

THE EXAMINER.

No. 176 SUNDAY, MAY 12, 1811.

THE POLITICAL EXAMINER.

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

No. 172.

ABOLITION OF THE SLAVE TRADE AND OF TORTURE BY THE SPANISH CORTES.

THIS event in the Peninsula, though originating with men of little influence, as far as the world at large is concerned, is worthy of our attention on many excellent accounts. It affords, in the first place, one of those blessed reliefs from the continual contemplation of sanguinary times, which reason and humanity must ever be delighted to seize:—it presents, amidst a cloud of miseries and enormities, another burst of that sunshine, with which the day of retribution has chequered its horrors, and which at no former time has been able to pierce through the errors that darkened Europe;—in a word, it shews a decided step on the part of a superstitious nation towards rational thinking,—it is toleration and liberty in the mouth of Spaniards; and where could Reason boast a more singular or more blessed novelty?

It was naturally to be expected, with regard to the Slave Trade, that the Spaniards would follow the example so nobly set by their allies to the whole civilized world. They have done so; and have given us additional reason to take an interest in their own cause; to rejoice with them if they succeed; or what is unhappily more likely, to pity them when they are overwhelmed. On this part of the subject, however, I shall say little at present, not because it is not every way worthy of attention; but because the other part of it, the abolition of Torture, presents some considerations applicable to circumstances that have just interested the public mind.

Torture, which has been so common in Europe as a substitute for judicial reason, that the same word by which it is expressed in Spanish signifies putting a question, has existed only by those prejudices which, however modified in particular minds, have ever been found injurious to society at large. The rapid progress however which good sense has made of late years in matters of religion and social duty, though unfortunately stopped short in politics, first by jealous alarm and afterwards by ambitious revenge, has long had an effect upon bigotry and inhumanity, sufficient to shame them and make them reserved, if not to put an end to them altogether. After the powerful and brilliant weapons employed by the French philosophers in the cause of benevolence, few persons of any feeling, good sense, or even turn for humour, ventured to lift up their voices in favour of exactions upon human patience, equally ridiculous in argument and barbarous in their

mode of enforcing it. One of the Popes themselves, Ganganelli, helped to make way for the general diffusion of truth, by abolishing the intriguing and sanguinary Society of Jesus: and the infamy, which, by the help of Voltaire, was brought upon the Parliament of Toulouse for breaking the unfortunate Calas on the wheel, moved all Europe to a final execration of punishments so detestable. The torture was gradually discontinued in France, in Italy, and in Germany; CATHERINE of Russia abolished it at once, even in cases affecting the Sovereign's life; and from that time, Fanaticism, ridiculed, execrated, and with the loss of almost all its teeth, hid itself in the Inquisition, supposed, even there, to have had nothing to do, or to have been converted into a mere bugbear of the state*.

The torture then, that absurd and malignant punishment, which takes away the very reason it would correct, and implants worse feelings than those it professes to pluck off by the roots,—has entirely vanished from the civilized world?—Yes, in the sense above-mentioned, it has. Well, but in every other too? cries the reader.

No: it affects one to say, it has not.

No! Why, where does it exist, and in what manner? Men are no longer broken on the wheel, or burnt alive, or embowelled, or pulled to pieces by four horses; the Inquisition itself is annihilated with all its infernal apparatus, small and great; and even the Spaniards, a nation powerfully bigoted and revengeful, who have so lagged behind Europe in the general progress towards reason, have at length arrived at a sense of the common rights of humanity.

All that is very true, and only makes one the more afflicted to think of the exception.

Where then is this exception? In what nation?

In England.

In England! You amaze me! What is its nature? Who dares to practise it? I have never seen an instrument of torture here in my life; I have never even heard of one.

Did you never hear of a cat-o'-nine-tails?

Oh!—Now I discover what you mean.—Ay, I know you have a great dislike to that mode of punishment; but surely you exaggerate in calling it torture. Besides, it is

* I have heard this contradicted by one whose uncongenial situation rendered him too likely to be well-informed on the subject. It is certain, however, that the Inquisition, as a public engine of superstition, had disappeared previously to the French revolution. The same gentleman has informed me, that the last *Auto da fe* in Spain took place about thirty years ago at Seville. The sufferer was a female, and the offence witchcraft;—always the last superstition to retire from a people, because it is part of the vulgar creed.

necessary to the preservation of discipline, and of a right military spirit.

I think the Athenians and Romans had somewhat of a military spirit, and yet neither of them tortured their own citizens. The very best regiments in the service, regular and militia, are those in which the scourge is least exercised. Some of the commanders, convinced of this, have discontinued it altogether, and among others the Duke of Gloucester, in his regiment of guards, which, instead of losing its spirit, has acquired a pride and a new spirit from that very circumstance. I need not repeat what Sir Robert Wilson, General Stewart, and others, have said on this subject; or what such men as Franklin and Bentham said before them; or the counter-opinions of Sir Vicary Gibbs, Attorney General of our Lord the King, which are quite as good as if he argued on the other side.

No, no: the repetition is needless. You have been victorious there, and it becomes you to use your triumph with moderation. Besides, such victories cost you dear.—But what say you to the navy? You will surely allow that the cat o'-nine-tails does good there, and that our sailors could not do without it.

Not I.—Far be it from me to say, that any body of Englishmen could not do without it. I leave such compliments to your side of the question. Your mention of the navy calls to mind what a ministerial paper said to me in the same way a few weeks ago. It professed to be alarmed lest the opposers of scourging should proceed with their doctrines to reform the navy, and conjured up on the occasion all sorts of mutinies and horrors. Contempt made me forget this part of the effusion at the time; but now we are upon the subject, I may as well observe, that what has been said against military flogging, applies in full force to naval. It is equally a torture, unworthy of those who apply it, useless in its general operation, and worse than useless to the immediate sufferer. It is well known that Lord Nelson, than whom no man on earth better understood punishing and humiliating an enemy, had a dislike to punishment that humiliated his fellow-sailors; and with regard to mutineers, where is a single instance of any thing like one produced by the discontinuance of such a punishment? I have heard, indeed, of something like it produced by the contrary; and by way of conclusive answer to my friend the ministerialist, (for reason is lost upon him) I will just mention that the late crew of the *Africa*, who fought so heroically the other day, and who were remarkable even in the navy for the superiority of their spirit on all occasions, had been long accustomed to consider themselves as exempt from this slavish punishment, and were so.

That is a curious fact certainly, and all that you say may be very just in the abstract: but you will allow, that there are desperate spirits, both in army and navy, which it is necessary to keep down by such punishment.

By no means.—By desperate spirits, I suppose you mean either a rebellious kind of ambition, or a sullen and

ignorant vulgarity. With the one, stripes can effect nothing; they render it indeed less ambitious, but at the same time more rebellious:—the best mode of treating it, is by encouraging the ambition honourably, and leaving no hope to the rebellious part of it in the general and equitable state of discipline. The sullen vulgarity you must throw away: if kindness makes it imprudent, severity renders it malignant: you can do nothing with it at all. If you are a Commander yourself, the best possible good you can do to crew or regiment, is to set them the example of a proper spirit,—of a certain lofty and chivalrous mode of thinking, equally brave and beneficent, which appeals to the highest instead of the basest feelings of human nature, and never fails to create a sort of conscious atmosphere around it, in which every follower moves like a superior being. But, for God's sake, never think to render a man heroic by making him tremble for his flesh; and never imagine that torture has been of any use in the world, but to degrade religion and defeat good policy.

Well; but do you insist then that mere flogging is a torture, a positive torture?

The ancients considered it so: those who like to inflict it, you may be assured, consider it so, whatever they choose to term it; and nobody doubts that the sufferer is of the same opinion. Of how much use is a right distinction of terms! You call the infliction of four, or five, or ten hundred lashes by nine scourges in one, a flogging; and you call a flogging also the smart endured by a school-boy. I shall not stop to talk about school-punishments or their abuse; but it is necessary that you should make the proper distinction between genus and species—between cat and tiger—between a scratch at school and a mangling at the drum-head. We are accustomed to use the word flogging in a light sense; the soldier is flogged; and the people cry out, “Why, what is a flogging!” I answer, a torture when the pain amounts to agony. You will think so too when you examine the meaning of the word. Definition is the finest of umpires. Now how do you define torture?

How do I define torture?—Let me see:—I must think a little:—definition is not so easy as one might imagine:—but now I consider it, it strikes me that you defined it just this minute when you spoke of pain amounting to agony.

I think I did in a general way. Prolongation might be taken into the account in the case before us; but the infliction of some tortures is momentary; and the excess of the thing is the main point. Those however are incontestably the worst, in which the suffering is multiplied, as it were, in a progressive ratio. You now see the military scourge and its “horrid hair” in the true light. What do you think of it?

Truly, I have nothing to say in its favour: I never meant indeed to praise it in the abstract. All that I wished to enquire was, whether it was not a necessary evil, and whether it would not be dangerous to leave off a custom spe-

tioned for so long a time and represented as having such good effects.

Ay, here it is that all argument on the score of prejudice is sure to conclude: the thing, they tell us, has grown into a custom,—it is sanctioned by continuance; and we must take care how we shake the institutes of our forefathers,—customs grown venerable by time! These are arguments suitable only to what is good; and therefore it is the goodness of the thing, and not the age of it, that is to be determined. If every old custom or sufferance is to be counted venerable, then superstition is venerable, tyranny is venerable, vice of all kinds is venerable, the small-pox is venerable.—My good friend, it is as necessary that we should get rid of our prejudices as that we should keep our virtues; and in separating the two, let us always take common sense and humanity for our directors. Mark how times and opinions alter. Among the ancients, none but slaves were thought fit subjects for scourging:—In the course of time, the exclusion was set aside in favour of heretics:—and latterly, the privilege has been extended to those who shed their blood in defence of their country. At present, instead of thinking that slaves ought to be scourged, the world are beginning to think that there ought to be no slaves to scourge: difference in religious opinion is referred to the only tribunal that ought to take cognizance of the human conscience:—yet the prejudice respecting the whip is kept up for the third class of objects,—for the very men who keep the yoke of the enemy from our backs. Shall we then regard this prejudice as venerable and not to be done away, when so many others more deeply entwined with human passion, and defended with all the learning of their age, have passed away? have fallen not only into disuse, but into contempt and execration? In the reign of HENRY the Eighth, the torture was not only recommended against heretics, but practised upon them, under the very eye and directions of Sir THOMAS MORE the Chancellor, a man of great acquirements, whom SWIFT made one of his unequalled Sextumvirate, but a man, nevertheless, who notwithstanding his own *Utopia* and SWIFT's praise, had the narrowest of minds in matters of religion; and who, like the execrable CALVIN, wrote against intolerance in his youth only to practise it with less excuse in his old age*. We still respect Sir THOMAS's general knowledge and his introduction of Greek into our college studies; but what do we say to his scourgings of heretics? A hundred years ago, this and

* See the *Voyage to Brobdingnag*. The Sextumvirate here mentioned, including Sir T. More, are, if I recollect, the two Brutusses, Cato of Utica, Epaminondas, and Socrates. Sir T. More with Socrates! Fanaticism and Philosophy! Swift says that to these six men all ages have not been able to add a seventh. The exclusion is worthy his harsh temper. Epaminondas and Socrates are the only two in whose selection every body can confidently join; but did the Dean never hear of Sully, of Hampden, of the Antonines, of Alfred, of the Chancellor L'Hopital, who was alone worth a hundred Chancellors?

other tortures were in general use and approbation on the Continent; nay, forty years ago, the most enlightened man of an enlightened nation, though he execrated them on every other occasion, thought them justifiable in cases of high treason, even for the discovery of accomplices.* Yet they have been totally abolished in the absolute monarchy of Russia; and just now, they have been abolished without reserve, by a nation hitherto accounted the most bigoted and slavish in Europe. A hundred years ago, the Slave-Trade, though not in such estimation as the torture, because men's passions were not so much interested in it, was very generally sanctioned; PUFFENBERRY and GROTIUS wrote in its favour; and it was particularly encouraged by the English, a nation that had produced a greater portion of generous men and true philosophers, than any country in modern history. What is the case at present? Even the bigoted and slavish people above-mentioned, have denounced it as an abomination; and the English, who formerly protected it as a good calling, have now made it felony by law.

The least we can do, after facts like these, after changes of opinion so great and so exemplary, is to be cautious how we maintain any prejudices on the strength of their age; and more particularly, how we endeavour to sophisticate matters to our own hearts, when reason and humanity speak in the plainest language against them. *Military scourging is torture*: all torture has been found to be absurd, unjustifiable, and worse than useless: people of benevolence and good sense see more and more into this truth every day: and it is to be hoped and to be believed, that the grand-children of the present race of Englishmen will look back with as much astonishment to our infliction of it by way of discipline, as we do to the racks and stakes of our popish ancestors.

* See the *Dictionnaire Philosophique*, Art. *Question*; the *Voyage de la Raison*; and the account of Damien in the *Age of Louis the XVth*. Yet VOLTAIRE has been accused of being an anarchist! This was because he wrote in favour of rational freedom. He has been accused on similar grounds, by those who misrepresented his writings, or rather, those who never read them, of being an Atheist. The truth is, that if VOLTAIRE had any superstition, it was on the side of royalty, as his unphilosophic exception above-mentioned, would alone be sufficient to prove. If he had lived over the revolution, which is not at all likely, in spite of the triumph it gave his ashes, he would most probably have been among the Emigrants here, writing new satires on the fantastic miseries of mankind, or looking over LUCIEN BONAPARTE's verses at Ludlow.

FOREIGN INTELLIGENCE.

HELSINGBORG, APRIL 26.—According to accounts received from the opposite coast, there has been a serious rencontre between the Prussians and the French at Colberg; it seems that the latter wished to pass through that place with a view to some ulterior operations, but probably with the intention of occupying it when once in possession: their

transit was therefore refused by General Blucher (the same who fought so desperately at Lubeck, when the French entered it after the battle of Jena); recourse was then had to arms, and the result was 200 killed and 800 wounded on the side of the French; the attempt to force a passage was then given up; the loss of the Prussians is not mentioned. All the French troops which were in the environs of Hamburg have received orders to set out for Madleburgh immediately.

EAST INDIES.

Accounts have been received of a very extraordinary conspiracy at Bombay:—

Mr. Osborne, Sub-Treasurer of the Settlement, suspecting the Native Clerks in the Treasury of malversation, gave notice, that on a particular day he would investigate their accounts, and expect to find their balances accurate. The Clerks borrowed the necessary sums of the money-changers to make their balances complete while passing their examination, and engaged to return the sums so borrowed the next day, they having not the least doubt that these sums would be again entrusted to their custody. But Mr. Osborne, on finding the balances accurate, clapped locks upon the whole of the treasury every night, thus, in effect, keeping it in his possession. The Native Clerks, astonished and driven to despair, their ruin being inevitable, formed a conspiracy against the life of Mr. Osborne. They were betrayed, apprehended, and carried before the Superintendent of Police, who dismissed them on the ground of want of sufficient evidence. But they were apprehended again, committed, tried, and convicted. They now complained of Mr. Briscoe, the Superintendent of Police, for having failed to protect them agreeably to their expectation, and facts came out which occasioned the apprehension, trial, and conviction of the Superintendent of Police, for corruptly favouring the escape of the Native Clerks. At twelve o'clock at night, the Recorder (Sir James Macintosh) pronounced the sentence as follows on the three criminals.—“That you be imprisoned for five years in the prison of Bombay, that you be placed once a year in the pillory, that you be twice publicly whipped through the Bazar (market), that you be fined 10,000 rupees each, and imprisoned till the fine is paid.” The first punishment of whipping was inflicted next day, in the presence of twenty or thirty thousand spectators.

The *Bombay Courier* of the 24th November, says, “yesterday the Special Sessions closed with the trial of C. J. Briscoe, Esq. which lasted three days. He was indicted for corruptly and wilfully conspiring with others to obstruct and impede the course of justice, by preventing the trial and conviction of certain conspirators to murder Mr. Osborne. The Jury found him guilty, but most strongly recommended him to mercy. He was sentenced to be imprisoned in the gaol of Bombay for twelve calendar months.”

PROVINCIAL INTELLIGENCE.

Last week an unfortunate chimney-sweeper's boy, about twelve years of age, was employed to sweep a chimney in Wakefield, which, as it appears, communicated by a flue with the fire of a neighbouring house. While the poor boy was in the chimney, the soot from the fire broke out into a flame, which, spreading upwards, scorched the poor fellow so dreadfully, that he fell down to the bottom, his flesh being completely burnt from his toes to his chin; but though in that deplorable state, he survived in excruciating pain for five days, when he expired. On this subject, a number of reflections present themselves; but we shall indulge in only one observation upon it, namely, that this melancholy catastrophe speaks volumes against the martyrdom of the present system of cleansing chimneys, and in favour of those Societies established at Sheffield, and in other parts of the kingdom, for doing away the necessity of climbing boys.—*Leeds Mercury.*

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Monday, May 6.

DISTILLERY BILL.

The Distillery Bill, which had passed the Commons, being supported by Ministers and a considerable majority, was lost on the second reading. It was opposed by the Earls of **SUFFOLK**, **HARDWICKE**, **LAUBERDALE**, **ROSSLYN**, **ABERDEEN**, and **LORD GRENVILLE**, as highly injurious to the agricultural interest of the Empire.—The Earls of **WESTMORLAND** and **LIVERPOOL**, and **LORD HOLLAND**, supported it, as a fair and proper measure, which would create a competition in the market, and prevent in times of scarcity the exorbitant price of grain. On a division, there were for it, 38—Against it, 56.—Adjourned.

Tuesday, May 7.

SLAVE TRADE.

The Slave Trade Penalty Bill was read a second time with general approbation.—**LORD GRENVILLE** asked whether Ministers had taken any steps to secure the co-operation of the Government of Spain in this beneficial measure?—The Earl of **LIVERPOOL** replied, that they had; and yet without success; but, he said, if there was one subject more than another, of which the Spanish Government entertained jealousies, it was that of their Colonies. They had, however, taken up the subject, and he hoped effectually.—Adjourned.

Wednesday, May 8.

There was nothing of importance before the House this day.

Thursday, May 9.

DISSENTERS.

LORD SIDMOUTH called the attention of their Lordships to the abuses of the Acts of William and Mary and the 19th of George III. Within the last 40 years, these Acts had received a novel interpretation. At most of the Quarter Sessions it was now understood, that any person whatever, however ignorant or profligate, whether he descended from a chimney or the pillory, was at liberty to put in his claim to take the oaths before the Justices, to make the declaration, and also at liberty to demand a certificate which authorised him to preach any doctrine he pleased; which exempted him besides from serving in the Militia, and from many civil burdens to which his fellow subjects were liable. Now if religion be the best foundation of all the virtues, was it not a matter of the last importance that it should not be tainted at its very source, and that men who did not choose to follow the regular pursuits of honest industry, should not have it in their power to poison the minds of the people by their fanaticism and folly? He would appeal to any man who had ever officiated at the Quarter Sessions, whether they had not seen men totally illiterate, without education, without one qualification of fitness, demanding to take the oaths, and obtaining a licence to preach. He had seen returns of Dissenting Preachers from two Archdeaconries; and many of them ought not to have been allowed to constitute themselves the ministers of religion. Amongst the list, there were men who had been blacksmiths, cobblers, tailors, pedlars, chimney-sweepers, and what not. These men were totally out of their place: they were not in fact at liberty by law to take upon themselves the functions of teachers. There were counties where a different interpretation was put on the Toleration Act. In Devon and Buckinghamshire, the Magistrates admitted no person to qualify, unless he shewed that he was in holy orders, or pretended holy orders, and the preacher and teacher of a congregation. This he conceived to be according to the real meaning of the Toleration Act; and it was in this way that the Bill he proposed to introduce would explain that Act. He should propose, that in order to entitle any man to obtain a qualification as a preacher, he should have the recommendation of at least six reputable householders of the congregation to which he belonged, and that they should actually have a congregation which was willing to listen to their instructions.—With regard to preachers who were itinerant, he proposed that

they should be required to bring a testimonial from six householders, stating them to be of sober life and character, together with their belief that they were qualified to perform the functions of preachers. These were the objects which he had in view by the Bill which he meant to submit to their Lordships. In the first 14 years of the present reign, the average annual increase of dissenting teachers was limited to 8; but now it amounted to 24. The causes of this increase he considered to be partly the increase of population and the greater prevalence of religious feelings among the people; but there were other and powerful causes in the numerous pluralities and non-residence of the clergy. Another great cause was the want of churches to accommodate a numerous population; and therefore his Lordship seriously called the attention of the House to consider how this deficiency could be remedied, and recommended the example of Parliament in the reign of Queen Anne, who had ordered the erection of 50 new churches in London. He regarded the Church of England as the great preservation of the principles and the morals of the people. Unfortunately at present we were in danger of having an established church and a sectarian people.

Lord HOLLAND, even in that early stage of the Bill, must declare his total dissent from its principles. One fundamental error ran through the speech of his Noble Friend, namely, that the right of any man to teach or preach was derived only from the permission of the Government. Now he (Lord Holland) held it to be the inalienable right of every man who thought he could instruct others, to preach or teach, provided his doctrines were compatible with the peace of society. He was sorry to hear allusions to persons of particular trades. Might not even they be inspired with the same conscientious feelings of duty which were required to be felt by those of the higher orders of Clergy, to whom the state had given such large emoluments? It was his strong feeling, that it was neither wise nor prudent to meddle with the Act of Toleration. A certain writer, who had perhaps too much levity, had however said with some truth, "that religion was like a foot-ball: if let alone, no one took notice of it; but if it was once kicked, there were always fools or knaves enough to kick and bandy it about."

Earl STANHOPE observed, that his Noble Friend (Lord Sidmouth) had told the House, that hardly more than one half of the Clergy were resident on their livings. It would be much better for his Noble Friend to bring in a Bill to correct this evil, than to be dabbling with the Dissenters. The Noble Lord had expressed his fears lest there should be an established church and a sectarian people—the truth was, that this was the case already; and he would advise his Noble Friend not to be meddling with that class of men, who had, according to him, the mischievous gift of the tongue, and who might be canvassing among the farmers at elections, and hinting to them that they had votes to pay.

The Bill was read a first time.

VEXATIOUS ARRESTS.

The House went into a Committee on this Bill, and after some conversation, it was agreed that the sum, under which persons should not be arrested, should be 15*l.* instead of 10*l.* the present sum; and that the Act should continue for five years by way of experiment.—Adjourned.

Friday, May 10.

DEBTOR AND CREDITOR BILL.

The commitment of this Bill being moved, Lord ELLENBOROUGH strongly objected to it. He said, if the Bill was carried into a law, it would shake all the confidence and security that existed in the commercial world, as it took away the last and best security the creditor had.

Earl MOIRA brought to their recollection the crying abuses which existed in the present system of imprisonment for debt, and contended that they were bound both in humanity and duty to provide some remedy. If the Bill was not perfect, he trusted the Noble and Learned Lord would assist in its amendment.

Lord ELLENBOROUGH said, he should not waste his time in such a fruitless attempt. In short, "he washed his hands of it."

The LORD CHANCELLOR had his doubts as to the policy of the Bill; but he would not oppose its commitment.

Lord REDESDALE defended the Bill.—It was committed, and several Amendments were proposed and carried.—Adjourned till Monday.

HOUSE OF COMMONS.

Monday, May 6.

The Bill for building a new Bridge across the Thames from the bottom of Queen-street, Cheapside, though opposed by Sir WM. CURTIS and Sir C. PRICE, was read a third time and passed.

In a Committee, a Resolution was agreed to, that a sum not exceeding 4,981,000*l.* should be raised by Loan on Annuities, &c. &c.

THE BULLION REPORT.

The Papers on this subject having been referred to a Committee of the whole House,

Mr. HORNER, in a very long speech, urged a variety of arguments in support of the Report recently made by the Bullion Committee.—That Report, as well as the two sets of Resolutions upon this intricate question, being already before the public, there is less necessity for reporting at length the assertions made on either side of the question.—Mr. Horner and those who support the Report, urge that the causes of the high price of bullion were attributable to the unfortunate state of the exchanges. It was clear that the average price of bullion was 4*l.* 14*s.* being an excess in the market price of 20 per cent. over the Mint price, which high price was evidently a departure from the standard of the realm. The lawful currency being coined gold and silver, paper money was of course nothing more than stipulations to pay in lawful money. Now, as 20*s.* Bank-notes purport to represent gold and silver, and as the real value of such a note, from the high price of the gold bullion above the Mint price, is of course depreciated in value, the real quantity of precious metal which it will purchase is only 15*s.* 10*d.* and it consequently no longer represents the quantity of gold and silver to the value of 20*s.*—Notwithstanding all the wild theories put forth by those who call themselves practical men, there was but one standard which was recognised by the law of the land. It was not the fact that Bank-notes were held in public estimation; and were it not for a notion of law, which most people had got, there would be found in every shop a distinction between specie and the Bank-note. Bank-notes, in fact, were not worth what they purported to be worth; the note of one pound being worth something less than 16*s.*—This deterioration was the cause of infinite loss to creditors—had a great effect upon moiled incomes,—and gave an undue advantage to debtors;—thus the revenue was injured, and taxes ceased to be productive, for the money paid into the Exchequer would not do that which it was designed to do.—This evil arose from two causes: One, Bank-notes had departed from their value of gold, because gold had risen in value.—The other, that the rise of gold was consequent upon the unfavourable state of the exchanges. At Paris, the price of English gold was not more than 3*l.* 10*s.* per oz. At Amsterdam, it fetched 12 guilders and a fraction; while a Bank-note of the same nominal value only produced seven guilders. On the Continent, therefore, the price did not warrant the rise in this country. The importations of grain last year were certainly enormous—above two millions of quarters,—although it was not a year of dearth. This was a fit subject for Parliamentary inquiry. Nothing would more effectually shew the depreciation of the relative value of our currency, than the fact, that although in 1793 the price of 5*s.* was fixed as that under which no grain should be exported, it became necessary in 1804 to raise that protecting price to 66*s.*; and so rapid had been the depreciation of money, that if it were intended to carry on the system of protection, it would be now necessary to raise the price to above 70*s.* As to the balance of trade, it was difficult to say what was its actual state. The official value of imports in 1811 was 33,100,000*l.*; of the exports, 45,800,000*l.*, leaving an excess of 12,700,000*l.* But

these statements were quite at variance with those now made. It had ever been the opinion of the best practical as well as theoretical men, that the legitimate depression of the real exchange was limited by the expenses of the transmission of specie, and that where it was found that the depression exceeded that limit, such depression must necessarily exist in some circumstance connected with the currency of the country. There were two changes of value of which the domestic currency was susceptible:—Debasement, to which the metallic currency alone was subject; and excess, more particularly belonging to paper. The returns from the Mint in the Bullion Report, afforded full information on this point. It would there be found that from 1758 to 1773, during the debasement of the coin of the country, a depreciation of it took place. As to an excess of metallic currency, that could take place only in countries possessing mines; and there only to a small extent, and for a short period. Thus it would be found, that in Spain, silver, and in Portugal, gold, were a little lower after the importation from the mines, until the superabundance was transmitted to other countries. The evil remedied itself. But in countries in which paper was not convertible into specie, excess admitted of no remedy; and if the excess were without limit, equally indefinite would be the effect on foreign exchanges.—The Bank, it appeared, had issued in 1809, on an average, 19 millions of notes. In 1811, the average rose to 22,700,000*l.* and the average of the first 17 days of the present year was 23,500,000*l.*; being an increase since the Bullion Report of above two millions. This was a most unjustifiable act, and though the public distresses were pleaded as the cause, yet those distresses did not arise from a want of money, for money was in abundance. If the Directors of the Bank were not checked, their doctrines would soon bring complete ruin on the financial affairs of the nation. When Mr. Whitmore, the late Governor of the Bank, was asked; “Does not a rise in the value of any species of money or currency mean a fall in the price of commodities?”—that Gentleman declined to give any opinion. This was candid; but surely the head of the Bank ought to have been ready to give an opinion upon such a subject, and to have known that a rise in the value of any species of money or currency meant a fall in the price of commodities.—A large majority of the old capitalists of the city were decidedly of opinion,—in opposition to that of visionary speculators,—that the issues of the Bank had not been guided by the precedent of old times, and that in the deviation from those precedents was to be found the cause of the present depreciation of our currency. This was the opinion of the late Sir F. Baring; and thus much for the evil. As to the remedy, that was a subject on which there was a difference of opinion. To Mr. Horner, it appeared that it was only to be found in the recommendation of the Bullion Committee,—viz. that the Bank should resume its cash payments. This was a remedy which ought to be administered with caution; but, sooner or later, he was persuaded it must be administered. At the same time, if Parliament were to stop short with a declaration of the evil, he had no doubt such a declaration would have a powerful effect on the conduct of the Bank.—Mr. Horner concluded his remarks by moving the first of his series of Resolutions (which have already appeared in the *Examiner*).

Mr. ROSE, and others who took the opposite side of the question, warmly maintained that there had been no depreciation of Bank-notes occasioned by their excessive issue. To resume the payments in specie, they said, was impracticable at this time, nor would there be a guinea more in circulation were the measure resorted to.—It was certainly desirable that the precious metals should at all times be the circulating medium; but when such metals were wanting, it was idle to talk of paper currency being valueless or injurious. It was not true that Bank-notes were depreciated: they were legally equivalent to the obtaining every article of life, except indeed the purchase of gold or silver. The statements respecting our exports and imports were altogether doubtful. Last year, some of these exports were returned on our hands; others were confiscated by Foreign States, and in various cases sums of money were expended to rescue other portions of them from the destructive grasp of the Tyrant of the Continent; so they, in fact, furnished

no criterion of our exports and imports. The nature of our exchanges was likewise variable. The great capitalists were in fact directly opposed in opinion to Mr. Horner's propositions. Respecting any attempt at restoring the payments in specie, this, depending on circumstances, could not properly be enacted before those concomitant circumstances were fully in contemplation. There was such a train of errors in the very Report itself, upon which the Hon. Gentleman's propositions were grounded, that the House ought most maturely to consider how far it was authorised to sanction them. The price of gold was stated one year to be 4*l.* 10*s.* whereas it was 4*l.* 2*s.* Even as to what was called the reasoning of the Report, it continually differed from itself; when they came to that part which was termed its experience, these made still more completely against the propositions. Fairly and reciprocally examined, the amount of notes and gold warranted no such deductions as had been advanced; whilst the fluctuations in exchange completely distanced all the theories they had heard. Other circumstances were to be considered. Bills of exchange were now so circuitous, that much was lost in the mode of their negotiation; while, at the same time, our foreign expenditure (about 24 millions) created demands considerably beyond the balance of trade, and necessarily drained the country of its gold. The home market was not the twentieth part of the home consumption. It had been stated that the price of all commodities had risen, and that the price of gold had in like manner rose; but, whilst the price of other articles had doubled, the price of gold had been found stationary. France, however, had more than kept pace with us in the rise; if there was one-seventh advanced here, there was one-tenth there. Silver in coin would never fetch so much as silver in bullion.—It was admitted on all hands, there had been a great increase of Bank paper, and upon this point Sir F. Baring said, that an increased trade and revenue must necessarily increase the circulating medium. The exports of 1798, were 26,000,000*l.*; the issue of Bank of England notes was 12,000,000*l.*; in 1810, the exports were upwards of fifty millions more than double the former year; and the issue of Bank paper was only 22,000,000*l.*, thus the increase of exports was upwards of 24,000,000*l.*, while the increase of Bank-notes amounted to no more than 10,000,000*l.* There was certainly no good reason why the Bank of England notes should be restrained; and if they restrained the issue of Bank of England notes, they would have much worse paper in their room.—They would check their commerce, too, their exports, and the rate of exchange. To fetter the Bank issues would therefore be a most dangerous experiment. Gold was not to be had in the present state of things. Foreigners bought it up wherever they could find it, at the rate of 14, 15, and 16 per cent. above the current price; and there were Gentlemen in the House who well knew that their directions to their Brokers were, to pay one shilling more than any body else, and to get the gold at any rate. Gold therefore was not to be procured; and if it were, the country would not be the better for it, for the moment it was coined and put in circulation, it would be again melted. The monstrous and tyrannical measures of the Continent are directed against this country; the object was to destroy the last germ of resistance to that tyranny. If any mischief was to be done, let it be the effect of the enemy, and not our own—let us not destroy our prosperity by our own acts.

Mr. H. THORNTON was of opinion that paper currency was always liable to excess, and that Parliament should by a timely interference prevent the dreadful evils which must arise by a continuation of the present system.—At one o'clock the debate was adjourned.

Tuesday, May 7.

The Debate on the Bullion Report was resumed.

Mr. VANSITTART said, it was impossible to doubt that Bank-notes, for domestic purposes, were equivalent to coin, and he thought that Parliament should make a declaration to this effect, in order to influence public opinion.—This was one object of his Resolutions.—That the Bank should resume its cash payments was certainly desirable; but to fix it to any period, under the present circumstances, would have a most injurious effect.

Mr. HUSKISSON totally differed from the Hon. Gentleman. Paper currency, representing coin, which was not convertible into coin, or into such quantities of gold as that coin would procure, was depreciated. It was notorious that guineas were hourly offered for sale. In Ireland, the landholders obliged their tenants to buy them in order to pay their rents.

Lord CASTLEREAGH supported the doctrines of Mr. Vansittart, and at two o'clock the debate was adjourned.

Wednesday, May 8.

Lord A. HAMILTON presented a Petition from the people of the town of Paisley, stating the distressed situation in which they were placed; which was such, that out of a population of thirty thousand individuals, one thousand two hundred families were reduced to distress, who were formerly maintained in a state of respectability. The Petition further prayed for a Reform in the Representation of the People, and for the dismissal of Ministers.—Ordered to lie on the table.

The Bullion Debate was resumed.

Mr. PARNELL was of opinion that the depreciation of Bank paper was clearly established by the difference between the Mint and market price of bullion. If the guinea bore a premium, it followed that paper was depreciated; and that the guinea bore a premium at the present day, he knew not how any man could deny. In Ireland, guineas bore a premium of 15½ per cent. and Bank-notes were depreciated in the same proportion.

Sir T. TURTON said, that the Bank could not pay in specie while the exchange continued in its present state. He disapproved of the Report of the Bullion Committee.

Mr. MANNING stated, among other causes for the scarcity of coin, that within the last year, at Goldsmith's Hall, not less than 148,000 pounds of silver had been stamped; and also 2500 pounds of gold: this, with the interruption of the trade, the expenditure of the army in Portugal; the freight to foreigners, &c. was sufficient to account for the scarcity. That the Bank should return to its old system was highly desirable; but it was his opinion that such an experiment should not be risked during the war. To remove the restriction, would send all the coin out of the country at once.

Mr. A. BARING was of opinion that paper had depreciated, but he did not think that the rise in the price of commodities was caused by the increase of the paper currency. When he saw that the taxes had increased from seventeen to upwards of ninety millions, he could scarcely bring himself to believe that this sum was equal to the old fashioned pound sterling. It might be said, that the country had been considerably improved, and its resources had of course increased. He was ready to admit that improvements had taken place, but he could by no means admit those improvements were equal to the enormous increase of taxes. A fictitious value had been placed on every thing, and a fictitious circulating medium necessarily followed. It became necessary to make great sacrifices, and until these sacrifices were made, and some new and more politic measures were adopted, he should consider the country in great danger. With respect to the plan of the Committee he had only to observe, that those Gentlemen talked of things in a natural state; they said, lessen the paper, and coin will come back, forgetting that the principles which might be practicable in ordinary cases, were wholly inapplicable to existing circumstances. To say, in fact, that the Bank could, in the course of two years, return to cash payments, he thought, was perfectly absurd.

Mr. SHARP, on the contrary, contended that the only real cure for the evil which existed, was to remove the Bank restrictions. The whole evil, in fact, arose from throwing obstructions in the way of converting Bank-notes into gold.

Mr. PERCEVAL asserted, that there was not the smallest proof of a depreciated paper currency, occasioned by its excess. The excess complained of, instead of being calamitous, was the prop by which we had been sustained in the difficulties which pressed upon us. It was his firm opinion, that if the House adopted the propositions of Mr. Horner, it would be the ruin of the country.

Mr. CANNING was of opinion that Bank-notes, in reference to standard coin, were considerably depreciated; he was nei-

ther the advocate of the Committee nor the antagonist of the Bank; but he thought that the former had been hardly used.—At half-past four, the debate was again adjourned.

Thursday, May 9.

The Innkeepers' Bill was passed.

A THIRD THEATRE.

Mr. MELLISH moved the second reading of the London Theatre Bill.

Mr. WHITBREAD stated, that the Committee engaged in investigating the affairs of the late Drury-lane Theatre, had come to a resolution, that all obstructions to its reconstruction had been removed. A plan had also been drawn out, which was likely to meet with numerous subscribers; and he hoped, by next Session, to be able to state positively that a new theatre would be erected. It might be for the consideration of the House, on a future day, whether a third theatre was not necessary; but he wished that the present motion should be postponed till next Session.

Mr. BROWN could not accede to the wishes of the Hon. Gentleman. It was true, the Committee had reported that all obstructions to the rebuilding had been removed, but they had given no assurance that the Theatre would be rebuilt.

Mr. WHITBREAD said, that on the 1st of October next, a statement would be given as to that fact.

Mr. P. MOORE, after complimenting Mr. Sheridan on his disinterestedness and liberality, moved that the second reading should be postponed till that day three months.

Gen. TARLETON did not think there was any occasion for a third theatre. Covent Garden Theatre, at the head of which there was an accomplished scholar and able manager, was obliged to bring quadrupeds on the stage to attract an audience. This did not shew a great demand for the legitimate drama.

Mr. MARRYAT said that the greatest inconvenience was felt at this moment for want of another theatre. Not a box was to be had for three weeks to come. If Drury-lane was rebuilt, it would be on the same scale as Covent Garden, with a view to the profits of the Managers rather than the gratification of the public. The consequences would be, that asses and horses would be introduced, and men and women of talent would be neglected, as at present.—While they had but one theatre, they would have sound and shew, not sense; as while they had but one bank, they could be overrun with a depreciated paper. Competition was altogether necessary both in the drama and in politics.

Mr. MORRIS was against a third theatre.

Mr. SHERIDAN appealed to the justice, not to the indulgence of the House. If the taste of the town was perverted, it was not by Managers. He would say for a fact, that Mr. Kemble would rather act on his own two legs than bring horses to perform on four. The taste of the town was dissipated by luxury, and by the disinclination of people in high life from taking that rule in the theatre which they formerly took, and not by any misconduct on the parts of Managers.—In fact, there were now two theatres, and one of them was exactly of the size which excluded shew and cavalry, and where every body could hear and see, yet that house was deserted. When Miss Bailey's play of *De Montford* was brought out, notwithstanding Mr. Kemble's admirable acting and the most splendid scenery, it was condemned, as he thought, to the disgrace of the public taste.—Even if a third theatre should be thought necessary, he and those for whose interests he contended, had the power to erect it; and he was confident the House would not interfere with their rights without giving them a full compensation. The present Bill was called the New London Theatre Bill, but they ought not to come in masquerade, as it was well known that they did not mean to build it in the City.

On a division there appeared for the amendment, 80—against it, 23—Majority, 57.—The Bill is therefore lost for the present.

THE BULLION REPORT.

This debate was again resumed.

Mr. GREENELL and Mr. TAYLOR were in favour of the Report. Mr. D. GIDDY thought the excessive issue of paper

was alarming, but he thought that Parliament would do well to content itself with a declaration that the depreciation was occasioned by the too abundant issue of Bank-notes, and leave to the Bank the mode of correcting the evil.

Mr. LONG thought that if the recommendations of the Bullion Committee were adopted, the interests of the country would be materially injured.

Sir F. BURDETT was of opinion that the country was indeed in a state of ruin, if it depended upon a paper currency! The want of coin arose entirely from an attempt to prop up a depreciated currency. It was formerly urged that the assignats (the paper currency) of France would be the ruin of that country; now those very persons asserted unblushingly that this country could be saved only by its paper issues! When a guinea would fetch 25s. it really was quite astonishing that the fact of depreciation could be denied. He himself had been offered wine at two prices—for notes and for cash. He agreed with the principles of the Hon. Mover; but he differed as to the remedy. The system, he thought, must take its course. The inscription on the gate of Dante's Hell might be applied to it—"You who enter here, leave behind all hope of returning."—There was no reason to think that the Bank could ever recover itself.—The price of bread was a proof of the depreciation of the currency. For 40 years previous to the restriction, the quarter-loaf was at an average price of 7½d. for the last 14 years it had been 1s. 0½d. At the rate we were going on, the interest of the National Debt would soon be 50 or 60 millions. How could the people pay this in sound currency? It might be said, "what remedy have you?" This was a hard question: he could not save a dying man, though he might blame those who produced the disease, and who still attempted to carry on a system of delusion. He thought something should be done for the security of funded property, or it would be ruined. The Bank had made great profits; it had forfeited its character by becoming the tool of a Minister; and the estates of the Directors ought to be made liable for the losses sustained by the public creditor in consequence of the restriction.

Mr. WILBERFORCE thought that to go on as we have done would end in ruin. If the Bank Directors knew that the opinion of Parliament was against their system, they would pursue a better course. The House ought to settle the question.

Mr. S. THORNTON defended the conduct of the Bank. It would be its ruin were the restrictions now removed.

Mr. WHITBREAD coincided entirely with Mr. Horner, as to the state of our currency. How fearful was the condition of the country! One Bank Director told them that they must adopt the resolutions, or incur ruin. Another Bank Director said their adoption would be ruin. So that either way ruin was inevitable! If the system were persevered in, the notes would become as worthless as the rags of which they were made. Neither naval nor military men,—lawyers, physicians, nor even coffee-house keepers, held notes in the same estimation as guineas. In fact, the public voice was against the paper. If the paper system was persevered in, this country would soon be prostrate among the nations of the Continent.

Mr. MARRYATT contended that not only Bank-paper, but even the Government Securities were depreciated.

Mr. HORNER replied, and the House divided on his first Resolution.—Ayes, 45—Noes, 151. Majority, 106.—This decided the question as to all his other resolutions, except the last, upon which there was another division, when there was a majority of 135 against it.—At five o'clock the House adjourned.

Friday, May 10.

The Bristol Port and the Irish Commercial Credit Bills were read a third time and passed.

In a Committee of Supply, among other sums voted was one of 12,000*l.* towards rebuilding Bethlem Hospital.

DUTY ON SPIRITS.

In a Committee of Ways and Means, Mr. PERCEVAL, after alluding to the failure of the Distillery Bill in the Upper

House,—observed, that as distillation would now be confined to grain, it would be necessary that an additional duty should be imposed on the wash from corn, proportioned to the advantage which the corn distiller and the barley grower would derive from the distillation of malt only. The addition he proposed was 4½*d.* per gallon, which should be applied to the service of the present year, and which he calculated would produce 400,000*l.* He proposed also to impose an additional duty on foreign spirits, in order to protect our own manufacture.—Rum, from our own Colonies, however, ought to be exempted. He should also, on a future day, have to propose some thing relative to the more free communication with Ireland respecting the export and import of spirits.—The Resolutions being put, they were carried.—Adjourned till Monday.

TUESDAY'S LONDON GAZETTE.

Downing-street, May 7, 1811.

A Dispatch, of which the following is an Extract, was on Sunday night received at Lord Liverpool's Office, addressed to his Lordship by Lieutenant-General Viscount Wellington, dated Portalegre, 25th April, 1811.

I have the honour to inform you, that since I addressed you, I have been in Estremadura, from whence I am now on my return to the troops stationed between the Agueda and the Coa.

I have the honour to enclose the report of Marshal Sir Wm. Beresford on the surprise of a squadron of the 13th Light Dragoons, on the night of the 6th inst. together with a return of the loss upon that occasion.

Sir William Beresford employed the 4th division under the Command of the Hon. Major-General Cole in the attack on Olivenca, which place surrendered at discretion on the 15th instant. I have the honour to enclose the report of the Hon. Major-General Cole to Sir William Beresford, and returns of ordnance, arms, &c. and prisoners taken in the place.

As Sir William Beresford deemed it desirable to oblige the enemy to retire from the province of Estremadura entirely, before he should commence his operations against Badajoz, he moved forward with this view, while Major-General the Hon. G. L. Cole was engaged in the attack upon Olivenca, as well as to give support and protection to General Ballasteros' division of Spanish troops, which had been obliged to retire from Freyenal successively upon Xores de los Caballeros and Salvatierra on the 13th and 14th instant, by a division of French troops under the command of General Marausin.

The Marshal marched on the 15th to Santa Martha, and on the 16th to Los Santos, where the British and Portuguese cavalry fell upon a body of the enemy's cavalry, and took 160 prisoners, and killed and wounded a great many. The cavalry conducted themselves with the utmost steadiness and good order.

The enemy having retired to Guadalcanal, and the corps under General Marausin having retired through the Sierra, the troops were put in motion to return to the northward, and to take their stations for the operations of the siege of Badajoz, and the Marshal met me at Elvas on the 21st.

We reconnoitred Badajoz on the 22d, escorted by the two light battalions of the King's German Legion and two squadrons of Portuguese cavalry. They brought three battalions out of the town, which skirmished with our troops; but I have not yet received the returns of our loss upon this occasion.

As the preparations for the siege are nearly completed, the place would by this time have been regularly invested, only that on the night of the 23d, the floods in the Guadiana carried away the bridge which Sir William Beresford had with great difficulty constructed under Jurameuba; and the river was no longer fordable any where. Under these circumstances, I yesterday desired him to delay the operations of the siege, till he should have been able to reestablish his bridge, or until the Guadiana should again become fordable, still keeping Badajoz blockaded as closely as might be in his power.

[Here follows General Cole's Report of the surrender of Olivenca.—The garrison, including the Colonel Commandant and other Officers, amounted to 481 men.—The Allies had only

four
the su
to abo
Retyr
All
the
Total
1 T
65
13th
C. Me
J. Pe
R. an
R. Gr
T. W
J. Pa
S. Ox
J. EN
J. W
J. Ai
R. J.
W. P
T. Ca
C. H
P. So
S. Pa
S. B.
E. M
J. Jo
A. O
S. B
R. H
T. S
W. E
R. S
J. G.
Th
Cred
Surv
H. E
Jun
J. Le
J. Bo
J. F
R. W
A. P
T. R
U. H
J. V
W. E
D. G
W. T
R. B
W. T
T. P
M. P
W. I
G. D
T. B
D. T
J. H
B. A

four killed and ten wounded.—General Beresford's Report on the surprize of a squadron of the 13th Light Dragoons, alluded to above, is not given in the Gazette.]

Return of Wounded, made Prisoners, and Missing, of the Allied Army under Marshal Sir W. C. Beresford, K. B. on the morning of the 7th of April.

Total.—Seven rank and file wounded; 1 Major, 1 Lieutenant, 1 Troop Serjeant-Major, 2 Trumpeters, 49 rank and file, 65 horses, 2 mules, prisoners; 3 rank and file missing.

Names of Officers taken Prisoners.

13th Light Dragoons—Major Morris and Lieutenant Moss.

BANKRUPTCIES ENLARGED.

C. Mesnil, Sackville-street, vintner.

BANKRUPTS.

- J. Percy, Worcester, hosier.
- R. and C. Bulley, Pope's-head-alley, brokers.
- R. Griffin, Birmingham, draper.
- T. Wilson, St. Clement's, Cornwall, ironmaster.
- J. Page, Swaffham, Norfolk, brewer.
- S. Oxley, Pontefract, chemist.
- J. Ellery, Kennington-road, chemist.
- J. Watson, Fish-street-hill, merchant.
- J. Airs, Tiberscombe, Somersetshire, mealman.
- R. J. Austin, Great Saffron-hill, brass-founder.
- W. Pridham, St. Martin's Church-yard, cabinet-maker.
- T. Collins, Harvey's-buildings, Strand, printer.
- C. H. and T. Little, Carlisle, cotton-manufacturers.
- P. Sowerby, Liverpool, provision-dealer.
- S. Page, St. Martin's Church-yard, dealer.
- S. B. Williams, Austin-friars, merchant.
- E. Morgan, jun. Knighton, Radnor, woolstapler.
- J. Jones, Edmonton, wheelwright.
- A. Owen, Bell-yard, London, stationer.
- S. Bailey, Blagdon, Somersetshire, victualler.
- R. Hill, Frome Selwood, Somersetshire, cutler.
- T. Scott and W. Jordan, Middlesex, builders.
- W. Burrows, Manchester, horse-dealer.
- R. Southall and Co., Worcester, ironmongers.
- J. G. Campart, Spread-Eagle-court, London, broker.

SATURDAY'S LONDON GAZETTE.

This Gazette contains an account of the capture of La Creole French privateer, of 14 guns and 115 men, by the Surveillante, Capt. Sir G. R. Collier.

BANKRUPTCY ENLARGED.

H. E. Sievers, Hackney-road, merchant, from April 30 to June 18.

BANKRUPTS.

- J. Lemay, Penny-fields, Stepney, victualler.
- J. Boraman, Brighton-place, Hackney-road, flour-factor.
- J. Flaxman, Dean-street, Red-Lion square, cheesemonger.
- R. W. Hall, Clement's-lane, merchant.
- A. Patce, Bridge-street, Lambeth, tea-dealer.
- T. Robinson, Liverpool, merchant.
- U. Haddock, Bristol, colour-manufacturer.
- J. Vaudrant, Bristol, dealer and chapman.
- W. Rose, Stratford, Essex, dealer and chapman.
- D. Grimwood, Kennington-lane, Surrey, factor.
- W. Thomson, Manchester-buildings, Westminster, merchant.
- R. Blackmore, Tottenham-court-road, painter.
- W. Taylor, Beccles, Suffolk, hatter.
- T. Peil, jun. Maidstone, cooper.
- M. Ponsford, Drewsteington, Devon, shopkeeper.
- W. Fitch, Surrey-street, Strand, taylor.
- G. Dicker, Northtawton, Devon, serge-maker.
- T. Beck, Salford, Lancashire, brewer.
- D. Thomas, Picket-street, Strand, linen-draper.
- J. Hayward, Suffolk-street, Charing-Cross, carpenter.
- B. Allen, Bedford, tellmonger.

- R. Allen, St. Mary, Bedford, wool-buyer.
- W. Shirvey, Charlotte-street, Whitechapel, grocer.
- J. Ault, Love-lane, East Cheap, broker.
- J. and H. L. Routh, Austin-Friars, merchants.
- T. Martin and J. Edwards, High-Holborn, blacking-makers.
- J. Prebble, jun. St. Mary, Stratford Bow, miller.
- R. Wood, Market-street, St. James's-market, wine-merchant.
- J. E. Wood, Ashford, Kent, wine-merchant.
- W. Cabburn, Ipswich Arms, Lower Thames-street, victualler.
- S. Willshaw, St. Luke's, Old-street, taylor.
- J. Jones, Davies-street, Hanover-square, cabinet-maker.
- J. Stanley and T. Fleming, Deal, ship-agents.
- T. L. Brown, Whitecross-street, fire-bucket-maker.
- W. Cousins, Great Alie-street, Goodman's-fields, broker.
- E. and F. Duke, Eltham, Kent, linen-draper.
- T. Robinson, Romford, Essex, printer.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Consols.....65

The Work alluded to by a Subscriber to the *Examiner* is nearly ready for publication.

THE EXAMINER.

LONDON, MAY 12.

The double rumour of war between this country and America, and France and Russia, has been very busy within these few days. Of a war between the former powers, nothing need be said, but that it is not very likely, if our Ministers retain the least common sense. The grounds of dispute are frivolous and even of doubtful existence; and nothing that we can do to America, to please any one person, high or low, can affect her internal resources; consequently none can affect her real prosperity. The breach between the French and Russian Emperors is as probable as not, when we consider that the former is insolent enough to demand any thing for his purpose, and the latter foolish enough to do every thing to no purpose.

These are but rumours however. The past week has produced no certain intelligence of any kind. Accounts up to the middle of February have arrived from Mexico, "from which it appears," says the *Times*, "that the rebellion is nearly extinguished in that province." By rebellion, this Paper means the same attempt to throw off a yoke of oppression, as that which the Spaniards are now making against France; but in the former case, it is the Spaniards who have been the oppressors, and therefore the *Times* thinks it is doing the Spanish cause service to call what is patriotism in Europe, rebellion in America.—The reader should be guarded against this want of justice; and he ought to be told also of a piece of duplicity quite unworthy of the general character of the *Times*; and that is, that it is in the habit of publishing only what is favourable to the old Spaniards in America, and of keeping back all that tells against them. There is a mystery in this conduct unaccountable to disinterested persons, and agreeable to none but such as envy the *Times* its general independence and liberality.

✠

Extract of a letter, dated Gottenburgh, May 3:—

"The fleet is arrived in this harbour under the command of Sir James Saumarez, and the natives are not a little alarmed for the safety of this place, and their ships of war at Carlserona. Troops are marching from all quarters to the sea coast. The Government has ordered the cargoes of the vessels detained at Carlserona in the fall of the year to be landed and carried to a place of safety in the interior.—Bernadotte intends leaving Stockholm for Carlserona, and will visit this place before he returns."

The reported action between the French and Prussians before Colberg, is altogether doubted.

In the *New York Advertiser* it is stated, on the faith of an express from Sacodoches, that the insurgents had nearly conquered all the kingdom of Mexico. They have taken the name of Americans; they declare they are no more Spaniards: when the sentries hail *qui vive*, the answer must be, *America*. All the provinces of Coahuilla, Biscaya, Monterey, La Conia, &c. had revolted; all the European Officers had been obliged to fly. "The grand plan is Independence, and the expulsion of the European Spaniards." The Government troops refused to act; and the insurgents were, in every place, received by the people with acclamations of joy.

It is understood to be the plan of Lord WELLINGTON to reduce Almeida by blockade, rather than by a regular siege, with the view of preserving a place which, next to Elvas, was considered by Gen. DEMOURIER as the strongest fortification in Portugal. Should MASSENA feel himself in force sufficient to try his strength with the Combined Army, a general action may be brought on, by an attempt to raise the blockade.

"It was confidently rumoured this day in the political circles," (says the *Sun* evening paper of yesterday) "that the appointment of the Duke of York, as Commander in Chief, would be announced in the Gazette of this evening."—The Gazette was not disgraced by any such appointment, and it is to be hoped never will.

Paper Currency, say the Ministers, is not depreciated; though it is notorious that one hundred guineas will obtain one hundred and twenty-five pound notes.

The Earl of FINGALL has arrived in town, bringing with him the Petition of the Roman Catholics of Ireland to the Legislature.

Mr. DRAKARD, the Proprietor of the *Stamford News*, was on Thursday brought up for judgment, but he was remanded till Friday week.—In the Court of King's Bench, as well as at the Lincoln Assizes, much stress was laid on the injury the nation was likely to sustain by the enemy's having an auxiliary in the British press. It was more than insinuated that the *Stamford News* and the *Examiner* were both friendly to BONAPARTE.—The readers of this paper want no information on this head; but those who do not see Mr. DRAKARD's excellent publication, by perusing his Affidavit in our present number, will at once perceive that such insinuations could only have originated in ignorance or in malignity, perhaps in both.

A number of General Officers have given their strong opinions against the system of Military Flogging; yet they were not prosecuted:—

"Great men may jest with Saints: 'tis wit in them;

"But, in the less, foul profanation."—SHAKESPEARE.

Mr. COBBETT, in his *Register* of Wednesday, speaking of the Westminster Address, says, "This Address has been published by the order of his Royal Highness the Prince Regent. This is what I most highly esteem; for it is to me, and so it is, I believe, to the people of Westminster, a proof that his Royal Highness is, as we have always believed him to be, on the side of Parliamentary Reform. That this publication took place in consequence of his special order, there can be no doubt at all; for until now, not a single address in favour of Reform has ever been published in the London Gazette, under any Ministry. Nay, as I am informed by those who have searched the file of the London Gazettes for the purpose of ascertaining the fact, there has not been any Address or Petition published through that vehicle, which called for a redress of grievances of any sort. To the Prince, therefore, we must direct our thanks for what has now been done; and certainly not to the Ministers, under whom or whose predecessors, for the last 30 years, nothing that was not complimentary to men in power has found its way to the world through this authentic channel, the London Gazette."

PARLIAMENTARY REFORM.—A General Meeting of Friends to Parliamentary Reform will be held in the Metropolis, on the 29th inst., WALTER FAWKES, Esq. in the Chair.—And that nothing may interfere with grave discussion on this most important of all political questions, the Meeting is to take place in the forenoon.

TRIUMPH OF WESTMINSTER AND PURITY OF ELECTION.—The fourth Anniversary will be celebrated at the Crown and Anchor Tavern, on Thursday week:—Sir F. BURDETT, Bart. M. P. will take the chair.

A new coinage, it is reported, is about to be introduced to the public, and directions are said to have already been given at the Mint for the immediate preparation of silver pieces of coin, one of which is to pass for three shillings, the other for eighteen-pence.

On Saturday, at Marlborough-street, Dixon, the fighting man, was examined a second time for forging and uttering 5l. notes, knowing the same to have been forged; two separate utterings were proved against the prisoner, and his wife was also proved to have tendered a fictitious 1l. note. On the forgery being discovered, she said she received it of her husband, and such proved to have been the case. The prisoner was committed for another examination. A man was also committed for passing bad dollars; many hundreds of which have been circulated within the last fortnight.

The Rev. CHARLES STRONG, of Wadham College, Oxford, has been preferred to the Rectory of Broughton Clifford, Wilts, on the presentation of the Lord Chancellor.

THE REGENT'S BRIDGE.—On Thursday the foundation-stone of the new bridge over the Thames at Milbank, was laid with the usual ceremonies. Lord DUNDAS represented the PRINCE REGENT on this occasion. When he took the mallet from the engineer, and struck three blows on the stone, he said, "In the name and by the command of his Royal Highness the Prince Regent, I lay this first stone of this bridge." The Chairman then christened the new work, "The Regent's Bridge, which," said he, "I hope it will from henceforward and for ever bear." He then broke a bottle of wine upon the stone, which was followed by the shouts of the mob, and the firing of guns.

The bridge, it is said, is to be built, externally, of Scotch granite; the ornaments and finishings of Portland stone. It will be straight, like those of antiquity, and will consist of seven arches; the central one of 110 feet span, the others diminishing in size to 90 feet at the ends.—The water-way will be 702 feet, and the whole extent, 920. It will take about five years in completion.

THE KING'S ILLNESS.

MEDICAL BULLETIN.

Windsor Castle, May 5.

"His Majesty is going on well."

"On Saturday morning, at eleven o'clock, the Regency Council assembled at the Queen's Lodge, Windsor. At one the examination of the Physicians commenced.—Dr. WILLIS and REYNOLDS, and Mr. DUNDAS, it is said, stated the effects which the late interviews of the QUEEN and Royal Family had upon the mind of his MAJESTY, and, we understand, deemed it advisable, that the audiences with the KING should be limited for the present. In consequence of this decision, the LORD CHANCELLOR had not the honour of an audience with his MAJESTY at the breaking up of the Council. It is expected, that the report of the Council is intended to be laid before Parliament."—*Morning Herald, May 6.*

THEATRICAL EXAMINER.

No. 92.

LIBERTY.

Mr. ARNOLD, with his dreadful two-handed weapon of manager and author, seems determined to have no mercy on us. Season after season, he takes cruel advantage of his situation, to pour upon us volleys of pun and bad grammar, with an ardour and a pertinacity utterly unknown to unchartered dramatists. This is the more severe on his part, inasmuch as the contributions with which he presents us from others, are a great deal better than his own; so that taken altogether, he may be regarded as a kind of dramatic ROBIN HOOD, who admits nobody to serve under him that has not beaten him in the field; with this difference, however, that whereas ROBIN was a "gentle thief" and plundered none but the rich, SAMUEL JAMES is an inordinate rogue, who robs every body he comes near, and seems to take a particular delight in ransacking the most ragged pockets.

The new opera of the *Americans* written by this gentleman, is really so hopelessly and ludicrously bad, that it does not produce a feeling strong enough for contempt. The scene lies in the neighbourhood of Philadelphia; there is an Irishman for JOHNSTONE, a Jack-of-all-trades for MATHEWS, a naval officer for BRANHAM, in order to sing England's glory; and an enamoured *squaw* for Mrs. BLAND, in order to treat us with that most detestable of all in antiques—*me go here and me go dere.*

Specimen of the Simplicity:—

Little bird all de day
Merry sings and loves so true—
Little bird fly away,
So me fly away wid you.

Specimen of the Sentiment and playful Fancy:—

The woodbine where bees love their treasures to seek
Is a type of affection like mine.

But most may this unnotic'd flow'r my wish speak,
And heart's-case for ever be thine.

Specimen of the Humour:—

As an auctioneer now, I soon figur'd away,
Till a lot of choice wine I knock'd down cheap one day;
My employer swore I, having long'd for a sup,
Knock'd it down to myself,—and so that knock'd me up.

Specimen of the English:—

'Twas in Trafalgar's bay
We saw the Frenchmen lay.

But the reader will spare me, I am sure. The only novelty in the whole piece is the appearance of the American Indians with their tomahawks and feathered heads; but the dress is all that is American about them. To what part of our American history the scene belongs, whether to an early or to a late period, it is difficult to discover. Something like a war seems to be going on, but there are so many allusions to circumstances of fresh date, that it is impossible to decide the question. Anachronisms, however, are almost as little regarded on the stage in matters of history, as in matters of dress and furniture. These trifles might be pardoned in Mr. ARNOLD, if he would but give us a new line or two in one of his songs; or a jest that shall not have attained its nine and fortieth grin; or any thing, in short, that might pass off, by the help of a bad memory, for an appearance of character or plot; but barbarous man! he won't. Not critics, friends, hisses, entreaties, or empty benches, can prevail on him; he stands like a poor, intoxicated gentleman, who rather than be silent and go to bed, is determined to repeat his no meanings over and over again, and to reckon himself at home in every place where he has no business.

I had forgotten to mention that one of the characters in this opera, *Paul Tyrol*, a money-getting old profligate, was originally a Quaker, but at once so insipid and so unlike the sect, that even Mr. DOWTON could hardly prevent it from damning the piece. The Quaker's phraseology has accordingly been done away, and Mr. DOWTON has given up the part to Mr. PENLEY; so that the reader may judge what a figure it must cut in its *amendment*! The ready indignation expressed by the audience at seeing the body of Quakers held up to contempt, or rather attempted to be so held up, does the town great credit. Of all Christian bodies, it is not to be denied that the Quakers are the most consistent in their conduct. Their singularities are mostly external, and all harmless; their social qualities intrinsic and exemplary. Mr. ARNOLD, in an advertisement, on this occasion, declares that he had no intention whatever of calumniating the society. I dare say he had not: his sole object, there is no doubt, was to amuse his audience; but he should read a little, and look about him for information, before he ventures to meddle with bodies of men, and not confound Quakers with Puritans, because they happen to be a class by themselves.

COVENT-GARDEN.

It is a pity, considering their very equal merits, that Mr. ARNOLD's opera and the new melodrama of *Timour the Tartar* cannot be seen together, sympathizing in each other's ill-success. But this perhaps would be too much.—Who the author of this plagiarism from Mr. ASTLEY may be, I have not heard; but whoever he is, he need not awaken the jealousy of that gentleman:—the pageantry is indeed gaudy, and the rabbit-palsreys vivacious; but the

spectators are not satisfied; and the town seems beginning to think that one stage is quite enough for the public torture of these poor animals. For the rest of it, the melodrama appears to be a most awful, but at the same time insidious attack on the reputation of BONAPARTE. *Timour*, better known among us by the appellation of *Tamerlane*, is here represented as a chief altogether barbarous, with a vulgar father and sister about him, and treating for marriage with a foreign princess who insults and disdains him in the act of promising to be his wife. This is very like *Trioum*, to be sure, and still more like BONAPARTE, who is perfectly shocked, no doubt, to hear of these terrible proceedings against him in "the finest theatre in Europe!"

FINE ARTS.

ROYAL ACADEMY EXHIBITION.

1. *Christ derided*. J. LANE.—To designate a character whom we have from our infancy contemplated with veneration, so as to meet our ideas of its excellence, implies a proficiency that rises far above mediocrity. Common place, any thing below a vigorous representation, would, on the first view, repel our eyes from the canvas. But here beauty of colour, strength of effect, elegance of form, and energy of character, make us for a time forget that the Muse of Painting is tempting us away by other numerous displays of her beauty and dignity.—Our eyes, our imaginations, and our understandings, are not only for a length of time fixed to the picture, but we soon return to the thinking and impassioned canvas for a renewal of our gratification. The calm and dignified submission of Christ to his unmerited sufferings raises our sympathy, and the cruel mockery of his deriders our indignation. The character of commiseration that marks the countenance of the Roman Magistrate, who appears also to look at Christ with mysterious thought, exhibits a soothing contrast to the impious cruelty of the deriders. It is of considerable importance that in a mournful subject like this the general tone of the light, shade, and colour, should be solemn. This solemnity is here duly designated. The figure of Christ forcibly relieved from a strongly shaded back-ground, and commands, as the chief agent in a picture ever should, our highest attention, by the elegance of his shape and proportions, and by the other figures being shewn in a very subordinate effect of light. The correctness and vigour of the anatomical drawing do great honour to Mr. LANE's industry and taste, as the strong and suitable expression of all the figures do to his just conception of character. There is, in my humble judgment, but one defect in this highly meritorious painting. The fleshy shadows are of a greenish hue, and therefore do not harmonise with the lights, whose carnations are natural. I have little doubt that a mind like Mr. LANE's, evincing so just an estimation of truth in the various constituents of his noble art, will not only bear this animadversion with the complacency which respect for his talents, and a wish to see his high attainments perfected, demand, but that it will be fully competent to prevent the animadversion in future.

12. *Macbeth consulting the Vision of the Armed Head*. H. FUSELI, R. A.—If the Professor of Painting to the Royal Academy has been often justly accused of deviating

widely from the truth and simplicity of nature in extravagant attitudes and expressions of face, every one must allow that he is never inane; and that if sometimes he is deficient in simplicity, he is always powerful in genius. As I coincide in the opinion respecting his frequent want of simplicity, I shall hardly be accused of partiality when I pronounce this picture to be the production of those sober hours, when the too impetuous ardour of genius has been submissive to the reins of reason and of truth. The open mouth, glaring eye, and pale blue complexion of the Armed Head, are pregnant with the secrets of fate that are about to be divulged at the potent bidding of the Weird Sisters. The half-starting attitude of Macbeth is the natural result of an emotion consequent on the sudden appearance of the shade, and his inquisitive look as naturally and forcibly designates his eager desire to hear it make disclosures in which he is vitally interested. The Witches having finished their incantations, and summoned the spectre before them, are very properly portrayed in a quiescent state. The lights are strong only on the principal objects—the Armed Head and Macbeth—the rest of the canvas being mostly in half and deep shadows, producing a chiaro-scuro, powerful and solemn.—Mr. FUSELI's painting of *Dion seeing a Female Spectre overturn his Altar and sweep his Hall*, is also one of those which justify warm admiration of the peculiar energies of his genius. His pictorial incantations raise before our view ethereal intelligencies, the mysterious agents of fate, the divulgers of the secrets of futurity. Mr. FUSELI is the portrait-painter of spirits, the geographer and historian of the airy regions of fancy. He is a faithful relator, that is, he is true to our feelings and sensibilities as they relate to genii, to fairies, witches, and ghosts. Thus the destructive action of an evil spirit is here portrayed with such a creative and tremendous inspiration of fancy, that the infuriate form is seen sweeping every thing before it with the overwhelming activity of a whirlwind. I no where recollect such animated and awful action, except in the President's sublime display of it in his representation of *Death on the Pale Horse*, where the King of Terrors flashes baleful lightning from his eyes, and his horrid form is the personification of ruinous action.

The choicest of Mr. WEST's *Gallery of Pictures* are to be engraved, in Outline, by Mr. H. MOSES, and appear in successive numbers. If the future numbers are executed in a style of excellence equal to the first, which has just appeared, it will constitute a most valuable work of Outlines, as Mr. MOSES engraves them under the President's inspection, and preserves the vigour of drawing and expression, which are the noblest constituents of a picture, and which render Mr. WEST's genius so deservedly celebrated. The presiding forms are firmly marked, but without the least heaviness, and are free and flowing. The secondary lines and touches are carefully inserted, and, by their judicious tenderness, gratify the boldness of the former, and confer delicacy on the whole. This masterly number, so useful to the Artist, and so elegantly gratifying to the Amateur, contains the following subjects, which are each accompanied by a critical and explanatory page of letter-press:—*Thetis bringing the Armour to Achilles*:—*Venus rising from the Sea*:—*Belisarius*:—*The Captive*:—*Aaron staying the Plague*:—*Christ blessing little Children*.

R. H.

CITY.

On Thursday, at a Court of Common Council, Mr. DIXON moved, that the thanks of the Court be given to Lord Wellington and the army under his command, for their brilliant services during the late campaign in Portugal; and that a Sword of the value of two hundred guineas, be also presented to his Lordship.

This motion was supported by Sir WM CURTIS, Aldermen BIRCH and SMITH, and Mr. QUIN. It was opposed by Alderman WOOD and Mr. WAITHMAN, and the latter gentleman moved the following Amendment:—"That this Court, entertaining the highest opinion of the skill and courage of the British troops, have observed, with national pride, that during the time they had been engaged in Portugal, they have achieved every thing to be expected from British valour and discipline; that this Court, however, were of opinion, that the proposed votes would be premature and improper, and would tend materially to lessen the value of such marks of the approbation of the Court in future."

This Amendment was negatived by a large majority, and the original motion was carried.

The Court ordered the sum of 1000*l.* to be subscribed by the Chamberlain to the Fund for the Relief of the Distressed Inhabitants of Portugal; also 150*l.* to each of the Committee for a summer excursion.

LAW.

COURT OF KING'S BENCH.

Tuesday, May 7.

SIR F. BURDETT, BART. v. THE SPEAKER.

The Court having on Monday expressed a wish that the argument in this cause should stand over in consequence of the indisposition of Sir Simon Le Blanc—this morning, as soon as Lord Ellenborough had taken his seat on the Bench,

Mr. Serjeant SHERBURN rose, and stated, in consequence of what had taken place yesterday, he had consulted with the plaintiff, who expressed a sincere wish to concede to the desire of the Court, as it was equally his inclination that the Learned Judge now absent should be in Court during the whole of the proceedings: but, nevertheless, he trusted that no delay arising from that circumstance would hinder the trial from proceeding in the other case (that against the Serjeant at Arms) which was waiting the result of this.

Lord ELLENBOROUGH declared it to be the anxious wish of the Court to accelerate the proceedings, and therefore should the illness of the Learned Judge be protracted longer than was expected, the Court, to accommodate the parties, would step a little out of the usual course of practice, and allow the trial at bar to take place in the next Term, although an issuable Term, of which the suitors and parties should have all due notice.

Thursday, May 9.

THE KING v. JOHN DRAKARD.

The ATTORNEY-GENERAL prayed the judgment of the Court against this defendant, found guilty at the last Assizes for the county of Lincoln, on an information filed *ex-officio* by the Attorney-General, and tried before Mr. Baron Wood, of publishing in the *Stamford News* a libel respecting the military punishment of flogging.

The following well digested affidavit was then put in. It was well read by the proper officer of the Court, and was listened to with the most profound attention:—

AFFIDAVIT.

"John Drakard, of Stamford, in the county of Lincoln, bookseller, maketh oath and sayeth,—that he is Proprietor, Printer, and Publisher of the newspaper called *Drakard's Stamford News*; but that he is not the Editor of that Paper, nor the Author of the Libel, for the publication of which he awaits the judgment of the Court; that nevertheless it has ever been his wish, as he acknowledges it to be his duty, to exercise a superintendance over the matter by him published to the world, sufficient to prevent the diffusion of dangerous and improper sentiments, calculated to injure the community, or to effect the subversion of that excellent Constitution, under the protection of

which his industry has thriven, and on the preservation of which, he decidedly believes, the existence of his domestic as well as political blessings depends.

"He, therefore, implicitly submits himself to his responsibility for the tendency of all that is published in his paper:—and in the exercise of his discretion in this respect, he declares, that he has ever been actuated by a feeling of the strictest fidelity to the law, of the sincerest respect for the King, of the most ardent love for his country, and the most lively abhorrence of its unprincipled and rancorous enemy.

"Entertaining these sentiments, the deponent cannot but experience the most lively regret that he should have given publicity to an article, which a Jury of his Country have found by their verdict to be libellous. He trusts, however, it will not be deemed inconsistent with his present situation, solemnly to disavow the design which has been attributed to him, of injuring the military service of his country, either by raising discontent and disaffection in the minds of the soldiers, or by deterring other persons from entering into the army:—and he further declares, without thereby intending to dispute the verdict of the Jury, that at the time of publishing the said article, he meant only to publish an exposition of the impolicy of the mode of punishment by Flogging; to which he was led by a belief, entertained as has been shewn in common with the highest military and other authorities, that such mode of punishment has an injurious tendency on the character of the soldier.

"The deponent further says, that he understands it has been asserted in aggravation of his offence, that a variety of instances of military punishment were collected by him, in order by crowding them together to make an undue representation of the effects of British military discipline;—but he is informed and verily believes, the facts quoted in the motto which forms part of the libel, presented themselves to observation in the course of one week's selection of articles of intelligence from the London Papers. The deponent also further declares, that he has been informed, and that he verily believes the same to be true, that these numerous examples of the infliction of the punishment of Flogging on British Troops, recorded within the short space of six days, did, in point of fact, lead the author to discuss the subject, and that the frequency of such exhibitions being considered a great evil, it seemed to him essential to shew by a statement of facts that such frequency existed.

"The deponent also understands, with great regret, that certain comparisons stated in the libel, which were applied, and, as he believed, restricted, to the mere point of military discipline, have been construed to evince a design on the part of this deponent of rendering the British Press subservient to the hostile designs of the Ruler of France. The deponent however most solemnly disavows every part of this imputation, and denies having ever, either in the libel, or in any other publication, represented to advantage the person or government of Bonaparte; and he submits in support of this his declaration on oath, the general tone of his Newspaper, which has constantly and generously held up the character of the Ruler of France to indignation; which has seized with avidity every opportunity to represent that character in its true light, with the intention of animating all classes in this country to oppose the foreign enemy of their happiness and independence; and which has taken great pains to correct the error of those, if any such there are, who while they avowedly support the cause of liberty, entertain any thing short of hatred against one who has done more fatal injury to that cause than any or all the tyrants,—his forerunners in the work of enslaving and destroying the human race.

"The deponent further saith, that in the tenth number of the *Stamford News*, published on Friday, December 8, 1809, and about eight months before the publication of the libel, there was inserted an article entitled "*France—Bonaparte*"—which article the Deponent received from the Editor of his newspaper, the author of the libel, and which, among others, contained the following words:—"It is with regret that we have occasionally observed a disposition shew itself on the part of some of the best informed of our political writers to extend more indulgence than seems to us consistent with justice towards the national character of France, and to exercise more tenderness than is easily

reconcilable with decency towards the reputation of her despotic Chief. Were we compelled to select from history a prototype of the present Ruler of that country, we would neither pitch on Alexander, Cæsar, or Charlemagne, with one or other of whom he is so fond of claiming an affinity of character, but on Alaric, the fierce and subtle King of the Goths, who in the 5th century over-ran Italy with his rapacious followers, gave up Rome to their pillage, and finally introduced disorder, anarchy, and revolutions throughout the west of Europe. A long and hideous night of ignorance succeeded the invasion of these early conquerors, and we are now threatened with a night of sullen and relentless military despotism by their modern imitators. A great moral as well as physical revolution is evidently taking place in the political state of society;—but as far as the instrument used by Providence to bring about this change is concerned, it is most unlikely to prove a beneficial one.—Throughout the extensive line of her conquests, public opinion dares not embody itself even in a whisper; discipline has usurped the place of law; and the most important alterations in the condition of the people, are carried into effect without any reference to their will. The rule of the Conqueror is doubtless characterised by more ability than was the tyranny of the old establishments, but this only renders it a more perfect despotism. From one end of Europe to the other, the back-breaking weight of his sceptre descends with a leaden pressure, and as he moves onward in his career of victory, oppression follows the footsteps of slaughter, and

‘Drags at each remove a length’ning chain.’

In the same article the personal character of Bonaparte is thus traced:—‘When we have allowed him the full credit which is due to the successful warrior and the subtle politician, here we must stop. We are aware it is urged, and with seeming plausibility, that to the virtues he adds only the common vices of Conquerors. That in all ages they have been vindictive, ambitious and cruel; and that in fact, a necessary connection exists between their greatness and these littlenesses.—Whether it is however, that our judgment is obscured by national prejudice, which, if so, we are by no means anxious to shake off—we cannot even allow him the benefit of this apology arising from comparison. We see in him nothing of that warmth of feeling which, while it occasioned many of those excesses in which former heroes were too apt to indulge, at the same time operated as their excuse, and frequently led to actions at once variable and romantic. We see in Bonaparte only the cold-blooded, remorseless, but accurate calculator of chances,—who, if he never slew a companion in a drunken fit, never felt his heart glow over the bowl of hospitality, or expand with the emotions of friendship;—sullen, mysterious, and reserved, his affections centre in self, and it would seem that a consideration of principle never for an instant interferes to palsy the determination of his purpose. The people over whom he sways are degraded and debased by his tyranny more than they are honoured by his victories.’

‘It is further observed, in a note to the above, as follows—‘A most remarkable proof of the state of political degradation in which Buonaparte has plunged the people of France, has lately been afforded, and deserves to be generally known. The historical work, written by the late Mr. Fox, has lately been translated into the French language, but the translator, either by order of the powers that be, or through a conviction of his own, has been most careful to expunge, even at the expence of the sense, every passage calculated to excite sentiments in favour of liberty! We have thus the true character of the French Government, drawn by themselves, and placed beyond dispute!’

‘The deponent further says, that in No. 31, of the *Stamford News*, published Friday, May 4th, 1810, and about four months before the publication of the libel, the following observations were written and inserted, by the said Editor of the deponent’s paper:—‘The Legislative Assembly of France, on closing its Session, was addressed by Count Reynault in a speech, decorated with the tawdry verbiage and ambitious description, which the false taste of the French, and what is worse, the false policy of their Rulers, have introduced into their official style.’—The same article proceeds to observe more parti-

cularly on the State Papers of the French Government in the following words.—‘Their tedious State Papers called *Exposés*, in which every new road of lately cut Canal throughout the Empire, is held out to the admiration of the present race, as a source of national glory and happiness, and recorded for the gratitude and wonder of posterity. These are the tricks of a despotic Government, the necessary arts of its existence, to avert attention from its odious measures; and the character of the French nation renders them peculiarly successful. While its thoughtless people are admiring the projection of a lofty arch, enjoying the bustle of a public fête, or running in crowds after their young Queen, and drawing comparisons between the lustre of her eyes and of the fire-works which celebrate her arrival,—they forget their sons and brothers, who have been dragged by a remorseless Conscription to distant and unhealthy countries; they forget the victims who are, by a late decree, described as detained in prison, although it is impossible to convict them of guilt; they forget even the misery which the war has introduced into their homes, after expelling the comfort which was once their inmate.’—The deponent here solemnly disavows the intention which has been attributed to him of glossing over the distresses and hardships of the French system of military discipline, and of exaggerating those of the British, and declares the comparison stated in the libel, and given in favour of France, was by him understood to be restricted to the single point of military punishment, and to include no other whatever.

‘The deponent further says, that in No. 43, of the *Stamford News*, published Friday, July 27th, 1810, and about one month before the publication of the libel, there was inserted a paragraph, also written by the said Editor, entitled ‘*Attachment to Bonaparte*’—and continuing as follows—‘One would almost think this an impossibility; yet the Reformists are accused by the Corruptionists of harbouring the unmanly sentiment: we are afraid there are some professed Reformists who have given too much reason for the reproach; but we are sure there is no real Reformist but must feel bitter hatred against him who has darkened the opening prospects of liberty; and by the strength of a nation struggling for freedom, extended despotism and oppression over Europe.’—In the following number (44) of the *Stamford News*, only three weeks before the publication of the libel, it is observed by the same writer as follows, viz.—‘In the last page of our Paper will be found an Address to the Legislative Body of Holland, by Louis Bonaparte, on abandoning his throne, in consequence of the encroachments of his unprincipled brother: we recommend it to the attentive perusal of our readers,—it will shew them the man with whom our present Ministers have to cope,—crafty, cruel, and able, no compunction of conscience interfering to palsy his will, no infirmity of intellect to frustrate his purpose.—Paris Papers, forwarded by our Private Correspondent, state that the son of Louis had been received at Paris.—Napoleon received him with open arms; exclaimed, that his father’s conduct had wounded him to the heart; and concluded with the following remarkable sentence:—‘In whatever situation my policy and the interests of my empire may place you, never forget that your first duties are towards me; your second towards France. All your other duties, even those which regard the People I may confide to you, come only in the next degree.’—And this is unblushingly published to the world, as the speech of one who fought to undermine royalty! So atrocious an avowal of despotic principles is not to be found in history.’

‘The deponent declares that these extracts from his newspaper do contain his real sentiments, and those which he would wish to inculcate on the public concerning the conduct and character of the Ruler and Government of France: and farther, that they appear to him, and always have appeared, to be the real sentiments of the Editor of his publication, the author of the libel, in whose loyalty and good intentions, deponent was induced to place confidence, from the alacrity always manifested by him, the said Editor, to avail himself of every opportunity of descanting on the enormities and oppressions of the enemy of his country.

‘The deponent further says, that his newspaper contains other passages equally strong, of the same purport and tendency.

cy, which he refrains from quoting from a regard to the time of the Court;—but which form a consistent, unbroken view of sentiment pervading the whole succession of the newspaper, and always shewing itself as opportunity offered.—He also solemnly declares, that in publishing those parts of the libel of which he has been convicted; which express dislike to Bonaparte, he was actuated, as in all the other instances now submitted to the Court, by honest motives; that he by no means designed them to convey any other than their literal meaning, or to produce any other than their obvious effect.

“Deponent hath heard and verily believes, that it has been stated in direct terms that deponent published the libel, of which he has been convicted, at a time when a regiment of Local Militia was embodied and quartered in the town of Stamford; and that he made choice of such a moment to publish an article of the nature of the libel, calculated to irritate the minds of the persons assembled under the Local Militia Act, and to stir them to mutiny. Deponent denies the whole of this charge and saith, that the only regiment of Local Militia ever assembled and quartered in the town of Stamford was disbanded some time in June, 1810; and that the libel of which the deponent has been convicted was published on the 24th day of August, 1810.

“And this deponent further declares, that he was sincerely and conscientiously of opinion that the Local Militia System was not in all its parts a judicious measure of defence; but that he cautiously and purposely did refrain from publishing this his opinion, until after the said regiment of Local Militia, so assembled in Stamford, was disbanded; and that he then did publish sentiments to the above effect. And deponent, in support of this his declaration on oath, submits an extract from the 38th Number of the *Stamford News*, published Friday, June the 22d, 1810, which is as follows, viz. ‘*Local Militia.* The regiment of Local Militia, which for three weeks past has been quartered in Stamford, being now broken up until the next period of training, we are no longer withheld by motives of prudence from offering the few remarks which this description of military force suggests.’

“Deponent doth acknowledge, that he hath frequently felt it to be his duty to animadvert in a tone of censure on the proceedings of public men; but he doth declare, that he hath ever done this according to his honest conviction as a citizen of a state, the glory and welfare of which, it hath been thought by many wise men, are chiefly promoted and upheld by that freedom of discussing the measures of its rulers, which by law belongs to all and each of its subjects. And deponent doth solemnly make oath, that it is not his wish or design to gain dishonourable profit by publishing libels, as hath been alledged against the deponent. He declares, that he hath ever published his honest sentiments, regardless of their effect on the sale of his Paper, and sometimes to the injury of its sale; and he instances as an example the aid taken by the *Stamford News* on the question of Parliamentary Privilege, with reference to which question it argued in favour of the claim made by the House of Commons, and in opposition to the doctrine maintained and the conduct on that occasion pursued by Sir Francis Burdett, of whose general conduct and motives, however, the deponent doth highly approve.

“And this deponent further saith, that he was much remonstrated with for the part he espoused on the said question of Parliamentary Privilege; and that to his certain knowledge he then displeased several of his warmest friends, and occasioned them to relinquish subscribing to his Paper. But deponent then, as in every other instance, published what in his conscience he believed to be just, regardless of his pecuniary interests.

“And deponent doth further declare, that he is warmly attached to the Constitution of his country, and not less to the Monarchy than to its other fundamental parts; and that he hath taken opportunities to impress the readers of his Newspaper with love and respect for the kingly office; and that he regards with abhorrence all those, if any such there are, who would bring about tumult or revolution: And in support of these his declarations, he appeals to an article by him published in the 4th Number of the *Stamford News*, on Friday, October 27th,

1809, the avowed object of which is to vindicate the constitutional maxim, that the King can do no wrong: part of which article is as follows:—‘The King can do no wrong; his throne then remains a barrier in the way of such indefinitely extended demolition as might lead to total destruction. Reform may and frequently must advance in its steps, but should it attempt to ascend, it becomes treason.’

“The deponent submitteth all these his solemn declarations, supported as they are by the language of his Newspaper, to the favourable consideration of the Court, and in extenuation of the crime of which he stands convicted.”

Mr. BROUGHAM then shortly addressed the Court. He observed, among other pertinent things, that “it had been proved, not only on the face of the libel, but in former parts of the paper, that this defendant has the most constant and anxious and disinterested zeal for the Constitution, the most entire abhorrence of its enemies; and that so far from making invidious and disloyal comparisons in favour of the enemy, no man has more constantly laboured to impress upon his readers his sense of the peculiar blessings of the English Constitution.”

Mr. ATTORNEY-GENERAL, after some general remarks, asked, “What have I to do with such observations as these, in addressing your Lordships upon the measure of punishment to be inflicted upon this defendant;—loose observations, scattered over the paper for the purpose only of being used, as as they are used to-day? But if the defendant had no such studied purpose;—suppose he disapproves of particulars in Bonaparte’s conduct—suppose he allows us some benefits which Bonaparte’s Government is without;—is it the wish the defendant entertains towards France that is the present consideration, or what he has done towards England? What is the imputation upon him? That he has published an article for the purpose of exciting disgust against the army, and preventing the population from entering it. Is not that the obvious tendency of every line of the libel? and will your Lordships be misled, by being told, that in other publications of the same author, there was to be found an abhorrence of Bonaparte’s conduct? It is scarcely necessary for me to repeat, that your Lordships will look to the libel itself, and see whether it does not obviously justify the conclusion, that its tendency and design were to excite disaffection in the minds of the soldiers, and disgust in those of the other inhabitants of the country, against the service in which those soldiers are engaged. When your Lordships are persuaded of this, you will next consider how serious may be the consequences, if such publications are suffered to pass with impunity, and how easily and certainly they will be repeated. What degree of punishment is necessary for stopping this spirit? How may the evils attending it be averted in future? Only by teaching those who persevere in the offence that they shall certainly meet with punishment, and that the extent of that punishment will be governed by the extent of the evil. These are considerations surely deserving of weight. I am not desirous of pressing severity beyond its fair measure; I would not step farther than the safety of the public requires. But as far as the public good requires that such publications shall be prevented, so far, and no farther, do I desire to punish the present defendant.”

Lord ELLENBOROUGH.—“Let the defendant be committed to the custody of the Marshal of the Marshalsea, and brought up to receive the judgment of the Court on Friday, the 24th instant.”

THE KING v. JOHN COLLIER.

The ATTORNEY-GENERAL also prayed the judgment of the Court on this defendant, found guilty at the last Lancaster Assizes, of writing, and causing to be published, a libel on the Commissioners of Property-tax, at Manchester. It appeared, that the defendant having some years ago been surcharged by the Commissioners, appealed against the surcharge without effect, and that at last the Commissioners were compelled to seize the defendant’s horse and cart for the taxes. This was done in the public streets of Manchester, where the defendant lived a dyer.—Mr. SCARLETT and Mr. BROUGHAM, in mitigation of punishment, urged, that he thought it necessary publicly to clear himself on account of the seizure; and being an illiterate

man took these facts to Mr. Cowdroy, printer of the Manchester paper, to put them into any shape but a libellous one. This Mr. C. did, and the defendant signed the paper, as would be seen, only that Mr. C. had, to shelter himself, destroyed it.

An affidavit was put in as to these facts: but the ATTORNEY GENERAL, for the prosecution, observed, that the defendant had paid 15s. to Mr. Harrop, the Printer of another Manchester Paper, for the insertion of Mr. Cowdroy's article, as it was to be considered, and had thus made it his own.—This defendant was likewise remanded till the 24th.

NAVAL INTELLIGENCE.

The brig, *Lord Collingwood*, Adam Salmon, Master, of 10 guns (3 and 6 pounders) and 14 men, on her voyage from London, bound to Lisbon, in company with the *Four Brothers*, William Boldero, Master, of 8 guns, (6 and 12 pounders) on the 27th of October last, fell in with the *Furet* French Privateer, of 14 guns, and upwards of a 100 men; the *Four Brothers*, on being hailed by her, struck without firing a gun; not dismayed by this conduct, Capt. Salmon and his little crew (of which four were under twelve years of age) commenced a most gallant defence within pistol-shot, which lasted an hour and a half, during which Capt. Salmon was wounded in the body by a musket-ball, but refused to quit the deck; and remained exerting himself and animating his little crew, until the period above alluded to, when he received two musket shots which terminated his existence; the mate being so severely wounded as to die four days afterwards in the French Hospital, and the carpenter and two others disabled by their wounds, the remainder were compelled to strike, and were carried into Morlaix. Through the humane interference of Mr. Mackenzie, the four boys were liberated on account of their youth, and arrived in the *James*, cartel. Captain Salmon having left a widow and three small children, (the second a cripple,) nearly destitute, together with an aged father and a mother-in-law, whom he had hitherto supported, a Subscription has been commenced for their relief. The boys' affidavit of these facts are lying for inspection at Messrs. Sherman and Willcox, Ingram-court, Fenchurch-street.

On the night of the 13th of February the *Pandora* sloop of war struck on the *Scaw-reef*, a shoal off the coast of Jutland. In less than five minutes she lost her rudder, in consequence of repeatedly striking the ground with great force in a heavy sea, and in an hour's time she was nearly filled with water; previously to which, the crew cut away the masts, in order to lighten the vessel; but the wind being extremely high, the sea broke over her with great fury, and every moment threatened to be their last. The wind was piercingly cold, and the men had the miserable prospect before them of being either washed overboard or frozen to death. In this state part of the crew perished from the inclemency of the weather; and next morning some of the survivors contrived to cut a hole in the weather-side of the deck, which was above water, and by that they were enabled to get down below, one by one, out of the severe and boisterous weather. In the afternoon of the 14th, some boats were observed coming from the shore, but the sea running very high, they durst not approach the wreck.—The surviving crew were so reduced as to be unable to launch their boats, which were covered with ice, and bore the appearance of marble of immense thickness. However, the wind abated, and the next morning being quite calm, a number of boats came off, and took the men from the wreck. The crew were of course made prisoners; but the Danes treated them with all possible hospitality. Twenty-nine sailors were lost from the severity of the weather.

ACCIDENTS, OFFENCES, &c.

A duel was fought on Tuesday morning, at day-break, in a field near Totteridge, between unknown parties, who had alighted from post-chaises. In an hour afterwards one of the gentlemen was brought into the Kings Arms mortally wounded in the abdomen, and he died in four hours after. A Jury was held,

and it was proved by some husbandmen that a duel had taken place, but the parties were strangers. A verdict of *Wilful Murder* was returned. The body was owned after the inquest, and the deceased turned out to be a Mr. Harrison, a young gentleman about 22 years of age.

On Tuesday morning 28 deserters, hand-cuffed and fastened to a rope, escorted by a party of Militia, were marched into the guard room at the Savoy, Strand, from various parts of the country.

A boxing match between two young men of the names of *Hans* and *Lowden*, which proved fatal to the latter, took place in a field in the neighbourhood of Stannore on Saturday week, in consequence of a dispute relative to a sister of *Hans*, to whom *Lowden* was said to have behaved ill. The parties were respectable young mechanics, and after fighting seventeen minutes, *Lowden* received a blow on the temple, with which he fell, and remained senseless until Tuesday morning, when he died.

BIRTHS.

On Saturday week, at George-street, Carnaby-market, Mrs. Brent, of three children, viz. two boys and a girl, who, with the mother, are likely to do well.

MARRIAGES.

On Saturday last, at Highworth, Wilts, Mr. John Smith, of the Common Farm, to Miss Curtis, of the former place.

On Saturday last, at Lambeth Church, Mr. H. Norris, of Lambeth, to Miss La Feuillade, of Vauxhall.

DEATHS.

At the house of Mr. Henry Fry, in Bedford-place, Russell-square, aged 80, Richard Cumberland, Esq. author of the *Observer*, &c. &c.

On Tuesday last, William Boscawen, Esq. one of the Commissioners of the Victualling Office.

Lately, at Middleton, in the parish of Lochwinnoch, James Campbell. By the most unwearied industry, and the most sordid habits, he had raised himself, from the humble state of a ditcher, to the possession of 20,000*l.* which, at his death, devolved upon about twenty poor persons, very distantly related to him.

On Thursday afternoon, in Newgate, Malcolm Craig, a Composer; the circumstances (says a Correspondent) attending whose death, were peculiarly distressing. He was one of the 19 Printers prosecuted by the Proprietors of *The Times* newspaper; and having habitually a bilious affection, the restraints and vexations of what he deemed an unmerited imprisonment, operated to injury on his mind, and hurried on his dissolution. Some days previous to his death, an application was made to the junior Prosecutor to promote a petition to the Government for a remission of his sentence (accompanied by a Certificate humanely given under the hand of Dr. Box, stating the removal of the petitioner as necessary to the preservation of his life) who would only consent on conditions with which the deceased could not conscientiously comply. Soon after that application, the Prosecutor sent a messenger, intimating a desire to intercede, which produced a lucid interval; but the cheering hope was of short duration. His petition was revised by the Prosecutor on Monday evening, and interlined with obnoxious sentences, which being made known to the deceased, he observed, *he should get out without his interference*, and soon afterwards became delirious and speechless, and in that awful situation he continued, until death delivered him from his agonizing sufferings. At length, on Wednesday morning, a Petition, with Dr. Box's Certificate and the Prosecutor's recommendation and signature, was sent to the Secretary of State's Office, but no pardon arrived before the deceased had breathed his last. He was a man of the most industrious habits, and his integrity and punctuality were unimpeachable. He has left an amiable wife and three infant children to lament an irreparable loss.