness of a conscience, from which honour was never banished, the Marshal offered himself to those charged to secure his person—a last act, which completes the appreciation of his character, and which attests his confidence in the institutions by which he is to be judged."

### TUESDAY'S LONDON GAZETTE.

#### BANKRUPTCIES ENLARGED.

- A. Mowbray, G. I. Hollingworth, J. Wetherell, W. Shields, W. Boulton, and W. R. Stokes, Durham, Thirsk, and London, bankers, from Sept. 5 to Sept. 26.  
E. Howell and J. Howell, Change-alley, fruiterers, from Sept. 9 to Sept. 12.  
O. Thomson, Oxford-street, corn-dealer, from Sept. 9 to September 19.

#### BANKRUPTS.

- I. Orme, sen. I. Orme, jun. and R. Orme, Nottingham, silversmiths. Attornies, Messrs. Long and Austen, Gray's-inn.  
T. W. Barnes, Water Poppleton, Yorkshire, timber-merchant. Attorney, Mr. Ellis, Chancery-lane.  
R. Jackson and J. Riding, Kingston-upon-Hull, ship-owners. Attorney, Mr. Egerton, Gray's-inn-square.  
J. West and T. J. Culliford, Great Winchester-street. Attornies, Messrs. Wiltshire and Bolton, Old Broad-street.  
R. W. Holt, Green Lettuce-lane, Cannon-street, merchant. Attornies, Messrs. Alliston, Handleby, and Poynton, Freeman's-court, Cornhill.

### SATURDAY'S LONDON GAZETTE.

#### BANKRUPTCY ENLARGED.

- P. Andrews, Tottenham-court-road, ironmonger, from Sept. 5, to Oct. 24.

#### BANKRUPTCY SUPERSEDED.

- T. E. Poole, Drayton-in-Hales, Salop, currier.

#### BANKRUPTS.

- B. Wrigley, Manchester, cotton-spinner. Attornies, Messrs. Halstead and Ainsworth, Manchester.  
J. Oney, Brierton, Staffordshire, rope-maker. Attorney, Mr. Price, Wolverhampton.  
R. Outridge, Newport, Isle of Wight, iron-founder. Attorney, Mr. Worsley, Newport.  
W. Darling, Kingston-upon-Hull, cabinet-maker. Attornies, Messrs. Galland and Wilson, Hull.  
J. Halton, Manchester, cotton-waste-dealer. Attorney, Mr. Law, Spring-gardens, Manchester.  
T. Toy, Penryn, Cornwall, grocer. Attornies, Messrs. Lowless and Cross, St. Mildred's-court, London.  
R. Messiter, Shaftesbury, Dorsetshire, money-scrivener. Attornies, Messrs. Maule, Melksham, Wilt.

A letter from Paris, alluding to the white cockades edged with green, distributed in the South of France under the auspices of the Duke d'Angouleme, says, that the Emperor conversing lately with Louis XVIII. observed, that if one of his brothers were to sanction such conduct in his States, he would immediately shut him up in a fortress.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Cons. .... 56½ | Omnium ..... 6½ pr.

The Letter to Lord REDESDALE shall have an early insertion.—  
EVELYN, jun. is delayed for want of room, as are several other  
Communications.

## THE EXAMINER.

LONDON, SEPTEMBER 10.

WE have directed the reader's attention, in our first article, to another curious Report written by FOUCHE. It throws considerable light on the present questions relative to France; and at all events, whatever difference it may excite as to opinion, shews what a wretched condition the country is in. We shall have to notice the most striking points of it in the course of our further remarks on that subject. The *Courier* says it is not written by FOUCHE, but by one of his Secretaries, and wonders how such "calumnies" against the Royalists could have been laid before the KING. The secret, we suppose, is, that the KING does not care what is said of the Royalists provided he can strengthen himself by means of the Jacobin party,—a choice, it is to be observed, which he himself has made in selecting his present Ministers. The more he lets them condemn the Royalists, the greater his hope perhaps that they will look upon his choice as sincere, and uphold him accordingly. Whether his hope is well-founded or not, is another matter; but such appears to be the case. It cannot be new to the *Courier*, that reports have a long while been circulated of the KING's leaning to the revolutionary doctrines, and of his differences with the majority of his family on that subject. As to FOUCHE's not writing the Report himself, the *Courier* seems to acknowledge that it is of very little import. There are few great men, we believe, now-a-days, who write what they put their hands to, except NAPOLEON, TALLEYRAND, and the PRINCE REGENT. But "we are desired to state," says the *Courier*, besides this contradiction, "that these Reports were not presented to the KING." And who "desired him to state?" Really, we have enough of these phrases; they have been too often repeated to prove any thing; or rather they only prove the anxiety to deny, unless the authority is directly mentioned. The *Courier* might as well represent himself as "desired to state" that he is a good writer, or a consistent politician, or a fellow of infinite jest and eternal variety of quotation. By the way, he has been at his old trick again with the passage out of *Macbeth*, about "keeping the word of promise to our ear, and breaking it to our hope." It is perhaps the fortieth time he has used this identical quotation. What a pity that somebody will not inform him of other plays having been written by SHAKESPEARE, besides those which are performed at the theatre! There is a writer called SPENSER too, besides a whole body of English Poets, if he must be quoting. Will nobody tell him of these authors?

A curious justification of NEY's conduct has been published by his Advocate. The whole amount of it is, that he was sincere in telling the KING that he would bring BONAPARTE to Paris, but that, in fact, he is a weak man, liable to every different impulse, and that when he found

himself deserted by the soldiers, it appeared to him that it was useless to contend against BONAPARTE any longer.— This may be very true. NEY, we suppose, is a mere soldier, and may be held up as another instance of the little intrinsic value, moral or intellectual, with which a great reputation may be gained in the military profession. But this will not excuse Marshal NEY in a political point of view; and the Court, we have no doubt, would be exceedingly happy to make an example of him, did not awkward hints transpire in these defences respecting the first authors of the plot, and were not his old companions in arms apparently averse to having any thing to do with his trial. MONCEY, Duke of Cornegliano, flatly refused to be President of the Commission, and a regular order was made and published for his imprisonment,—a punishment which since appears to have been changed to a residence, under inspection, in the country. Others appear to have followed his example; and in the mean time nothing is done.

The feebleness of the Court never appeared more conspicuous than in these attempts at displaying a vigour. They proceeded very resolutely with a Colonel, put one or two Marshals under inspection, and at last ventured upon arresting another for trial; but here they stop; the trial does not go on; not one of the first authors and instigators of the conspiracy to restore BONAPARTE has yet been brought forward; and in the mean time, paltry prosecutions are instituted, with all the formalities of an Attorney-General, against coal-heavers and drunken beggars, for crying out "Long live Napoleon." Here again the same awkward hints take place about the authors of the conspiracy; young advocates are retained by the prisoners, and are said to speak very freely; the Attorney-General is represented as even acknowledging, evidently with a sort of shame at the cases before him, that the first and secret movers in the business are persons of "rank and influence," whom the law cannot so easily come at; and at last we find a *substitute* acting for this Officer, and the Judges even favouring the prisoners by directing the verdict according to the *minority* instead of the majority of the Jurymen. These are curious signs of the times.

A Proclamation has at last appeared against the atrocious excesses committed by the Catholic Royalists in the South; but is in so sparing a tone, and alludes in terms so much harsher to the political opinions and actions which are said to have provoked them, that we do not see what good it is to perform. There is no end, in short, to abuses and inconsistencies; and that harmony may be found nowhere, the Allied Sovereigns are now said by the ministerial papers to be divided as to the treatment of France, whether she is to be left whole, or to furnish guarantees out of her territory for her future conduct. The reports that have been repeated and contradicted so often, respecting the departure of the foreign troops, now meet, it seems, with a little more credit from these papers, as far at least as one Power is concerned. Probably this Power, whichever it is, begins to suspect that as new troubles appear inevitable, it had better get out of the turmoil at once, and let the other parties weaken themselves as much as they please, without any longer endangering the persons or politics of its own troops. The reader, in our opinion, may fully expect to see Austria, and the BONAPARTE family, and the Constitutionalists, come more into play yet.

Paris Papers of Wednesday last arrived yesterday. The only articles they afford of any interest are the following:—

“For some time the report has been several times spread, that the Treaty of Peace with the Allies was signed. Since yesterday the report is general, and we have the assurance that this good news is well founded.

“We are assured, that on the 1st of October, the greater part of the Russian Army will have re-crossed the frontiers of France.

“To the fatal dissensions in the South are united, in some places, the excesses of religious fanaticism. At St. Affrique the Protestants had been previously arrested, when, on the 20th of last month, a troop of furies burst the gates of the church, pillaged it, and set it on fire.”

We have reason to believe, that many of these unfortunate people perished in the flames; but of this the gagged press of “Louis the Desired” says nothing. Under the despotism of NAPOLEON, nothing of this sort was ever permitted—if he allowed of no other liberty, that of worship, at least, was fully protected.

It appears that the opposition in this quarter to Louis's Government rapidly increases. The insurgents have even a camp at Nors, between Nismes and Alais, which is considered, in an article from Nismes, to be a strong one; because it has become necessary to assemble all the troops of the line and the national guards in several departments to march against it. Austrian troops are also marching to turn it. So a civil war has actually commenced.

Lord CASTLEREAGH, it seems, has had a kick from a horse, which has given rise to the following plaintive and pious effusion from the *Courier*:—

“ACCIDENT TO LORD CASTLEREAGH.—We have the satisfaction to acquaint our readers, that the accident which Lord CASTLEREAGH has met with at Paris, is in no way likely to be attended with serious mischief, or even to interrupt his Lordship's labours in the cause of Europe. His Lordship was walking in the Champs Elysees, when a led-horse passing by, launched out against him, with both his legs, and struck his Lordship on the two thighs, just above the knees. The confusion on one limb is considerable, but we understand his Lordship is not likely to be confined by the effects of it more than a few days. The accident happened about half-past five o'clock, on Tuesday the 5th instant, and Dr. GRANVILLE, the gentleman who brought the last dispatches from Paris, left his Lordship in good health and spirits about 2 P.M. on the following day. We declare that we know not any thing that could be more detrimental, not only to this country, but to the welfare of all Europe, than any event that should deprive us of the talents and services of such a man. But, thank God! the accident his Lordship has met with, is not, as we have already stated, of a serious nature.”

A Proclamation from Marshal MACDONALD to the French Army of the Loire has appeared, preparing them for their dispersion, in execution of the ordonnances of the King for disbanding them; a disbandment which however is merely nominal, as the greater number of the soldiers are to be incorporated in the newly established departmental legions.

Private letters from Paris account for the apparent joy with which the Emperor ALEXANDER is hailed in that city. Whenever he appears in public, the crowd assemble round him, and shout “Vive l'Empereur!” adding, after a long pause, “Alexandre,” to cover the real motive of their acclamations. The homage is addressed apparently to the Emperor of Russia, but the secret wish is breathed for NAPOLEON, and it is his memory that inspires the enthusiasm.

To us, it appears evident, that, even allowing the Allies had the right of interfering, to prevent NAPOLEON from re-occupying the throne of France, they had none to bring back the BOURBONS; whose restoration, the voice of the nation could alone render legal. The Allies solemnly engaged to respect the rights of the French people, provided one man was excluded from the Sovereignty; and their violation of this engagement constitutes an act of tyranny and usurpation, equal to any that has ever disgraced the history of coalitions. In the eyes of God and man, they are chargeable with all the evils that have flowed, or that may yet flow, from their breach of promise. Nor is it at all improbable, that this contempt of moral obligation may be productive of consequences, as much to be deprecated by those who justify it, as the ravages now committing in France, by the Prussian troops, and the barbarities exercised on the Protestants, by the rabble that shout *Vive le Bourbon!* are by every true friend of liberty, humanity, and toleration.—*West Briton.*

At Nismes, some of the people call out for NAPOLEON II.; and a man was recently apprehended at Paris for vociferating, “NAPOLEON is not dead.”

The RECORDER, it is said, will not be able to attend the Old Bailey this next Sessions. After burning his mouth with some vitriol he was using as medicine, he had a more serious accident, in falling down and breaking his collar-bone. Those who admire dispatch in weighty matters, will regret this absence of the RECORDER; for it is understood that he generally tries two prisoners in the time that other Judges take to get through the case of one.

On the 1st of September, Mr. THOMAS CLEMISHAW, Student of the United Hospitals of St. Thomas and Guy, was examined, and approved a Member of the Royal College of Surgeons, in London.

BREAD.—The worshipful Company of Bakers have thought fit, as we have been told, to issue notices to the trade, stating that the assize for the current week has been fixed at 11d. Now if this worshipful body have the right to do this, and their notice is obeyed, then the late Act of Parliament, doing away the assize, is a mere nullity, and the intention of the Legislature is totally thwarted.

We have reason to know that a reputable family has been lately brought into a most melancholy situation. The husband, from his inability to supply their moderate wants, was driven into such a depressed state of mind, that in January last, in a sort of phrenzy, he threw himself from the centre arch of Blackfriars Bridge, and though he was rescued from death by some watermen, his health has ever since been such as to incapacitate him from doing the least thing for his family. One of the children lately died, after undergoing the greatest sufferings; the unhappy mother, with three other children, was compelled to part with almost every article of apparel, and even the bed from under her dying child, to obtain the common necessaries of life; and it was with the greatest difficulty she could raise the means of interring her. She is at this moment apprehensive of being turned into the streets by her landlord, who has threatened to seize upon some few remaining articles of clothing for rent, and take possession of the house. Under these distressing circumstances, though with a heavy heart, she is compelled to make her case known to the public, and to solicit the smallest assistance, to enable her to keep possession of her house, where she has hitherto supported, by her own industry, and hopes still, with the assistance of her children and the kindness of the humane, to be enabled to support herself and family. Any additional particulars may be learnt of Mr. Bainbridge, Carver and Gilder, 176, High Holborn; and of Mr. Stamford, 6, Surrey Side of Westminster-Bridge; who have both also been good enough to consent to receive Subscriptions for the Family; and they will likewise be received at the Banking-house of Biddolph and Co's, Charing-Cross.



"The appointment to the Joint Postmastership, vacant by the death of the Earl of CHESTERFIELD, is not yet arranged: two Peers, nearly equal in powerful influence, are strenuous competitors for this valuable office, which nets 4000*l.* per annum salary, besides the moiety of official patronage, and the whole business done by Mr. FRELING and the other officers."—So here are two Peers—two *Noble men*—struggling to take a large sum out of the pockets of a distressed people, for doing absolutely nothing. Yet object to this abominable system, and you are immediately called a Jacobin.

The Proprietor of the Newspaper alluded to in the affair of the Henley Stage-coach, pleads not guilty to the charge of *cowardice* which *Veritas* has alleged against him. He says, that a pressure of business arising from some changes about to be adopted in his Paper, was the only cause of his inattention to the business in question. Under these circumstances, we readily embrace the opportunity to do him justice.

#### PROPHECY ON REFORM.

[FROM THE MORNING CHRONICLE.]

When a lawyer sheds tears while he's striking a docket;  
When assessors heave sighs while they empty your pocket;  
When reviewers feel pangs, like the authors they cut up;  
When conscience for sale shall no longer be put up;  
When placemen, unask'd, throw up sinecures;  
When any quack medicine performs any cures;  
When women of eighty confess they're in years;  
When they make such confession without shedding tears;  
When poor Chrates thrive, while fat Bishops get skinny;  
When a note with a shilling is prefer'd to a guinea;  
When there's peace, because tyrants are weary of killing;  
When a good thumping loaf's to be had for a shilling;  
When, like cattle at market, base voters ar'n't sold;  
When tea-scandal ceases, and fish-fags don't scold;  
When true taste shall suffer no more like a martyr;  
When SHAKESPEARE'S prefer'd to Timour the Tartar;  
When ale's made again from good malt and hops;  
When Corn-Jews are found to rejoice at good crops;  
When butchers, dear so! low'r the price of their chops;  
When truth shall no longer be deem'd a foul libel;  
When men follow precepts they preach from the Bible;  
When symptoms like these shall be seen through the land,  
They'll seem to portend—*"A Reform is at hand!"*

#### THE DUKE D'ENGHIEN.

Sept. 8, 1815.

SIR.—It is of great consequence that the opinions which the *Examiner* inculcates on important points should be pure and moral. I shall therefore make no apology for troubling you with a few remarks on a passage in your last Number.

In the article entitled "Chateaubriand—the Quack," I observe the following sentence:—"After the death of the Duke d'Engbien, (whom Bonaparte is accused of having murdered, BECAUSE HE WAS NOT WILLING THAT HE, the SAID ROYAL DUKE, SHOULD ASSASSINATE HIM,) the fanciful conscience of M. Chateaubriand took another false alarm; he gave up his employment, and returned to the valley of Montmorency, about forty miles from Paris." Here, in my opinion, the writer does at least attempt to palliate, if not to justify, the execution of the Duke d'Engbien. And how does he do this? By taxing the Duke with a design to assassinate Bonaparte,—an accusation, in support of which not an atom of proof can, I believe, be adduced. This, Sir, appears to me to be nothing less than traducing a gallant and honourable soldier for the purpose of exculpating his executioner. In plain English—it is defending murder by the aid of calumny.

I hope it is a mistaken interpretation I have put on the passage, on which I have thus freely commented. If it be not so, you will surely disavow the article, and clear yourself from the very injurious imputation of maintaining such profligate doctrine as it contains.—I am, Sir, your very obedient humble servant,  
FAIR PLAY,

#### COURT AND FASHIONABLES.

##### UNION AND DISUNION IN HIGH LIFE.

On the subject of a recent marriage, some anecdotes are mentioned in the highest circles of a curious nature. A correspondence took place between some illustrious Persons, the substance of which is freely spoken of, and which one of the parties has threatened to publish. The story is, that when an illustrious Personage announced an irrevocable determination not to receive the Lady at her house, nor to countenance the marriage by her presence, a proposal was submitted to her by a High Person, who had committed himself too far to retreat, that if she would so far relax, as to give *earnest* of her kindness, by writing a letter, which should facilitate the Lady's introduction at foreign Courts, a solemn pledge would be given, that the Lady should not come to England, to take advantage of any civil expressions that might be used in her favour. This was agreed to, and a very kind letter was written to the Husband of the distinguished Stranger. Soon after this, however, to the astonishment of the writer, a report came to her ears of the resolution of the Bridegroom to bring his Bride to England, contrary to the express understood stipulation. Upon which, a second letter was written, distinctly declaring, that nothing should make the person depart from the first resolution, and expressing considerable uneasiness at being subjected to such a course by the disingenuous practice that had been resorted to. This letter gave rise to much altercation, and even to a threat of publishing the letters, which even yet may see the light.—A Learned Lord, whose ready compliance with the wishes of a Great Person has mainly contributed to the whole embarrassment, was employed to prevail on the writer of the letters to withdraw the last; and it is said that he made a most pathetic appeal to the fine feelings of the heart, rendered more persuasive by the eloquence of tears, to which the illustrious Person attended with the most sympathetic complacency, and in reply said, that the reasoning was most persuasive—but that every argument apply'd equally to a former letter, which he, the Learned Lord, had prevailed on her to write to another member of the same family, denying her access to the present; and if the Noble and Learned Lord would procure that letter to be withdrawn, the second should also be recalled. This reply dumb-founded the Learned Lord. This is not the whole of the curious circumstances to which this matter has given rise. It is said that a high Potentate, one of our Allies now at Paris, has taken the treatment shewn to his relative in high disdain; and that when a British Officer in the suite of the PRINCE REGENT, who was lately at Paris on a complimentary mission, desired access to his Majesty, the honour was refused.—Nay, it is said that the object of Lord STEWART'S recent journey to England had reference to this matter more than to any approximation towards the settlement of affairs between the Allies and the French.—*Chronicle.*

##### KING'S ILLNESS.

The following Bulletin was exhibited on Sunday at St James's Palace:—"Windsor Castle, Sept. 2. His Majesty has enjoyed a good state of general health, and has been in cheerful spirits through the last month; but his Majesty's disorder is not diminished."

## THE ROUND TABLE.

No. 19. SUNDAY, SEPTEMBER 10, 1815.

THERE is a natural tendency in sects to narrow the mind.

The extreme stress laid upon differences of minor importance, to the neglect of more general truths and broader views of things, gives an inverted bias to the understanding; and this bias is continually increased by the irritation of opposition, and hostility to the prevailing system. A party-feeling of this kind once formed will insensibly communicate itself to other topics; and will be too apt to lead, in common minds, to a contempt for the opinions of others, a jealousy of every difference of sentiment, and a disposition to arrogate all sound principle as well as understanding to themselves, and those who think with them. We can readily conceive how such persons, from fixing too high a value on the practical pledge which they have given of the independence and sincerity of their opinions, come at last to entertain a suspicion of every one else as acting under the restraint of prejudice or the mask of hypocrisy. All those who have not given in their unqualified protest against received doctrines and established authority, are supposed to labour under an acknowledged incapacity to form a rational opinion on any subject whatever. Any argument, not having the presumption of singularity in its favour, is immediately set aside as nugatory. There is, however, no prejudice so strong as that which arises from a supposed exemption from all prejudice. For this last implies not only the practical conviction that it is right, but the theoretical assumption that it cannot be wrong. From considering all objections as in this manner "null and void," the mind becomes so thoroughly satisfied with its own conclusions, as to render any farther examination of them superfluous, and confounds its exclusive pretensions to reason with the absolute possession of it. Those who, from their professing to submit every thing to the test of reason, have acquired the name of rational Dissenters, have their weak sides as well as other people; nor do we know of any class of the community more disposed to take their opinions for granted, than those who call themselves free-thinkers. A long habit of objecting to every thing, establishes a monopoly in the right of contradiction; a prescriptive title to the privilege of starting doubts and difficulties in the opinions of others, without being liable to have our own called in question. There can scarcely be a more infallible way to prove that we must be in the right, than by proving that every one else is in the wrong!—Not only the opposition of sects to one another, but their agreement among themselves, strengthens their confidence in their peculiar notions. They feel themselves invulnerable behind the double fence of sympathy with themselves, and antipathy to the rest of the world. Backed by the zealous support of their followers, they become equally captious with respect to the opinions of others, and tenacious of their own. They fortify themselves within the narrow circle of their new-fangled prejudices; the whole exercise of their right of private judgment is after a time reduced to the repetition of a set of watch-words, which have been adopted as the Shiboleth of the party; and their extremest points of faith pass as current as the bead-roll and legends of the Catholics, or St. Athanasius's Creed and the Thirty-nine Articles. We certainly are not going to recommend the establishment of articles of faith, or implicit assent to them, as favourable to the progress of philosophy; but neither has the spirit of opposition to them this tendency, as far as relates to its immediate effects, however useful it may be in its remote consequences. The spirit of controversy substitutes the irritation of personal feeling for the independent exertion of the understanding;

and when this irritation ceases, the mind flags for want of a sufficient stimulus to urge it on. It discharges all its energy with its spleen. Besides, this perpetual finding fault with the opinions of others, detecting flaws in their arguments, calling them to account for their absurdities, and squaring their doctrines by an arbitrary standard of our own, is necessarily adverse to any great enlargement of mind or originality of thought\*.—The constant attention bestowed on a few contested points, by at once flattering our pride, our prejudices, and our intolerance, supersedes more general inquiries; and the bigotted controversialist, by dint of repeating a certain formula of belief, shall not only convince himself that all those who differ from him are undoubtedly wrong on that point, but that their knowledge on all others must be comparatively slight and superficial. We have known some very worthy and well-informed biblical critics, who by virtue of having discovered that one was not three, and that the same body could not be in two places at once, would be disposed to treat the whole Council of Trent, with Father Paul at their head, with very little deference, and to consider Leo X. with all his Court, as no better than drivellers. Such persons will hint to you, as an additional proof of his genius, that Milton was a non-conformist, and will excuse the faults of Paradise Lost, as Dr. Johnson magnified them, because the author was a republican. By the all-sufficiency of their merits in believing certain truths which have been "hid from ages," they are elevated, in their own imagination, to a higher sphere of intellect, and are released from the necessity of pursuing the more ordinary tracks of inquiry. Their faculties are imprisoned in a few favourite dogmas, and they cannot break through the trammels of a sect. Hence we may remark a hardness and setness in the ideas of those who have been brought up in this way, an aversion to those finer and more delicate operations of the intellect, of taste and genius, which require greater flexibility and variety of thought, and do not afford the same scope for dogmatical assertion and controversial cabal. The distaste of the Puritans, Quakers, &c. to pictures, music, poetry, and the fine arts in general, may be traced to this source as much as to their affected disdain of them, as not sufficiently spiritual and remote from the gross impurity of sense†.

We learn from the interest we take in things; and according to the number of things in which we take an interest. Our ignorance of the real value of different objects and pursuits, will in general keep pace with our contempt for them. To set out with taking it for granted that every one else is wrong, is not the way to be right ourselves; nor shall we be likely to learn much, if we suppose that no one can teach us any thing worth knowing.—Again, a contempt for the habits and manners of the world is as prejudicial as a contempt for their opinions. A puritanical abhorrence of every thing that does not fall in

\* The Dissenters in this country (if we except the founders of sects, who fall under a class by themselves) have produced only two remarkable men, Priestley and Jonathan Edwards. The work of the latter on the Will is written with as much power of logic, and more in the true spirit of philosophy, than any other metaphysical work in the language. His object throughout is not to perplex the question, but to satisfy his own mind and the reader's. In general the principle of dissent arises more from want of sympathy and imagination, than from strength of reason. The difficulty is in overcoming habitual prejudice, and not in discovering abstract truth. This alone can account indeed for the slow progress which has been made in such matters.

† The modern Quakers come as near the mark in these cases as they can. They do not go to plays, but they are great attenders of sporting-clubs and lectures. They do not frequent concerts, but run after pictures. We do not know exactly how they stand with respect to the circulating libraries. A Quaker poet would be a literary phenomenon.

with our immediate prejudices and customs, must effectually cut us off, not only from a knowledge of the world and of human nature, but of good and evil, of vice and virtue; at least, if we can credit the assertion of Plato (which to some degree we do), that the knowledge of every thing implies the knowledge of its opposite. "There is some soul of goodness in things evil." A most respectable sect among ourselves (we mean the Quakers) have carried this system of negative qualities nearly to perfection. They labour diligently, and with great success, to exclude all ideas from their minds which they might have in common with others. On the principle that evil communication corrupts good manners, they retain a virgin purity of understanding, and laudable innocence of all liberal arts and sciences; they take every precaution, and keep up a perpetual quarantine against the infection of other people's vices or—virtues; they pass through the world like figures cut out of pasteboard or wood, turning neither to the right nor the left; and their minds are no more affected by the example of the follies, the pursuits, the pleasures or the passions of mankind, than the clothes which they wear. Their ideas want *airing*; they are the worse for not being used: for fear of soiling them, they keep them folded up and laid by, in a sort of scanty clothes-press, through the whole of their lives. They take their notions on trust from one generation to another (like the cut of their coats), and are so wrapped up in these traditional maxims, and so hang their faith on them, that one of the most intelligent of this class of people, not long ago, assured us, that "war was a thing that was going quite out of fashion!" This abstract sort of existence may have its advantages; but it takes away all the ordinary sources of a moral imagination as well as strength of intellect. It seems little better than a state of pure negation. We can understand the high enthusiasm and religious devotion of monks and anchorites, who gave up the world and its pleasures to dedicate themselves to a sublime contemplation of a future state. But the sect of the Quakers, who have transplanted the maxims of the desert into manufacturing towns and populous cities, who have converted the solitary cells of the religious orders into counting-houses, their beads into ledgers, and keep a regular debtor and creditor account between this world and the next, puzzle us mightily!—The Dissenter is not vain, but conceited: that is, he makes up by his own good opinion for the want of the cordial admiration of others. But this often stands them in so good stead, that they need not envy their dignified opponents who repose on lawn sleeves and ermine. The unmerited obloquy and dislike to which they are exposed has made them cold and reserved in their intercourse with society. The same cause will account for the dryness and general homeliness of their style. They labour under a sense of the want of public sympathy. They pursue truth for its own sake, into its private recesses and obscure corners. They have to dig their way along a narrow underground passage. It is not their object to shine, they have none of the usual incentives of vanity, light, airy and ostentatious. Archbishopal Sees and mitres do not glitter in their distant horizon. They are not wafted on the wings of fancy, fanned by the breath of popular applause. The voice of the world, the tide of opinion, is not with them. They do not therefore aim at *eclat*, at outward pomp and shew. They have a plain ground to work upon, and they do not attempt to embellish it with idle ornaments. It would be in vain to strew the flowers of poetry round the borders of the Unitarian controversy.

There is one quality common to all sectaries, and that is, a principle of strong fidelity. They are the safest partisans, and the steadiest friends. Indeed, they are almost the only people who have any idea of an abstract attachment either to a cause or to individuals, from a sense of

duty, independently of prosperous or adverse circumstances, and in spite of opposition." W. H.

\* We have made the above observations, not as theological partisans, but as natural historians. We shall shortly perhaps give the reverse of the picture; for there are vices inherent in establishments and their thorough-paced adherents, which well deserve to be distinctly pointed out.

### PRISON REPORT.

IMPRISONMENT for debt, in a legal sense, is a simple detention of the debtor for the security of the creditor. It is the more necessary to premise this fact, because, in general estimation, it is almost invariably confounded with the idea of an awarded punishment; and every approach to reform or regulation is opposed on the score of interfering between demerit and its consequences. To do away with a little of this apathy, a slight glance at a general truth may be allowable. We have therefore to observe, with respect to prisoners for debt, that while it would be foolish to deny that a great proportion of them must consist of the idle, the profligate, and, above all, of the incapable, it may not be improper to ask, if, under an expanded commercial system, the failure of a portion of the community is not necessary to the prosperity of the remainder?—and, that as one tribe of animals frequently exists upon the destruction of another, whether the various grades of humanity may not occasionally do the same? Philosophise but a little, and allow a stern, inevitable necessity, to share the blame with vice and misfortune, and not only will the view, as it regards prison policy, be more sound and humane, but, in that branch of it under consideration, more consonant with the theory of the law, if not with the practice of the lawyer.

But however indifferent as to the treatment of the debtor in other respects, it is clearly the interest of the creditor, that his incapability of doing justice should not be increased by unreasonable exaction. What, then, is to be said of the mode of remunerating the Marshal of the King's Bench Prison? Really, if the subject were not melancholy, one might be tempted to smile at the detail; and we are sure that our readers would have done so, had they heard, as we did, the address of an honest unreflecting man to another like himself, upon reading it in a newspaper:—"A snug place that of the Marshal of the King's Bench Prison. Hey, Sir! Let me see; there is his profit upon 540 butts of *porter* and 65 barrels of *ale*; 4s. 8d. for every commitment, and 7s. 4d. for every discharge; and then, as Clerk of the Papers, 3s. for the first action on the discharge; again, as Clerk of the Papers, 4d. for every other action on the discharge: once more, as Clerk of the Papers, 1s. upon commitment; and lastly, as the said eternal Clerk of the Papers, on surrender, another 1s. Presto, as Marshal again, 1s. for each declaration against a prisoner; a shilling a week *rent* for every room (in a prison); the letting of the *Coffee-room*; the wine at the *Tap*; the per centage upon the rules; the 4s. 6d. upon day-rides; besides I know not what from the *Baker*, and for rules to acknowledge."—Put thus colloquially, and stripped of official solemnity, the foregoing list of ways and means sounds exceedingly like burlesque; and certainly no uninformed listener would suppose himself attending to the British mode of reimbursing an efficient officer, acting for the benefit of the creditor, under the sanction of the highest jurisdiction in the country. Who again would imagine that the dignified exaction of 2d. a night per bed for one, and 1d. per night each for a bed for two, from the most abject poverty, formed part of the deliberate regulations of an *order of Court*? We have nothing to alledge against the Marshal in the way of receipt; he acts both by precedent and authority; and as it is the legal practice of England to farm out distress, one person has as much right to make interest for, and get by it as another. The balance of Mr.

Jones's Profit and Loss Account in the concern of the King's Bench Prison, it has been seen, amounts on the favourable side to 3,276l.; the whole sum collected from the debtor, and may we not add, creditor, exceeding 5000l. To say nothing of the principle of so enormous a levy upon individuals who are imprisoned for their inability to pay their lawful debts, and of the paltry and despicable abuses such a system of raising money is calculated to cover, let any reasonable being ask himself, if this ought to be the national mode of recompensing the Keeper of a Prison?—or what is still more to the purpose, whether a Keeper, so recompensed, can possibly exercise his authority as he should do? In what light can such a person and his underlings appear to the prisoners? Not as administrators of the law, each respectable in his station, certainly; but rather as a species of leeches growing fat upon disease and misfortune. The honour of the country requires that its prisons should be supported very differently; that fees *within* gaols,\* at least, should be totally abolished; and all emolument from prisoners of every kind cease to those who are entrusted with their superintendance. To confide to any order of men the collection of money for their own use, from those in their own power, is to invite oppression and chicanery. It is still more inconsistent with the principles of natural justice to call for money at all, from those who are in a state of confinement because they want it; and to suffer five thousand pounds to be levied from the miserable, to save a dignified and rational expenditure of half the money, to aid in righting the wrongs between man and man, is every way unworthy a great nation. Nor even on the score of policy is it an affair of indifference. As we have already hinted, there is a disposition in too many of us to regard the inhabitants of a prison, whether debtors or criminals, as beings cut off from human society, and unentitled to human care. It has been discovered, that, even with respect to the latter, this negligence is dangerous; but in reference to the debtor, it is infinitely more so. Take into consideration the eternal entrance and egress of this order of the unfortunate into and from custody, and nothing more will be necessary to convince us, that a regard to their morals and management is absolutely essential to the welfare of society, unless we would heedlessly propagate a kind of mental gaol distemper, as injurious to its peace and good order, as the physical disease of the same denomination is to its corporeal good health.

To drop fee and emolument in the way of direct consideration, let us proceed to the next branch of our subject—the distribution of the prisoners; and here we must have recourse to the labours of the Committee:—

"The (King's Bench) Prison," says their Report, "contains within the walls about 200 rooms, eight of which are the state-rooms, and are let at 2s. 6d. each per week, unfurnished; the remaining 192 are (or ought to be) occupied by the prisoners, who are compelled to pay weekly 1s. for a single room, also unfurnished: if two persons live in the same room, 6d. each; if three, 4d. But the Marshal states, that he never demands any rent from those who are unable to pay." On a prisoner's arrival

\* And out of them too: in fact, the official fee, as a mode of reimbursement, is the very worst possible: seen only in detail, and never in amount, it affords the most convenient veil in the world for unreasonable emolument and rapacious exaction. It is quite amusing to hear the bluster of various nobles and gentlemen on their rights, when any mode of picking pockets of absolute origin is attacked. It puts one in mind of the mock old English epigram of Henry Fielding on Longfinger, one of the ancestors of his Jonathan Wild:—

Ah! woe is me, Longfinger's hanged,  
For tharsten he a pocket fanged,  
While safe old Hubert and his gang  
The pocket of the nation fang.

Old Hubert was the ways and means man of King John; but the terms will serve for any modern Hampson, Dudley, or great man who has made his fortune by the same means.

at the gates, he is called upon to pay his commitment fees, amounting to 10s. 2d. Your Committee have been assured, that whether the fees be paid or not, he receives on demand a chum ticket (as it is called) which is a ticket of admission to some room in the prison.

The principle upon which this chumage takes place may be thus explained: Supposing the 192 rooms in the prison are occupied by one prisoner each, and there is an arrival of fresh persons, which in term times often occurs to the number of twenty or thirty at a night, and chum tickets are demanded from the chum-master; if the prisoner so requiring a ticket is of decent appearance and has the air of good circumstances, one is given him upon a room already occupied by a person of his station in life; but if the applicant be poor, he receives his ticket upon a room held by one who is enabled to pay him out, that is to say, to give him so much per week, which generally amounts to 5s. whereby he yields to the existing occupier the whole right to his room, and pays for his lodgings with persons of his own class and situation; so that it is not uncommon to find six or eight persons of the poorer classes sleeping two in a bed, or on the floor, in rooms of the dimensions of 16 feet by 13; some also of these sleep at the top on benches and tables, and as many as forty-eight have slept there at one time. The choice then of the chumage is thus perfectly optional with the chum-master, who is one of the turnkeys, and has the sole management of the business as far as the ordinary rooms are concerned; but those of a better description, from their situation, are considered as being at the disposal of Mr. Brooshoof, the first clerk to the Marshal, who has in point of fact the direction and management of the whole prison. The prisoner who has sold his share of his room is considered as entitled to re-enter it whenever he chooses to break the bargain, it lasting only for one week; but it appears in evidence that this right has been denied or is evaded, and that persons who have interest with the officers of the prison may either keep a room free from chumage, or prevent those who are chummed upon them from returning to their rooms, if the payment of 5s. per week be regularly made: in this latter case, the person insisting on his right to return is shifted from his own room, and chummed on another.

"No care seems to be taken to acquaint the prisoners, on their first entrance of the prison, that a chum ticket is to be obtained on application. Some have been several days within the walls paying a heavy rent for their lodgings, before they learnt from the fellow prisoners that they had a legal right to a share of a room. The ordinary proceeding is for one of the turnkeys to take the prisoner on his arrival to the coffee-house, the master of which provides a room at the cost of about 3s. a night, or a lodging is engaged from some one of that numerous class of persons who, having been long in the prison, gain their livelihoods by letting out their own rooms, or their share of a room, to new comers. Eight and ten shillings a night have been given for a bed; but the usual price is from fourteen shillings to one guinea per week. Mr. Brooshoof says, that some delay necessarily takes place in the delivery of chum tickets, and that it is sometimes difficult to provide situations on the emergency of the moment, fitted to the station of life of the claimants, and who are therefore inclined either to look out for themselves, and find a lodging in the prison, or to wait, in the expectation of some one going out, when they may succeed to the vacant room.

"The rule of chumage is, that the person who has been longest in prison keeps his room free from having another prisoner chummed on it, till all the rooms held by those of a junior date to himself have each a prisoner chummed on them. The system purports to be one of rotation; and if the prisoner be poor, and wishes to be bought out, he is chummed upon one who can afford to pay him; if he wish to remain, he is placed in the room of a person who will keep him, and he has accordingly a chum ticket upon the youngest prisoner in one or other of these classes.

"Your Committee sat several days within the prison, and have endeavoured to understand the manner of delivering of the chum tickets; but though there be a rule stated to exist, by which this delivery is regulated, yet it appears that so many exceptions are made to that rule, that the whole system seems to be one of favouritism and partiality, and liable to great abuse.

"The whole system liable to great abuse!—Undoubtedly it is; and unless the subordinates of the King's Bench Prison had pretensions to superhuman virtue, it could scarcely be otherwise. The mischief of this kind of latitude consists in making rogues where it finds none, and it is too much to entrust the most essential point of con-

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fort of three or four hundred individuals of every rank to the arrangement of the subalterns of a gaol, and expect purity. As to the Marshal himself, he is out of the question: that person knows too well the privileges of the *Principal* of an office in England to concern himself about the matter; an easy gentleman, without the least grain of assurance, called Brooshooft, of whom the public has no right to know any thing, takes all this trouble upon himself. The fruit is answerable to the tree: one of the first results of this judicious delegation of ministerial functions is, (we use the words of the Committee), "that contrary to the orders; and what is more extraordinary, without the knowledge, of the Marshal, the Turnkey, Criers, Waiter at the Coffee-house, &c. hold rooms within the Prison, which they furnish and let to prisoners; the Criers and the Waiter at the Coffee-house having no wages or salary, but deriving a portion of their income from this resource."—To affect wonder at this kind of abuse, or indignation at those who profit by it, would be ridiculous; where a judicious system of check and revision is wanting, it is very much the routine of office in far higher departments, and among much more consequential people than gaolers and turnkeys.

It is evident that the Committee suspect some sinister motive for the studied delay which takes place between the time of a prisoner's entrance and his appropriation to a room. This period it seems is the harvest of those persons who afford temporary accommodation, and who let beds at a price very unbecoming a place of confinement for debt; and when it is recollected by whose favour this power of letting and affording is acquired, it is no want of charity to infer a venal understanding between parties so acting and so circumstanced. The factotum, Mr. Brooshooft, attributes this ominous delay to the difficulty of immediately distributing new-comers according to their apparent station and habits; but there is too much reason to believe that the true cause is to be found in the benefit which accrues from it, aided perhaps a little by the real embarrassment produced by the necessity of attending to concealed engagements. What renders this more probable is, that the obstacle stated by Mr. Brooshooft can only exist by negligence; for surely to become acquainted with the current state of 200 rooms, as to the number and quality of their inhabitants, is a mere affair of registry and arrangement, and quite within the compass of ordinary attention and ability.

It is a delicate point to touch upon the comforts of individuals of superior habits, or to hint at the consequences of their seeking to surround themselves with as many comforts as they are able, while under the pressure of misfortune; but certainly the power of purchasing the privileges of their fellow prisoners ought to be bounded. Poverty, in its most ghastly shape of hunger and thirst, may undoubtedly drive men to the alternative of sleeping, "six or eight in number, two in a bed, or on the floor, in rooms of the dimensions of 16 feet by 13, or on the benches and tables of a tap-room, 48 at a time."—But does it follow that such a voluntary or involuntary self-abandonment should be allowed or rendered necessary in a civilized country, the inhabitants of which almost pretend to be Christians by distinction? We become sick at heart when we read of magisterial visitations and inspections, which pass over these extremes of wretchedness as affairs of course. We experience a kind of loathing at the conduct of beings, called gentlemen, who, after casting a glazed and un-spectulative eye over an excess of human misery, give under their hands, No complaint:—all is well—No e-m-

\* Know all men, that the *Principal* of an Office in England frequently denotes an exalted personage, who, with a profound ignorance of every thing belonging to the said Office, condescends to pocket the emolument, and leave the dirty detail to the fellows below.

plaint! alas! when man is so far degraded as to sink unrepining into the condition of a *Yahoo*, there is no greater cause of complaint. When every rational sense of decency has yielded to oppressive circumstance, and one of God's creatures is transformed into a compound of savage brutality and civilized corruption, his apathy is yelped, contentment\*: it would be as reasonable to call the laughter of the madman, mirth. The nonchalance with which the Marshal and his deputy speak of the condition of the poor beings suffering these privations, is admirably indicative of the process by which feeling and discrimination is gradually got rid of, and together with one or two more examinations which have recently taken place, ought to operate as a salutary warning to Legislators against modifying human institutions upon the representations of the common and unreflective man of routine, even when clear of the bias of interest. It would be easy, in the recommendation of this necessary caution, to prove to them that a far greater portion of human suffering is attributable to negative, than to positive cruelty—to neglect than to infliction; and there is not a more confirmed enemy to the welfare of his fellow-creatures than that very common character—be, who consents to the nominal performance of an important duty, and without either energy, talent, or sympathy, answers for the zeal of the careless, the humanity of the unfeeling, and the purity of the interested. Misery, in all its varied and horrid forms, strikes his eye in vain,—a twelve-years caging in iron,—a malignant detention of harmless insanity,—hunger, cold, and nakedness,‡—all pass the ordeal; the *proper officer* smiles in his right hand, and—whatever is, is right.

\* This kind of misnomer is very usual; "they make a solitude, and call it peace," wrote Tacitus;—they have restored Ferdinand, and term it freedom;—they have forced Louis upon the throne of France, and denominated it permitting the people to chuse their own government! All these are specimens.

† It is a great misfortune, but a vulgar allusion will occasionally be humorous. The indifference of the Marshal and his man to the endurance of the people sleeping in the Tap, 48 at a time, reminds us of the gentle *Poisarde*, when remonstrated with on the subject of skinning eels:—*they*, exclaimed the dame with great composure and a most felicitous transposition of number and person—*they* are used to it.

‡ Vide Mr. Haslam's examination before the Committee of the House of Commons appointed to visit Bedlam, and the debate on the state of the Newgate and Borough Prisons.

#### CASE OF ELIZA FENNING.

MR. EXAMINER.—In my last I stated my humble interpretation of the law, that eleven "good men and true," with *one deaf man*, cannot form a legal Jury; and that, as a *blind man* can be no judge of colours, and Sunday is a *dies non*, no day in law, so, with respect to his power of exercising the functions of a Juror, a *deaf man*, being *physically incompetent*, is legally disqualified and *dead in law*, although alive in every other respect as a member of society. It follows that there can be no Jury until twelve good men and true are sworn in, and that if any sort of proceedings, under the name of a trial, sentence, and execution, were to take place on the report of eleven men conjointly with a *deaf* or a *dead man*; the whole would constitute a heinous violation of the criminal law, a direct invasion of the common birth-right of every British subject, and an infraction of the absolute and unalienable rights of Magna Carta. The execution would constitute a crime against the whole society, a murder of the most foul and atrocious stamp; because perpetrated in a Court of Justice, in the legal presence of the King, under the eye and with the sanction of the Judge—his representative, and under the colour and forms of that noble system of law and constitution, which were especially

framed for the shield and protection of his people.—It would be like a *Minister of the Gospel* entering into the House of God, during Divine service, to plunder, attack, and slay a kneeling Christian at the foot of the altar.

By the legal ubiquity of the King, he is present in the person of the Judge in every Court of Justice. He is "the reservoir from whence right and equity are conducted by a thousand channels to every individual." The supposed crime to which I advert, would make the King an instrument in the unlawful slaying of his imploring and, in that case, defenceless subject. It would convert the Judge into a principal accomplice; he

"Who ought against the murderer bar the door,  
"Not take the knife himself!"

Jurors may or may not, in some instances, know their own legal competence or incompetence; but it is the duty of the Judge to explain the law to them; and if in criminal cases, our laws have not yet so far attained the perfection of the civil code, as to permit the accused a Counsel to address the Court and Jury in his defence, the refusal of that most necessary aid, is founded in what BLACKSTONE emphatically terms "that noble declaration of the law, when rightly understood, that **THE JUDGE SHALL BE COUNSEL FOR THE PRISONER**; that is, shall see that the proceedings are LEGAL, and STRICTLY REGULAR." The Judge, therefore, being placed for the legal protection of the Accused, cannot without a monstrous prostitution of his function, sanction by his silence and impose upon the throne, a report from any incompetent set of men, whether in a Jury-box or on a heath, purporting to be the verdict of a legal Jury; and fixing a capital charge of guilt upon any of his Majesty's subjects.—I may infer, that if any Judge were knowingly and deliberately to impose upon the King the report of eleven men conjointly sitting with a deaf or a dead man, as a legal verdict of capital guilt, and thereby, under colour and form of law, to cause the wilful death of one of his Majesty's subjects, the Judge so acting must incur a tremendous responsibility indeed. If ever so enormous a deed should take place unpunished, the whole of the British Constitution must become insecure, for the main part of that Constitution will be then hewed away at a single blow. I reserve, in respect to the limits of this publication, the free quotation of a few law authorities on this supposed case, till, perhaps, some early opportunity;—but I deem it my duty, expressly and sincerely to state, that I have here only argued on a general supposition, without meaning, in this letter, to refer at all to the extraordinary declaration of the Foreman of the Jury, who returned a verdict of guilty in about ten minutes, against Eliza Fenning. Although that Foreman, on his oath, declared, when returning the verdict to the Recorder, that there was a deaf man on that Jury, yet I solemnly protest against the admission of any such presumption whatever in these observations. Having put a supposed, possible case, I am bound in law, and justice to myself and the Printer of these remarks, and in respect to the Court and Jury, to presume, as the basis of my observations, although I by no means venture to contradict the worthy Foreman's oath, that there was not a deaf or a dead man upon that Jury; that the twelve Jurors were all "good men and true;" and that they returned a verdict according to their conscience, and the very best of their fallible ability.

I now beg leave to submit a few remarks on the following questions and answers of Mr. Orlebar Turner on his deposition against Eliza Fenning, at the Old Bailey, on the 10th of April:—"Q. Was the vomiting of a common kind? A. I never experienced any thing before like it for violence; I was terribly irritated; it was not more than a quarter of an hour before my apprentice, Roger Godden, was taken very ill in a similar way to myself.—

Q. Was your son sick also? A. He was.—Q. Did the PRISONER give any of you ANY ASSISTANCE while you were sick? A. NONE IN THE LEAST.—Q. Did you observe whether the Prisoner eat any dumplings? A. I DID NOT.—It is plain that Mr. Orlebar Turner's two answers—"None IN THE LEAST," and "I DID NOT," although no doubt given without an intention, were unluckily of an import to impress the Jury with an unfounded opinion, bearing directly against the prisoner's life; namely, that she, herself, like Sarah Peer, one of the witnesses against her, had not eaten any of the poisoned dumplings; that, moreover, she had avoided to eat of them, knowing them to be poisoned; that she was perfectly well and able to have assisted the family in their sickness; and that, with an evil mind, she maliciously withheld her assistance from them. Now, the whole of this impression was contrary to the real facts, and a few plain cross questions from Mr. Alley would have shewed the facts. First, it was impossible for Mr. Turner, who dined with his family above stairs on the first floor, to observe whether Eliza Fenning, who dined in the kitchen, did or did not eat of the poisoned dumplings; and even if he had been otherwise ignorant of the fact that she had eaten of them and been poisoned, one might have expected, under the obligation of his oath, that, to prevent a false impression bearing against the unfortunate girl's life, he would have expressly informed the Jury of that impossibility, in his direct answer to the specific question, "Did you observe whether the prisoner eat any dumplings?"—It might also have been expected, that Mr. Turner, after knowing Eliza Fenning was herself poisoned at the time and dangerously ill, in agonies and helpless in the kitchen, would have answered, instead of saying "none in the least," that the unfortunate prisoner was not only incapable of assisting the family in their sickness in the dining-room; but that, as the female who had eaten most of the poisoned dumplings, (for her mistress, by good fortune, eat but "a small piece.") she stood in more need of assistance than any other person of the family.—Not one of the seven persons, medical or unmedical, who deposed against her, mentioned her agonised and helpless condition to the Jury. The poor unfortunate girl in Court felt the horrid inference, which this extraordinary coincidence produced against her life; in her brief and simple defence we find these words—"As to my master's saying I did not assist him, I was too ill."—Ill, indeed, for the unhappy creature was obliged to be carried up stairs to bed, and in her helpless sickness vomited down the shoulders and back of the person who carried her; but this person was not examined upon the trial!

A FRIEND OF THE POOR AND A LOVER OF JUSTICE.  
August 30, 1815.

### CHIMNEY-SWEEPING.

[There is an instrument now in use in London, for cleaning chimneys, which renders the use of boys altogether unnecessary—at least we have been told so, though we know no one who has ever used or seen it. If it be so, and the object is well answered, no person of common humanity, we should suppose, would resist its employment, even though it was attended with some little additional expense.—The subject has often been noticed, and the recent punishment of a barbarous Master Chimney-sweep in Dublin, has given rise to the following remarks in an Irish paper, which we gladly copy:—]

"It is generally some single incident, some overpowering example, that facilitates the overturn of a system of abuse. The Lord Mayor has the satisfaction of having brought to exposure and punishment one of those cruel Master Sweeps who trade on the miserable toil and sufferings of those ill-fated little children, whom the casualties of life, or the callous feelings of vicious parents, may surrender to their disposal.—We have been accustomed to speak of slavery and to hear it spoken of, with indignation—yet what slavery can be worse, indeed what can be so bad, as this slavery, which meets us at our very doors, the moment

we cross our threshold in the morning? A number of naked little children, black as negroes, crying in all directions through the streets, turned up from some miserable cellars, where they had been sleeping on soot and sacks, and sent in the dark of a cold winters morning to their miserable and painful vocation. These little unfortunates previously sold to these barbarous Masters by sordid or cruel parents. To gloss over this servitude by calling it an apprenticeship cannot alter the nature of the thing. The trial of the Master Sweep, instituted and promoted under the direction of the Lord Mayor, has amply exposed the nature of this servitude. It is shocking to recollect it.—The miserable little victim of cruelty and avarice was produced on the table. He was the living miniature of that picture of human misery and suffering, portrayed in the Scriptures under the name of Lazarus. He was entirely so. There is very little doubt that many of those miserable children must have ended their career of suffering by an excruciating and early death. But what is the duty that is made an excuse for subjecting these creatures to all this misery? We are told that the duty is a necessity; an indispensable one; it must be done; some one must do it; no one can do it so well as boys; and their misery, and if necessary their lives, must be sacrificed to the convenience of the public. This is at least but a bad apology for such unwarrantable infliction—but the worst of it is, that we are assured and persuaded that this mode of chimney sweeping is by no means indispensable; that it is neither the only nor the best mode. We believe it—it is impossible that it could be otherwise. In this age of improved mechanism, it is nothing less than nonsense to tell us that some machine—some inanimate machine, could not as effectually discharge a duty so very simple. A funnel is obstructed with soot—are we to be told that the best way of removing the obstruction is to squeeze one of the smallest boys that can be found, naked, up through a narrow funnel, with a little brush in his hand, and to turn himself up, and the soot down, at the risk of being choaked by the soot, or smothered in the smog? Are we to be told that this is either the only or the best mode to discharge such a duty? Are we to be told that this is the 19th century—in these days of Philosophical and Mechanical discovery, when Mr. Sadler is sailing through the air, and a vessel without oars or sails, and against wind and tide, has crossed the channel and entered the Liffey? When the grand business of human carnage has been so materially expedited by Congreve Rockets and Shrapnell Shells, it may well be asked, if all the inventive powers of the human mind are to be applied to the destruction, and refused to the protection of our fellow creatures—it may well be asked why, amidst this grand display of invention in Philosophy, Chemistry, and Mechanism, no machine, but the vulgar and savage machine of a little suffering human creature, can be applied to the cleansing of a chimney! It is monstrous to suppose it—and it is the mark of an uncivilized community to preserve a savage, a cruel custom.”

## LAW.

### MARSHALSEA COURT, SCOTLAND YARD.

DAVIS D. TOMKINS.

This was an action brought by a Jew, the keeper of a brothel in the vicinity of Catherine-street, against an unfortunate female who had for some time been one of his inmates, to recover payment of a promissory note for 20l. Upon the cause being called on, it was intimated that the action was withdrawn.

Mr. AGAR, as counsel for the defendant, then moved that she should be discharged from the prison of the Court, in which she had been confined above six weeks, upon a demand which the plaintiff, it now appeared, would not dare to support. The case was indeed of such an atrocious nature, that he (Mr. A.) lamented that for the sake of public justice it was not fully exhibited. The unfortunate defendant, who had not yet attained the 19th year of her age, was some months ago seduced by the wife of the plaintiff into his infamous house, where she was kept for the purposes of the establishment. Every night she was furnished by Mrs. Davis with a suitable dress, but of this she was deprived in the morning, together with the profits of her prostitution, being in fact left no garment in which she could contrive to escape if she were so disposed. In this scene of depravity, the wretched girl remained until her vile keeper proposed to transfer her to a new establishment which he had opened in Wellclose-street, Wellclose-square, which he described as a more profitable market than the neighbourhood of Catherine-street, especially from the number of seamen who were about to be paid off. At this proposition, however, Tomkins

revolted, and, notwithstanding the vice to which she was reconciled under the tuition of Mr. and Mrs. Davis, she refused to receive the familiarities of common sailors. Davis, indignant at this refusal, threatened her with immediate arrest, for board and lodging truly, and introduced two persons, whom he described as bailiffs, for the purpose of executing his threat. But affecting, after some parley, to soften—he proposed to release her, if she would sign a paper which he presented. To this the terrified girl consented; and, being unable to write, or read writing, she put her mark to a paper, the purport of which she did not know. This paper, however, turns out to be a promissory note for 20l. on which, when due, the defendant was arrested: the plaintiff observing, in his peculiar dialect, “ Dou’s tiuk, my good girl, you’ll get out by the Insolvency Law—the Parliament and the Gentlemen of the Corporation of the City will change that law. Me and oder honest people vill dea get dere rights; and you—you shall rot in jail, if you vill not come to Vell-street; for I know you can’t pay the money, or get any one to stand it.” This observation, which perhaps contains the spirit of the argument too often used by callous creditors, the plaintiff repeated in vain; for the defendant would not comply. Hence, she was condemned to the miseries of want and imprisonment.

The Learned Counsel was animadverting upon the turpitude of the whole transaction, when—

The JUDGE interrupted him, observing, that he could not regularly proceed, as the action was withdrawn.

Mr. COWLEY, as Counsel for the plaintiff, observed, that there was no affidavit before the Court that the defendant was in custody.

Mr. AGAR—“ Then to wait for that affidavit, you would condemn the defendant to another week’s imprisonment.”

Here the conversation dropped, but at the close of the day

Mr. AGAR observed, that the Attorney for the plaintiff consenting, the defendant might now be released, but that she was unable to pay the JAIL FEES, for she subsisted only by the bounty of her fellow-prisoners. Under such circumstances, he submitted that the defendant ought not to be detained for Jail Fees.

The JUDGE said that he could not interfere,—there was no affidavit before the Court, as to the prisoner’s insolvency.

Mr. AGAR observed, that her insolvency was obvious, and expressed a doubt whether the Act for the Abolition of Jail Fees extended to the prison. But if it even did not, he could not conceive it consistent with justice or humanity that this girl should be detained for JAIL FEES upon a claim originally unjust, and now acknowledged to be unjust by the proceeding of the plaintiff himself.

The MARSHAL stated that the Act alluded to did not extend to the Marshalsea, the King’s Bench, or the Fleet.

Mr. AGAR regretted that circumstance, and expressed a hope that Mr. Bennet, the benevolent author of this meritorious Act, would see the propriety of proposing the extension of it to all prisons.

Mr. HART deprecated the Learned Gentleman’s attempt to abuse the prison of the Court.

Mr. AGAR disclaimed the intention to abuse any place or person, but it had ever been and ever should be his wish to expose abuses, and he must consider it a great abuse if this wretched pauper should have her unjust imprisonment prolonged in consequence of her inability to pay fees.

Here the MARSHAL said that he should release the prisoner in the course of the evening, and have application made to the Charitable Fund for the payment of the fees.

## POLICE.

### GUILDHALL.

On Tuesday, no less than forty-five individuals of both sexes, were brought up, charged with felonies, misdemeanours, assaults, &c. committed in or about the precincts of Bartholomew Fair.—The Magistrate (Alderman JOSHUA JONATHAN SMITH), said, he felt concerned that the list of accused persons should have consisted of so large a number as it had, at least twenty, on Monday, and that no Alderman was in attendance to investigate their several cases. He was well aware that, beside the unfortunate condition of those who were kept in confinement, and that confinement increased by suspense, there were numerous individuals in public capacities whose time must be more or less infringed upon by such interruption. The delay, however, he said, was wholly attributable to the absence on the continent of Sir C. S. Hunter, whose week of sitting it was, and the previous engagements of other Magistrates. For himself, he thought a want of punctuality in this particular quite incompatible with the duty of

a Magistrate. Between twenty and thirty persons were then examined, and some were committed for trial.—The Magistrate then observed, that he as well as others, had with pain noticed, that instead of this great public nuisance being lessened by those whose duty it was to check the growing evil, for several years an unlawful and disgraceful extension had taken place. The limits of the ancient boundaries of the fair had been transgressed, and it now extended itself into several of the adjoining streets beyond Smithfield. He had particularly noticed its spreading establishment in St. John-street on the one side, and nearly half way down the Old Bailey on the other. Under all the circumstances, he felt it his bounden duty to call a meeting of the Magistrates, and to demand the attendance of the two City Marshals, and the Clerk of the market, to require of them an explanation of the nuisance, and to remove so foul and disgraceful an encroachment upon the peace and morals of the public.

This subject was again entered into on Thursday, when *W. Bruce*, steward to Lord Kensington, deposed, that by the grant of Henry VIII. Sir R. Rich had obtained for himself and successors certain privileges arising from this annual exhibition. The limits of the Fair were confined to West-Smithfield and Bartholomew's Close; and the annual receipts derived by his Lordship seldom exceeded from thirty to forty pounds. This, he said, was barely sufficient to pay the expenses on the part of his Lordship, and to support the Court of *Pied Poudre*, established by the Charter. On the part of his Lordship, however, he was enabled to declare, that he viewed the matter as a great public nuisance, and was ready at any time to waive all privileges of it, so as that it might be abolished altogether.—*Mr. Perks*, the Clerk of the market, confirmed the testimony of the last witness. With respect to the advantages arising from the booths, shews and swings, the two former generally paid in proportion to the ground they occupied; the smallest, one and two guineas; the largest, from 20*l.* to 30*l.*; the swings generally paid one guinea each, unless of large dimensions. This money he paid regularly into the hands of the "Committee for letting City Lauds."—*Mr. Nalder*, the Deputy City Marshal, deposed, that such booths and shews as were erected beyond the prescribed limits, were done chiefly at the instance of the inhabitants, in front of whose houses they were placed. The proprietors of houses exacted sums of money for the use of the spaces in front for the purpose alluded to. With regard to the fees or emoluments derived by *Mr. Holdsworth*, the Marshal, or himself, it was an annual custom for the proprietors of the different booths and shews, on the last day of the fair, to present them with a complimentary sum, in acknowledgment of the services and protection that had been rendered them during the exhibition. This was entirely optional, and seldom amounted, from any individual, to more than two or three guineas; in most cases it was much less.—*Mr. Alderman Surry*, conceiving that there was enough evidence before him to shew that the fair had been greatly extended, and, in consequence, much vice and misfortune accumulated, gave notice that he would shortly bring the subject before the Court of Aldermen.

#### BOW-STREET.

On Friday a young man, of genteel appearance, very respectable connections, and who is said to hold a high situation under Government, was brought up by *Vickery* the officer, charged on suspicion of having committed forgeries to a large amount, with intent to defraud his Majesty. It was proved by *Vickery* and several witnesses, that the prisoner had uttered a forged bill of exchange at the Victualling-office, Somerset House, to the amount of 88*l.* 9*s.* 6*d.* with an intent to defraud his Majesty.—The prisoner was committed for further examination till the business is further investigated.

#### HUTTON-GARDEN.

On Thursday, *James Reader*, a stick-maker, was examined, charged with attempting to murder *Mary Horton*.—*Mary Horton* deposed, that she cohabited with the prisoner; he had beaten her severely last Friday night, and she left him; but they came together again on Saturday, and slept in Old-street, where they remained till Wednesday morning, when they went to the fair together; they left the fair at eight, and went into Charter-house-square, where the prisoner struck her a violent blow, which stunned her, and then drew some sharp instrument across her throat; she saw the blood flowing, and cried out "Murder, my throat is cut;" the prisoner ran away, but was stopped and taken to the watch-house.—*John Craig*, a rope-maker, was returning home on Wednesday night, from Sadler's Wells, and, in crossing Charter-house-square, he saw the prisoner and the last witness walking together; the prisoner had his arms round her

head in a very strange posture; as witness passed them they were wrangling and quarreling; he had not passed them many yards when he heard the cry of "Murder!" He has cut my throat." Witness turned back, saw the prisoner go away, and found the woman in a leaning posture and the blood running down.—*Thomas Hudson*, the constable, stopped the prisoner, who had the knife open in his hand, with blood on it, and who then shut it and put it in his breeches pocket.—*Mr. John Bartlett*, a surgeon, could not pronounce the woman out of danger.—The prisoner was committed.

#### MARLBOROUGH-STREET.

Several respectable inhabitants having appeared before the Magistrate, in consequence of an alarming disturbance which had taken place, through some ill-disposed persons having reported that *Mrs. Lara*, who keeps a haberdasher's shop in Oxford-street, had murdered her servant girl; the parties were ordered to attend the Office, which they immediately did, together with the servant girl who was reported to have been murdered.—*Mrs. Lara* deposed, that on Tuesday afternoon last she had occasion to send her son, a boy about twelve years old, of an errand, who having stopped much longer than he ought to have done, she ordered him to be shut up in the cellar by way of punishment; the boy, on hearing that, cried out "Murder!" which was heard by some women who were looking in at the shop window, and who exclaimed to the people as they were passing, that the servant girl had been murdered, and that they had heard her screams, which occasioned a great mob to collect before the house during the whole of the afternoon and evening. The next morning, at eight o'clock, the mob again assembled, and continued to increase during the whole of the day.—The Magistrate being fully satisfied with the fallacy of the charge, ordered the officers to disperse the mob, when seven persons, who appeared to be most active in creating the disturbance, were taken into custody, and ordered to find securities to keep the peace, or to be committed.

#### ACCIDENTS, OFFENCES, &c.

On Friday, *Mrs. William Wilson* of Pimlico, and her daughter, having sat on one of the seats of the Pagoda Bridge in St. James's Park, were joined by a Lady of elegant deportment, but plainly dressed, and a boy about ten years of age, who she said was her son. After about an hour's conversation, *Mrs. Wilson* pulled out her watch to see what time it was, and the other Lady also pulled out hers, observing that she forgot to wind it up, and requesting permission to set it by *Mrs. Wilson's*, who did not hesitate to give it for that purpose. After some further conversation, in the course of which the Lady said she was the wife of an officer in the King of France's service, and had only arrived a short time in this country; that she intended to place her son at Oxford or Cambridge for his education, and that she at present resided in Ryders-street, St. James's, they parted; but on *Mrs. Wilson's* arrival at home, she was much astonished to find that her new acquaintance had contrived to attach her chain to a common metal watch, which she had returned with uncommon politeness, instead of her gold repeater.

#### BIRTH.

On Sunday last, *Mrs. Jackson*, Craig's-court, Charing-cross, of a son.

#### MARRIAGES.

On the 10th ult. at *Mary's Church*, Dublin, *William Phair*, Esq. of Mill View, county of Cork, to *Elizabeth*, eldest daughter of *William Pickering*, Esq. of Heath House, Hampstead.

On the 30th ult. at *Stokesley*, Major General *Donkin*, to *Miss Markham*, eldest daughter of the very Rev. the Dean of York.

#### DEATHS.

On Sunday, at Bath, the Lady of *Sir John Aubrey*, Bart. *Mr. Joseph Waller*, wine and brandy-merchant, of Leadenhall-street. The deceased on Monday went to the Crooked Biflet on business; he went inside the bar and sat down; he said he had been caught in a shower, and found himself rather chilly; he grew pale, and was asked if he found himself unwell? but made no answer. *Mr. Gillham*, who was at tea, went to him, but the deceased was apparently dead. Surgeons immediately came, but the deceased had breathed his last.

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