

THE European Magazine,

A N D

L O N D O N R E V I E W ;

CONTAINING THE

LITERATURE, HISTORY, POLITICS, ARTS,
MANNERS, and AMUSEMENTS of the AGE;

By the PHILOLOGICAL SOCIETY of LONDON;

For MARCH, 1788.

[Embellished with, 1. A Portrait of Mr. GIBBON, Author of the Roman History. 2. Another PLATE of WRITING and SIGNATURES in the Reign of Henry VI. 3. A VIEW of the PALAIS ROYAL at PARIS. And 4. A PLAN of the HIGH COURT of PARLIAMENT erected in Westminster-Hall for the TRIAL of Mr. HASTINGS.]

CONTAINING

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L O N D O N :

Printed for J. SEWELL, Cornhill;

And J. DEBRET, Piccadilly.

[Entered at Stationers-Hall.]

ANSWERS TO CORRESPONDENTS.

Alexander is under consideration; but the length of it, at all events, will prevent an immediate insertion.

R.—*Philo-dramaticus*—*Candidus*—*Orpheus*—*J. D.*—*B.*—*Juvenis*—*J. W. A.*—*L. P. R.*—*Civis Anglicanus*, and two without signatures, are received.

We should be glad to know the length of the translation from the French before we print any part of it.

The publication mentioned by *B. N. Turner* is not at present within our recollection. His friends, however, may be assured, that the account of his pamphlet was not written by himself. Our Publisher desires Mr. Turner may be informed, that he knows nothing of the application to him; but he has long declined being concerned with any publication except the *EUROPEAN MAGAZINE*. Whenever his name is put to any other work, it is always without his knowledge.

AVERAGE PRICES OF CORN, from MARCH 17, to March 22, 1788.

	Wheat		Rye		Barl.		Oats		Beans		COUNTIES upon the COAST.					
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	Wheat	Rye	Barl.	Oats	Beans	
London	5	7	3	2	7	2	0	2	8							
COUNTIES INLAND.																
Middlesex	5	9	0	2	8	2	6	3	0							
Surry	6	0	0	2	9	2	4	3	11							
Hertford	5	10	0	2	9	2	1	3	5							
Bedford	5	6	3	3	5	1	11	2	11							
Cambridge	5	5	2	1	4	1	9	2	4							
Huntingdon	5	4	0	2	4	1	9	2	5							
Northampton	5	8	3	1	6	1	9	2	6							
Rutland	5	7	0	2	9	1	11	2	8							
Leicester	5	10	3	6	2	8	1	11	3							
Nottingham	5	11	3	7	2	10	2	1	3							
Derby	6	3	0	2	10	2	2	4	0							
Stafford	5	9	0	2	11	2	3	4	3							
Salop	5	9	4	1	2	11	2	0	4	10						
Hereford	5	4	0	3	0	1	10	2	10							
Worcester	5	9	0	2	11	2	1	3	1							
Warwick	5	8	0	2	10	1	11	3	4							
Gloucester	5	5	0	2	8	1	9	3	1							
Wilts	5	8	0	2	8	1	11	3	9							
Berks	5	9	0	2	7	2	2	2	11							
Oxford	5	6	0	2	7	2	2	2	11							
Bucks	5	7	0	2	7	1	11	2	11							

WALES, March 10, to March 15, 1788.

North Wales	5	9	4	4	3	0	1	10	4	1
South Wales	5	5	4	4	2	10	1	5	3	3

STATE of the BAROMETER and THERMOMETER. FEBRUARY.

BAROMETER.	THERMOM.	WIND.
28—29 — 50	— 43	E.
29—29 — 27	— 43	E.

MARCH.

1—29 — 42	— 40	S.
2—29 — 55	— 42	N. E.
3—30 — 04	— 37	N. N. E.
4—30 — 03	— 39	N. W.
5—29 — 98	— 34	N.
6—29 — 32	— 41	W.
7—29 — 49	— 36	N. W.
8—29 — 58	— 31	N. N. E.
9—29 — 60	— 34	N. N. E.
10—29 — 94	— 35	E.
11—30 — 09	— 32	E.
12—30 — 04	— 33	E.
13—29 — 84	— 31	S.
14—29 — 50	— 35	E.
15—29 — 47	— 38	E.
16—29 — 50	— 37	E.
17—29 — 54	— 34	E.
18—29 — 73	— 34	E. N. E.
19—30 — 04	— 38	N.

20—29 — 84	— 43	S.
21—29 — 76	— 48	S. W.
22—29 — 57	— 46	N. N. E.
23—29 — 38	— 39	N. N. E.
24—29 — 64	— 45	S.
25—29 — 54	— 48	S. W.
26—29 — 57	— 48	S.
27—29 — 52	— 46	S.
28—29 — 50	— 53	S. S. W.
29—29 — 98	— 49	N. N. W.

PRICES of STOCKS,

March 29, 1788.

Bank Stock, shut, 177	New S. S. Ann. —
for the open.	India Stock, shut
New 4 per Cent 1777	India Bonds, 82s. a
shut	83s. prem.
5 per Cent. Ann. 1785	New Navy and Vict.
113 5-8ths	Bills 1 7-8ths disc.
3 per Cent. red. shut	Long Ann. shut
3 per Cent. Conf. 75 3/4	30 yrs. Ann. 1778, shut
3 per Cent. 1726, —	Exchequer Bills, —
3 per Cent. 1751, —	Lottery Tick. —
3 per Ct. Ind. An. shut	Irish ditto, 7l. a 7l. 2s.
173 for the open.	Prizes 1 p. ct. disc.
South Sea Stock, —	Consols for —
Old S. S. Ann. shut	

T H E
EUROPEAN MAGAZINE,
A N D
L O N D O N R E V I E W,
For M A R C H, 1788.

To the EDITOR of the EUROPEAN MAGAZINE.

S I R,

AS you gave a ready admission in your Work to a letter * written to me some years ago by my most honoured and most lamented friend Doctor Samuel Johnson, I hesitate not to send you two more, in confidence that you will contrive some room for these as you did for that.

In procuring their appearance in print, my view is to shew, that the Doctor did not make quite so light of his old friend as people may reasonably infer he did, if they credit several pages of Signora Piozzi's second publication in particular.

If you chuse to have me among your future contributors, I intend to send you, from time to time, some desultory Strictures upon that same second publication, and shew you that the pretty Signora was not quite so ingenuous as she might have been throughout it; but has mutilated and falsified several of the Doctor's letters; which letters, had they been faithfully printed, would have screened him from some paltry censurers, and added somewhat to his credit, instead of doing him dishonour, as they really do, when perused in their present state. I know enough both of the Doctor and the Madame, to caution the readers of the Doctor's letters against placing too much confidence in a publication produced by the unbounded vanity and the insatiable avarice of a female, who, whatever claim she may have to wit and learning, never had much title to goodness and plain-dealing.

I am, with great respect,

S I R,

Your most obedient humble servant,

JOSEPH BARETTI.

No. 10, Edward-street, Portland-chapel, March 20, 1788.

London, July 20, 1762.

S I R,

HOWEVER justly you may accuse me for want of punctuality in correspondence, I am not so far lost in negligence, as to omit the opportunity of writing to you, which Mr. Beauclerk's passage through Milan affords me.

I suppose you received the *Idlers*, and I intend that you shall soon receive *Shake-*

speare, that you may explain his works to the ladies of Italy, and tell them the story of the editor, among the other strange narratives with which your long residence in this unknown region has supplied you.

As you have now been long away, I suppose your curiosity may pant for some news of your old friends. Miss Williams and I live much as we did. Miss Cotte-

U 2

rel

* See the EUROPEAN MAGAZINE for June 1787, p. 385.

rel still continues to cling to Mrs. Porter, and Charlotte is now big of the fourth child. Mr. Reynolds gets six thousands a year. Levet is lately married, notwithstanding much suspicion that he has been wretchedly cheated in his match. Mr. Chambers is gone this day, for the first time, the circuit with the Judges. Mr. Richardson is dead of an apoplexy, and his second daughter has married a merchant.

My vanity, or my kindness, makes me flatter myself, that you would rather hear of me than of those whom I have mentioned; but of myself I have very little which I care to tell. Last winter I went down to my native town, where I found the streets much narrower and shorter than I thought I had left them, inhabited by a new race of people, to whom I was very little known. My play-fellows were grown old, and forced me to suspect, that I was no longer young. My only remaining friend has changed his principles, and was become the tool of the predominant faction. My daughter-in-law, from whom I expected most, and whom I met with sincere benevolence, has lost the beauty and gaiety of youth, without having gained much of the wisdom of age. I wandered about for five days, and took the first convenient opportunity of returning to a place, where, if there is not much happiness, there is at least such a diversity of good and evil, that slight vexations do not fix upon the heart.

I think in a few weeks to try another excursion; though to what end? Let me know, my Baretto, what has been the result of your return to your own country; whether time has made any alteration for the better, and whether, when the first raptures of salutation were over, you did

not find your thoughts confessed their disappointment.

Moral sentences appear ostentatious and tumid, when they have no greater occasions than the journey of a wit to his own town: yet such pleasures and such pains make up the general mass of life; and as nothing is little to him that feels it with great sensibility, a mind able to see common incidents in their real state, is disposed by very common incidents to very serious contemplations. Let us trust that a time will come, when the present moment shall be no longer ink-some; when we shall not borrow all our happiness from hope, which at last is to end in disappointment.

I beg that you will shew Mr. Beauclerk all the civilities which you have in your power; for he has always been kind to me.

I have lately seen Mr. Stratico, Professor of Padua, who has told me of your quarrel with an Abbot of the Celestine Order; but had not the particulars very ready in his memory. When you write to Mr. Marsili, let him know that I remember him with kindness.

May you, my Baretto, be very happy at Milan, or some other place nearer to,

SIR,

Your most affectionate
humble servant,

SAM. JOHNSON.

S I R,

Dec. 21, 1762.

YOU are not to suppose, with all your conviction of my idleness, that I have passed all this time without writing to my Baretto. I gave a letter to Mr. Beauclerk, who, in my opinion, and in his own, was hastening to Naples for the recovery of his health; but he has stopped

at Paris, and I know not when he will proceed. Langton is with him.

I will not trouble you with speculations about peace and war. The good or ill success of battles and embassies extends itself to a very small part of domestic life: we all have good and evil, which we feel more sensibly than our petty part of public miscarriage or prosperity. I am sorry for your disappointment, with which you seem more touched than I should expect a man of your resolution and experience to have been, did I not know that general truths are seldom applied to particular occasions; and that the fallacy of our self-love extends itself as wide as our interest or affections. Every man believes that mistresses are unfaithful, and patrons capricious; but he excepts his own mistress and his own patron. We have all learned that greatness is negligent and contemptuous, and that in Courts life is often languished away in ungratified expectation; but he that approaches greatness, or glitters in a Court, imagines that destiny has at last exempted him from the common lot.

Do not let such evils overwhelm you as thousands have suffered and thousands have surmounted; but turn your thoughts with vigour to some other plan of life, and keep always in your mind, that, with due submission to Providence, a man of genius has been seldom ruined but by himself. Your patron's weakness or insensibility will finally do you little hurt, if he is not assisted by your own passions. Of your love I know not the propriety, nor can estimate the power; but in love, as in every other passion, of which hope is the essence, we ought always to remember the uncertainty of events. There is indeed nothing that so much seduces reason from her vigilance, as the thought of passing life with an amiable woman; and

if all would happen that a lover fancies; I know not what other terrestrial happiness would deserve pursuit. But love and marriage are different states. Those who are to suffer the evils together, and to suffer often for the sake of one another, soon lose that tenderness of look and that benevolence of mind which arose from the participation of unmingled pleasure and successive amusement. A woman we are sure will not be always fair; we are not sure she will always be virtuous; and man cannot retain through life that respect and assiduity by which he pleases for a day or for a month. I do not however pretend to have discovered that life has any thing more to be desired than a prudent and virtuous marriage; therefore know not what counsel to give you.

If you can quit your imagination of love and greatness, and leave your hopes of preferment and bridal raptures to try once more the fortune of literature and industry, the way through France is now open. We flatter ourselves that we shall cultivate with great diligence the arts of peace; and every man will be welcome among us who can teach us any thing we do not know. For your part, you will find all your old friends willing to receive you.

Reynolds still continues to increase in reputation and in riches. Miss Williams, who very much loves you, goes on in the old way. Miss Cotterel is still with Mrs. Porter. Miss Charlotte is married to Dean Lewis, and has three children. Mr. Levet has married a street-walker. But the gazette of my narration must now arrive to tell you, that Bathurst went physician to the army, and died at the Havannah.

I know not whether I have not sent you word that Huggins and Richardson are both dead. When we see our enemies

mies and friends gliding away before us, let us not forget that we are subject to the general law of mortality, and shall soon be where our doom will be fixed for ever.

I pray God to bless you, and am,

SIR,

Your most affectionate

humble servant,

Write soon. SAM. JOHNSON.

*Al Sign. Giuseppe Baretti,
Milano.*

AN ACCOUNT of EDWARD GIBBON, Esq.

[With a PORTRAIT of Him.]

“IT has been observed, says the author of the Rambler, No. 122, that this nation, which has produced so many authors eminent for every species of literary excellence, has been remarkably barren of historical genius; and so far has this defect raised prejudices against us, that some have doubted whether an Englishman can stop at that mediocrity of style, or confine his mind to that even tenor of sentiment which Narrative requires.”

Such was the opinion of an author almost forty years ago, whose judgment in literary questions has been seldom disputed. Its truth will be established beyond all doubt, if we recollect the English Historians who had then written. At that period it would be difficult to point out an author against whom some objection could not be produced. In whatever other department of literature we might then have excelled, it is very certain we are not to look for excellence amongst the Historians. To authors of the present day the palm of History is alone to be preferred. Of these Mr. Gibbon stands in the foremost rank, equal to any living foreign author, and but little inferior to the greatest historian of antiquity.

He was born on the 8th of May 1737. His father, a gentleman of ample fortune, sat in the British Senate, and commanded in the Hampshire militia, the county where his estate lay. Our author, his son, was some time in the same regiment, and received every advantage in his education that could be bestowed upon him. This he gratefully acknowledged in his first performance, which, though written in 1759, before he was twenty-two years old, was not published until 1761.

We should think ourselves justly chargeable with neglect and ingratitude, were we to forbear returning our earliest and warmest thanks to Mr. Baretti for his present communication. He may be assured, that his promised strictures will be equally welcome, and shall not fail to appear in our publication for the ensuing month.

It was entitled, “*Essai sur l’Etude de la Literature*,” and written in French, though for what reason is not very apparent. The topics most enlarged on are Taste, Criticism, and Philosophy; on which subjects, as hath been observed, though much hacknied, there are many old observations well repeated, many ingenious conjectures advanced, and much reading displayed. It is preceded by an eulogium from Dr. Maty, and a Dedication so strikingly manly, grateful, and affectionate, and exhibiting so amiable a picture of its author, that it would be doing him the highest injustice to omit it in this place. It is addressed to his father in the following terms:

“Dear Sir,

“No performance is, in my opinion, more contemptible than a dedication of the common sort, when some great man is presented with a book, which, if science be the subject, he is incapable of understanding; if Polite Literature, incapable of tasting: and this honour is done him, as a reward for virtues which he neither does, nor desires to possess. I know but two kinds of dedications, which can do honour either to the patron or author. The first is, when an unexperienced writer addresses himself to a master of the art in which he endeavours to excel; whose example he is ambitious of imitating; by whose advice he has been directed, or whose approbation he is anxious to deserve.

“The other sort is yet more honourable, It is dictated by the heart, and offered to some person who is dear to us, because he ought to be so. It is an opportunity

we embrace with pleasure of making public those sentiments of esteem, of friendship, of gratitude, or of all together, which we really feel, and which we therefore desire should be known.

"I hope, dear Sir, my past conduct will easily lead you to discover to what principle you should attribute this epistle; which, if it surprises, will, I hope, not displease you. If I am capable of producing any thing worthy the attention of the public, it is to you that I owe it; to that truly paternal care which, from the first dawning of my reason, has always watched over my education, and afforded me every opportunity of improvement. Permit me here to express my grateful sense of your tenderness to me, and to assure you, that the study of my whole life shall be to acquit myself in some measure of obligations I can never fully repay. I am, &c.

E. GIBBON, jun."

The work to which this Dedication is prefixed, however, never obtained much celebrity. An indifferent translation of it also appeared; but this neither had nor deserved any particular notice.

It is but as a conjecture, though a conjecture which deserves attention from the quarter from whence it is derived, that we notice the report of Mr. Gibbon being the author of "Critical Observations on the sixth Book of the *Æneid*, 8vo. 1773," in which the Bishop of Gloucester's attempt to allegorize the 6th Book of the *Æneid* into the process of the Eleusinian mysteries was very successfully combated and refuted. This pamphlet, whoever may be the author of it, has not been yet acknowledged.

In 1776 the first volume of the History of the Decline and Fall of the Roman Empire appeared; a work which both merited and received the approbation of the public, notwithstanding some exceptionable opinions propagated in the concluding chapters. To this part of the work several answers, by Dr. Watson, Dr. Athorpe, Dr. Chelfam, Dr. Randolph, Mr. Davis, and others, appeared with various degrees of merit. The latter of these gentlemen was selected to receive the honour of an answer, in which

a very severe correction was administered to the delinquent, couched in terms of confident superiority and mortifying contempt. It was entitled, "A Vindication of some Passages in the fifteenth and sixteenth Chapters of the History of the Decline and Fall of the Roman Empire, 8vo. 1779." Referring to some of these antagonists of Mr. Gibbon, Mr. Hayley says,

But O! what foes beset each honour'd name,
Advancing in the path of letter'd fame!
To stop thy progress, and insult thy pen,
The fierce Polemic issues from his den.
Think not my verse means blindly to engage
In rash defence of thy profaner page!
Tho' kee her spirit, her attachment fond,
Base service cannot suit with Friendship's bond;
Too firm from Duty's sacred path to turn,
She breathes an honest sigh of deep concern,
And pities Genius, when his wild career
Gives Faith a wound, or Innocence a fear.
Humility herself divinely mild,
Sublime Religion! meek and modest child,
Like the dumb son of Cæsus, in the strife,
Where force assail'd his Father's sacred life,
Breaks silence, and with filial duty warm,
Bids thee revere her parent's hallow'd form!
Far other sounds the ear of Learning stun,
From proud Theology's contentious son;
Less eager to correct, than to revile,
Rage in his voice! and raucour in his style!
His idle scoffs with coarse reproof deride
Thy generous thirst of praise, and liberal pride.

In the Parliament of 1777 Mr. Gibbon represented the town of Liskeard in Cornwall, and was one of the Lords of Trade and Plantations at the time that Board was abolished. He is generally supposed to be the author of the Memorial published by Great Britain against France and Spain at the breaking out of the late war. This piece was written in a very masterly style, and proved to demonstration the wickedness and perfidy of the powers then contending against this country. In 1781, the second and third volumes of the Roman History appeared, since which period Mr. Gibbon retired to Switzerland, where he has completed his work, for the remainder of which the public now wait with great impatience.

The PALAIS ROYAL at PARIS.

[With a VIEW of it.]

THIS magnificent building was originally erected by Cardinal Richelieu, and by him presented to Louis XIV. who

gave it to his nephew the Duke of Orleans. This palace is in the neighbourhood of the Louvre, and partakes of the faults

faults of French architecture. It is magnificently furnished with paintings, antiques, and works of art of various

kinds. The paintings in particular are supposed to be the finest collection in Europe.

SPECIMENS of ANCIENT ARCHITECTURE.

[PLATE III.]

IN consequence of the repeated recommendations from various correspondents, we present our readers with a third specimen of the domestic architecture of our ancestors. The building in the mid-

dle is the well-known wax-work in Fleet-street, which is celebrated by Mr. Addison in the Spectator, No. 28 and 31; early in the present century. The houses on either side are situated in Tooley-street.

EXPLANATION of the PLATE of WRITING and SIGNATURES in the Reign of King HENRY VIth.

R. H. i. c. Rex Henricus.

PLEASE au Roy, nostre Sovrain, pour de l'ame de l'ame, & assent de son treffay conseil, de grauntier a votre povere Oratour John Hamond, un des peinteurs en l'office de votre Prive Seal l'empension annuelle quelle l'Abbe de Abendon a cause de sa nouvelle creation serra tenuz de faire avoir a un de vos Cleres qui vous luy ferrez nomer. Pour Dieu & en veuix de charitee (1).

The persons whose signatures are subscribed are,

1st. Humphry, Duke of Gloucester, the 4th Son of King Henry IVth. the great Patron of learning and of learned men. He founded the public Library at Oxford. He was Regent of England in the beginning of the reign of his nephew King Henry VIth. He was murdered at Bury, Feb. 28, 1447, and was buried at St. Alban's in a vault on the West side of the high altar, where his body is still to be seen in extraordinary preservation.

2d, Henry Chichely, Archbishop of Canterbury, from 2d of Henry VIth. to 21st Henry VIth. He was the founder of All Soul's College in Oxford.

3d, John Kemp, Archbishop of York, from 1426 to 1451. He was also Cardinal.

4th, Philip Morgan, Bishop of Ely, from 1426 to 1434.

5th, John Stafford, Bishop of Bath and Wells, and afterwards Chancellor of England and Archbishop of Canterbury.

6th, Thomas Langley, Bishop of Durham, from 1460 to 1487.

7th, The famous Richard Earl of Warwick, called the King-Maker, who made several Revolutions in the kingdom.

8th,

9th, Thomas Lord Cromwell, Lord High Treasurer of England.

To full hie and gracious Lord Henry Kyng of England and of France.

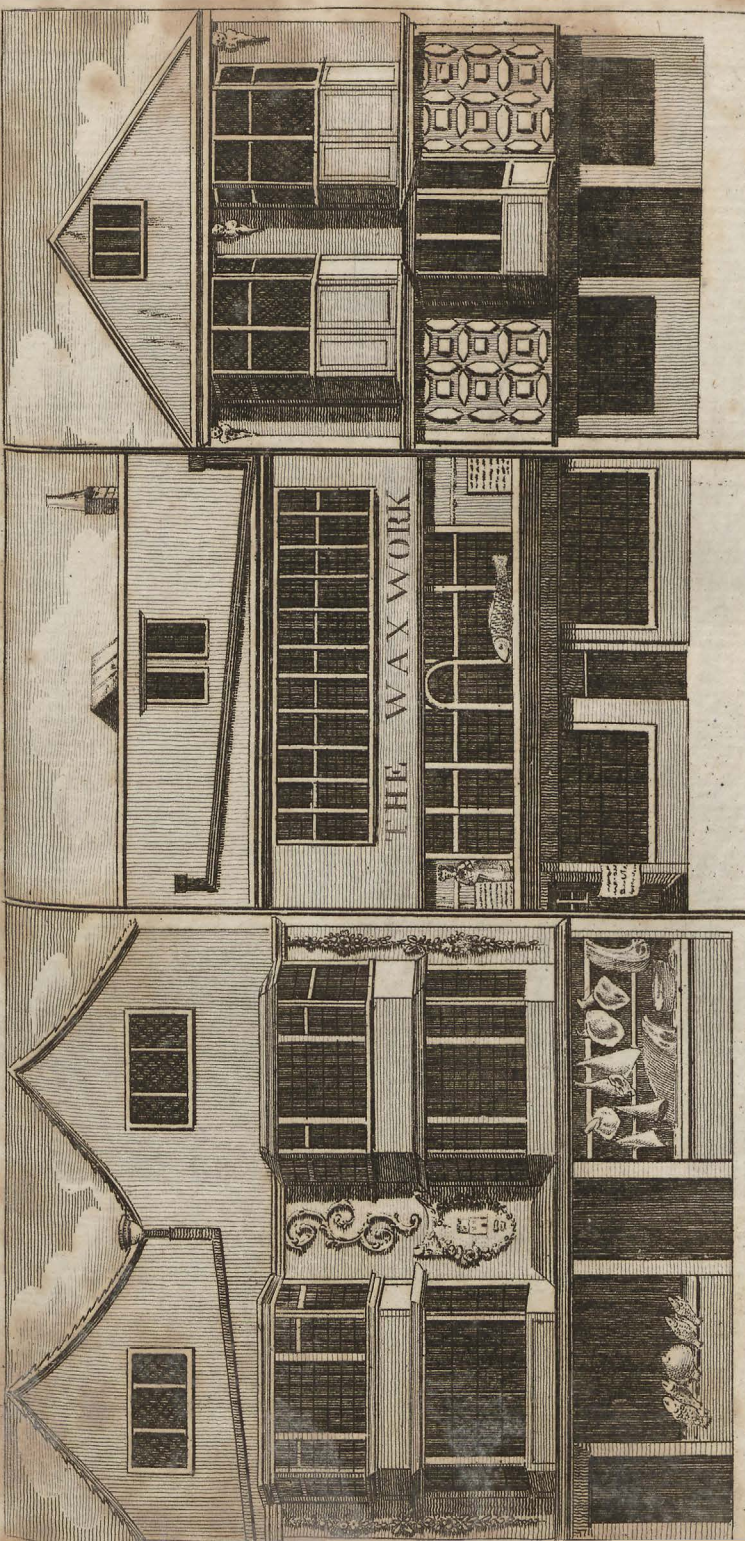
PLEASE hit to youre full hye and full gracious Lordship to graunt to Thomas Marchinton won of youre Clerkes of your Chepell a pencion yat is nowe falle to youre gracious oblacion in y^e Abbe of Bertyng by cause of y^e deth of y^e Abbes of y^e same place. And that in y^e worship of God and in the waye of charite (2).

Signed

1. H. Gloucestre.
2. H. Cantuar.
3. P. Elien.
4. J. Bathon. Canc.
5. J. Huntynndon.
6. R. Babthorpe.
7. W. Phelyp.

(1) This Petition was presented to the King in Council, July 1st, 6. Henry VI.

(2) This Petition was presented Jan. 20th, 11. Henry VI. A. D. 1433.



SPECIMENS OF ANCIENT ARCHITECTURE

Pratt's Sculp



Il case antoy une soum p de lams de lams z assent de son creffaye conssus de yombrer a bre poede oiatout
 John Hamondt en des pntens en loffice de bre peme seaf. l'empension dnuelle quelle l'bbe de Alendon
 a cause de sa mouelle creation sera toung de faire auoir a un de ses clerics q vous luy serrez nomer pour dieu
 z en veur de charite.

Y geoniceste q ³raucul q ³ber cano p ⁴chey J ⁵zichon & ⁶zmetm
 A ⁸Warwyl ⁸Sget ⁹Gombalt

To fult his and grions lord semp King
 of Englonz and of France

Plese hit to poure fult hve and fult orraons lordship to gunt. to Thoms marchion Don of
 pouce clerkes of poure the pelt a penain pat is nothe falle to poure gracions collaou m p Abbe
 of Seefing by cause of p^o Seth of p^o Abbes of p^o same place And that m^o Doship of soze
 in the Regne of charite
 Y gloucestre q ²raucul p ³chey J ⁴zichon cano
 Y ⁵hmitmistan & ⁶babthorp & ⁷plidshp

To the EDITOR of the EUROPEAN MAGAZINE.

SIR,

THE two letters I now transmit to you are such as I apprehend come within the plan of your Magazine. I send you the originals, and you are at liberty to infer them when you find it most convenient. I desire however that they may be printed literally with all their peculiarities. One observation will naturally arise on this occasion, and that is, the unsorted state of orthography at the time these letters were written. It was not Mr. Cibber alone who spelt ill. Some letters in my possession from Mr. Pope, which I may probably hereafter communicate to you, will shew that he also was very negligent on this subject. I could also point out many other persons of great name who were equally inattentive in this particular, but I believe it unnecessary. Whoever has seen any manuscripts of the most eminent writers at the beginning of the present century will scarce find any reason to give the preference to one over another. I am, Sir, &c. C. D.

S I R,

THANKS to Heaven and You, I am in good health arriv'd at London. Though I observ'd my friends thought me a little too hasty in the hazard of so long a Journey in my weak Condition, yet as it has happen'd it prov'd to be the best Physick I could possibly have taken. I had no sooner got to Kingsdown than I began to breath new life, which every Hill we climb'd but the more invigorated. I felt no fatigues, my spirits and appetite increas'd to the last mile, till I danc'd into my own door. And for all these given-over Joys reviv'd I am indebted to Dr. Oliver. The Lord Bless him, and make half the People of Bath sick for his and their own sakes; for if they are under his care they will bee but the better for it.

If nothing happens to cross my inclination, I propose to see Bath again in the winter season, and then I hope I shall be able to give you better thanks for the invaluable Blessing of Health which I have receiv'd from you; and doe my best to make my proper acknowledgments to Mr. Pearce for his unmerited Care and Civilitys. Pray give him my good wishes for his Health, and make my hearty service acceptable to him. Sir William Stanhope and Monsieur le Chevalier his brother are never out of my thoughts: my memory still feeds upon the frequent favours and acts of friendship they did me at Bath. And may I fall into another feavour if ever I forget them. News I have little, but that the Committee are very much out of humour at the Lords rejecting their bill, and this day in the House, they mov'd a Question, that the said Rejection was an

obstruction to Justice which [was] lost by a great Majority. I am, Sir, your most oblig'd and humble servant,
May the 27th, 1742. C. CIBBER.

LETTER II.

S I R,

AS much as I hate writing, the obligations I have to Dr. Oliver, would let me indulge it no longer: I thank you for the good advice in your last, and hope the immaterial part of me will be the better for it.

I sent you by the two days Coach of Roberts a printed letter of mine to Mr. Pope, which you should receive on Saturday the 24th instant. I will not ask your opinion, because if you like it, you will have no very good one of Him. But I hope you will find I have done him no injustice: for I like his Poetry, tho' That does not like me.

All my Family, that had the Happiness to see you at Bath, are particularly desirous of making you their Compliments. As for my bodily self, it has not been in better health these many years: yet St. Antony does not care absolutely to part with me. I feel him still in my thigh, and sometimes in both leggs, but not so as to be much troublesome. I am advis'd to dabble a little with the Tunbridge waters, and shall be there on Sunday next. When ever you have any commands for me in town, a line to Berkley Square near Bruton Street will come safe to, Sir, your most obliged and humble servant,

C. CIBBER.
Friday, July the 23d, 1742.

An ACCOUNT of the DIAMOND MINES in the Province of BUNDELCUND.

Written in 1785.

DIAMONDS are found within the earth round the city of Punnah (the capital of the province of Bundelcund,

distant about 130 miles to the south westward of Allahabad) and to the extent of twenty-four miles in the directions of east

east, north, and west, from the precincts of that city. It is a Hindoo territory, governed by a Rajah.

Any person, foreigner or native, may search for diamonds within his dominions, without let or molestation. Merchants from Guzerat, Surat, Joynagar, Dehly, Benares, Allahabad, Lucknow, and Furrakabad, are those who chiefly resort to Punnah for that express purpose. They employ workmen to dig for them, at the rate of five rupees per month; over whom guards, belonging to the Rajah, are stationed, in order to ascertain the precise number found, and to appraise their value. One-fourth of their worth is given to the Rajah, either in money or in kind: the residue is left to the merchants for their own benefit. For all, however, superior in price to 3000 rupees, the Rajah gives the merchant one-fourth, and keeps the stones himself.

These gems are usually found about eighteen inches from the surface, at six feet deep, and at twenty-four feet deep, amidst a rough, coarse, honey-combed, brown stone, or gravelly substance, called *khakroo*, mixed with a dusky-red argillaceous earth-like ochre, but both so hard, that the miner cannot sometimes excavate a foot square during a whole day.

Where there is no *khakroo* they are not met with. Of this *khakroo*, when burnt, is made lime. From hence it should seem, that this concretion is the matrix of their generation. When no *khakroo* is discovered at twenty-four feet, the miner desists from delving lower. Round their pits they leave arches, wide

enough for two people to traverse. From the mines the earth is hoisted in baskets, and then rinsed and sifted. When diamonds are amongst it, their crystals emit a lustre, by which they are presently discerned, and easily distinguished. Those jewels which are of a larger size, or finer than common, the Rajah (as above mentioned) reserves for his own wear, or disposes of himself to the more considerable merchants.

Diamonds are said to have been discovered within this district not more than sixty years ago, and (like most other extraordinary discoveries) by accident. Children were casually seen playing with some rough stones by a lapidary, who chanced to come to Punnah from Benares. He honestly disclosed to the Rajah the nature and value of them, who caused the earth to be explored accordingly, and they were found in the following villages, Rangpore, Mujgawan, Chowperrah, Berrejpore, Etowah, Jowhurepore, Manikpore, and Cowahko.

None were found in the vicinity of Chatterpore, a town about thirty miles north westerly of Punnah, as has been erroneously supposed.

It is observed above, that the diamond country extends from Punnah on three sides, to the distance of twenty-four miles. Now, as no part of this space is permitted to be cultivated, it may be questioned whether the possessor really derives so much advantage from the diamonds as he would reap from the successive culture of the same compass of ground, either in pasture or tillage.

To the EDITOR of the EUROPEAN MAGAZINE.

“ — — — Animos accendunt carmina fortes.”

S I R,

THE accounts we receive from the ancient Historians of the power the Poet possessed of old to inspire his countrymen with an enthusiastic courage, and of the eloquence of an orator being able “ to wield at will the fierce Democracies of Greece,” seem hardly credible to one whose opinion on the subject is formed from the observation of the manners of the present time. Our boasted refinement seems either so to have enervated our breasts that they are incapable of that active, that warm patriotic zeal which animated a Citizen of one of the small Grecian Communities, and still glows

with equal strength in the bosom of a member of some of the Indian tribes; or to have taught us a cold selfish caution, which neither the Orator nor Poet can warm into disinterested action. Far different from most of ours were the condition and sentiments of the Grecian. We are members of a large community, and most of us live in security and ease, free from hostile alarms, and each in pursuit of private interest; whilst the Grecian, who was a member of a community consisting of but a few thousand citizens, was obliged personally to bear his part in the defence of his city. He was a warrior

rior

rior from necessity; continual apprehension taught him vigilance, and frequent toils and dangers armed him with vigour and courage. Their temples, their sacred hearths, their families and household gods were objects of the most sacred attachment, for which they were ever ready to lay down their lives.

But their situation among an assemblage of small independent states not only made them warriors from necessity, it also gave rise to a generous spirit of emulation among them. This encouraged the exertion of all their faculties, both of body and mind. A love of glory took possession of their souls, whose generous nature rendered them susceptible of it in the most exquisite degree; so that the chaplet, the reward of valour, and the simple garland, the prize of the victorious wrestler, were received with greater transports of satisfaction than the richest prize without glory could bestow.

This susceptibility of warm and generous emotions disposed them to be influenced by their Poets and Orators in that enthusiastic degree we so much admire. Hence it happened that the artful policy of the Athenians in sending Tyrtaeus, a schoolmaster of deformed person and unacquainted with the art of war, but possessed of great poetical talents, to command the Spartan army, when the Spartans were directed by the oracle to apply to Athens for a General in their unsuccessful war against the Messenians, had a contrary effect from what they hoped. For when the Spartans, as might be expected, were defeated under his conduct and began to despond, he raised their drooping courage by his war elegies to such a pitch of enthusiasm, that, after so many defeats, they renewed the conflict with the resolution of obtaining victory or a glorious death,—and they were victorious.

Thus did the Poet by his animating songs obtain that success which the Spartan Generals had failed of, and which, perhaps, no generalship, unaided by the animating song of the Poet, could have gained.

These reflections were suggested by reading Tyrtaeus's war elegies in Mr. Polwhele's late excellent translation of Theocritus, Bion, Moschus, and Tyrtaeus. The fourth elegy I beg leave to send for insertion, that your readers may see what arguments the Poet touched upon to animate his warriors.

If, fighting for his dear paternal soil,

The soldier in the front of battle fall;

'Tis not in fickle Fortune to despoil

His store of fame, that shines the charge
of all.

But if, oppress'd by penury, he rove

Far from his native town and fertile
plain,

And lead the sharer of his fondest love,

In youth too tender, with her infant
train :

And if his aged mother,—his shrunk fire

Join the said groupe;—see many a
bitter ill

Against the houseless family conspire,

And all the measure of the wretched fill.

Pale shivering want, companion of his
way,

He meets the lustre of no pitying eye;

To hunger and dire infamy a prey,—

Dark hatred scowls, and scorn quick
passes by.

Alas! no traits of beauty or of birth—

No blush now lingers in his sunken face!

Dies every feeling (as he roams o'er
earth)

Of shame transmitted to a wandering
race.

But be it ours to guard this hallow'd spot,

To shield the tender offspring and the
wife;

Here steadily await our destin'd lot,

And, for their sakes, resign the gift of
life.

Ye valorous youths, in squadrons close
combin'd,

Rush, with a noble impulse, to the
fight!

Let not a thought of life glance on your
mind,

And not a momentary dream of flight.

Watch your hoar seniors, bent by feeble
age,

Whose weak knees fail, tho' strong
their ardour glows;

Nor leave such warriors to the battle's
rage,

But round their awful spirits firmly
close.

Base—base the sight, if foremost on the
plain,

In dust and carnage the fall'n veteran
roll;

And ah! while youths shrink back, un-
shielded stain

His silver temples, and breathe out his
soul!

HONESTUS.

L I T E R A R Y

MR. Dryden used to say, that *Charles* exceeded him in the facility of rhyming. *Amaranth by Walter Harte. 1767.* p. 274.

Dr. Johnson observes of Dryden, that "He declares of himself that he was satiric, and not one of those whose spritely sayings diverted company; and one of his censurers makes him say,

Nor wine nor love could ever see me
gay;

To writing bred, I knew not what to
say.

Of his taciturnity a contemporary writer bears testimony in the following terms: "Oh, Sir, there's a medium in all things. Silence and chat are distant enough to have a convenient discourse come between 'em; and thus far I agree with you, that the company of the Author of *Abialom* and *Achitophel* is more valuable, though not so talkative, than that of the modern men of *banter*; for what he says is like what he writes, much to the purpose and full of mighty sense; and if the Town were for any thing desirable, 'twere for the conversation of him and one or two more of the same character. *The Humours and Conversation of the Town exposed in two Dialogues. 1693.* p. 73.

The following Postscript to Mr. Dryden's Letter to his Sons is not printed in Dr. Johnson's Life of that Poet.

MY dear sons, I sent your Letter immediately to your father, after I had read it, as you will find by his; I have not room to say much having writ former Letters to you, Dated the 27 of August your father being then out of Town he writes me word he is much at woe as to his health, and his defence is not worse

but much as he was when he was heare; he expresses a great desire to see my dear Charles: and trully I see noe reason why you should not both come together to be a comfort to woon another and to us both if the King of France includ England in the peace for you doe but Gust make shift to live wheare you are and soe I hope you may doe heare, for I will Leaf noe Ston unturn'd to help my beloved sonns. If I cane, I will send this Letter by the same way it came, that is, it was brought me from woon Mr. Galowway who corresponds with Roszie; I payd woon and Sixpence for it, and do offer to pay him what he demandes, so that he would take care the might come safe to your handes. I long tell I heare my deare Charles is better. I have only room to tell you the names of the Merchantes your parcell went in you are to demmand them of Mr. Robert Ball and Thommas Ball In Linodorno in Linorno. You are not to pay any charges For the Box for the Port of London, if the have demanded any of you send word to me what it is for otherwayes wee shall pay twice for them and this Mr. Walkelon telles me with his service to you both; farwell my deare children. God Almighty keep you in his protection, for that is the wishes and prayers of your most affice Mother that sends her Blessinge to you all: not forgetting My Sonn Harry whose prayers I desire for a Comfortabell Meetinge. I hope I may have some better things against you come then what is sent you in that Box there being nothing Conhdurabell but my deare Jackes play who I desire in his next to me to give me a true account how my deare Sonn Charles is head dus for I cane be at noe rest tell I heare he is better or rather thourely well which I dally pray for.

T H E
L O N D O N R E V I E W;
A N D
L I T E R A R Y J O U R N A L.

Quid sit turpe, quid utile, quid dulce, quid non.)

Letters to and from the late Samuel Johnson, LL. D. to which are added some Poems never before printed. Published from the original MSS. in her Possession, by Hester Lynch Piozzi. In Two Vols. 8vo. 12s. Cadell.

IT is remarked by the sprightly and elegant editor of the present work, that "we have few letters in our language printed from *genuine* copies: such as were

prepared for the press by their writers have forfeited all title to the name of letters, nor are ever considered as familiar chat, spread on paper for the amusement in

struction.

fruition of a distant friend." In the justice of this remark, so far as it goes, we coincide with her, and shall take leave to extend it somewhat farther.—It may be well questioned, whether the epistolary correspondence of any man be a fit subject for publication. Either it is sufficiently polished to meet the judgment of the world, or it is not.—If it be, the probability is, that the letters have been written with an eye to public inspection, and so they lose at once their principal recommendation of ease, sincerity, and nature. If they be the genuine effusions of the writer's heart, it is equally probable that they are not of sufficient merit, or at least of sufficient consequence to the *general* to deserve perusal. The only argument which can be adduced for the publication of private correspondence is, that in their familiar letters, as in their conversation, the best picture of the minds of men is to be found;—but of this argument the force is by no means conclusive. No man sits down in his closet coolly to give his friend an unfavourable impression of himself.—It is easy to deceive ourselves. Generous sentiments and sublime morality require little exertion to produce, while neither interest nor passion interfere to stifle them; and advice is, of all things, that of which we are most liberal. With these sentiments of familiar correspondence, which, though harsh, may probably be found not unjust, we fear it is too true, that every man sits down to his desk under the impression of a character which he is to sustain; with a wish to shew himself, not what he is, but what he would be thought to be; and this, very frequently, without any formed intention of imposition: he first deceives himself; and so his correspondent, and the world.

Some of the best epistolary compositions in our language are the letters (as they are miscalled) of Pope; a sordid animal, who never wrote a line but with a view to his interest. These fully exemplify our present assertions. We admire and applaud the generous sentiments and elevated morality they every where breathe. The elegance of the style, tho' inimitable, is their least praise: but they are not *letters* written in confidence to his friends, they are meant for the world;—and if we suppose them intended, as doubtless they were, for pictures of his mind, we know them to be false.—Yet Pope's letters, with these condemning faults, we must not hope to see speedily outdone: at least, it is not the present publication which will wither the laurel on his brow.

Elegance of composition is certainly not the basis on which the epistolary fame of Johnson is to rest; we can therefore peruse his letters only as the reflection of his mind; and the image, we are with sorrow obliged to say, is not a favourable one. His gloomy melancholy, and the unmanly fear of death which haunted him, pervade almost every line.—He is peevish and querulous; but then it must be also told that his friendship is animated and active, his piety unfeigned, and his charity fervid and unbounded. Yet, after all, we wish that these letters had not appeared. The vexations of Johnson, his illness, his complaints and his remedies, fill up no small part of the collection; and it is surely unpleasant to contemplate the Rambler pining in sickness and in sorrow, or discontented and worn-out by the petty jealousies and quarrels of a troublesome tribe of mendicants, whom he supported under his roof. When he is so extremely querulous, he seems to have forgotten his own remark in Cowley—*That continued complaint produces an emotion very different from compassion.*

Sometimes he attempts the sportive ease of Swift, whose letters to his female friends have gone, if the phrase may be allowed, beyond perfection. But "oh what a falling off!" He is an elephant on the slack-rope. In Presto's letters to M. D. there is a beauty, an ease, a naiveté, which are inimitable.—When Johnson's evil genius leads him to *badinage*, he reminds us of his own "lion which could not dandle the kid."—

Very much of the collection is occupied by the private concerns of Mr. Thrale and his family.—Of this it is not too severe to say, we could well spare it. The state of Mr. Thrale's brewery at this day is not an object of universal attention; but Mr. Thrale's brewery sixteen years ago is an object of attention to nobody. Montaigne tells us he loved white wine. Scaliger asks with more justice than politeness, what does the world care whether he likes white or red?—Yet Montaigne is of at least as much consequence to the literati as Mr. Thrale. Will Madam Piozzi excuse our rudeness in asking, what is it to us at this day that she bought her malt in 1772 at near fifty shillings a quarter?

On the whole, these Letters undoubtedly add not to Johnson's fame.—That they never were intended by him for publication is evident. Perhaps Madam Piozzi had been more *kind to his remains* in suppressing them: yet they will be read.

Actions which are but ordinary, and sentiments which are trite or trivial, when sanctioned by the conduct or the conversation of Johnson, we are content to admire. Even little things are of consequence when done by him who has accomplished great ones.—The present Letters are certainly

among those little things, yet they have their value :

—*Inest quoque gratia parvis.*—

In our future Numbers we shall select a few of those letters which appear to our judgement the best. [*To be continued.*]

Slavery; a Poem. By Miss Hannah More. 4to. 1s. 1788. Cadell.

A Very well-meant, but feebly executed, production, intended to second the present impulse in favour of the emancipation of Negroes. The Authoress is occasionally obscure. The first eighteen lines are metaphysically abstruse.

If Heaven has into being deign'd to call
Thy light, O LIBERTY! to shine on all;
Bright intellectual Sun! why does thy ray
To earth distribute only partial day?
Since no resisting cause from spirit flows
Thy penetrating essence to oppose;
No obstacles by Nature's hand imprest,
Thy subtle and ethereal beams arrest;
Nor motion's laws can speed thy active course,
Nor strong repulsion's pow'rs obstruct thy
force;

Since there is no convexity in MIND,
Why are thy genial beams to parts confin'd?
While the chill North with thy bright ray is
blest,

Why should fell darkness half the South invest?
Was it decreed, fair Freedom! at thy birth,
That thou should'st ne'er irradiate all the earth?
While Britain basks in thy full blaze of light,
Why lies sad Afric quench'd in total night?

What is meant by a "resisting cause flowing from spirit to oppose a penetrating essence?"—Sometimes Miss More's zeal for liberty hurries her into contradictions. She first tells us,

No: they have heads to think, and hearts
to feel,

And souls to act, with firm, tho' erring zeal;
For they have keen affections, kind desires,
Love strong as death, and active patriot fires;

The Second and Fourth Books of Virgil's *Æneid*, translated into English Verse, by John Morrison, of the Grammar-School, Wolverhampton. 8vo. 9d. each. 1787. Lowndes.

THE best account we can give of this, all things considered, very extraordinary performance is in the words of the Advertisement prefixed:

"The following translation is printed from a series of exercises done by a Boy only twelve years of age, in the Grammar-School of Wolverhampton. The reader will observe in it evident marks of

All the rude energy, the fervid flame,
Of high-soul'd passion, and ingenuous shame:
Strong, but luxuriant virtues boldly shoot
From the wild vigour of a savage root.

Nor weak their sense of honour's proud
control,

For pride is virtue in a Pagan soul;
A sense of worth, a conscience of desert,
A high, unbroken haughtiness of heart;
That self-same stuff which erst proud empires
sway'd,

Of which the conquerors of the world were
made.

Capricious fate of man! that very pride
In Afric scourg'd, in Rome was deify'd.

Yet afterwards she says, it is true they
are "dark and savage, ignorant and
blind!"

The following appear to us to be the
most spirited lines of this *brochure*.

Shall Britain, where the soul of Freedom
reigns,

Forge chains for others she herself disdains?
Forbid it, Heaven! O let the nations know
The liberty she loves she will bestow;
Not to herself the glorious gift confin'd,
She spreads the blessing wide as humankind;
And, scorning narrow views of time and place,
Bids all be free in earth's extended space.

What page of human annals can record
A deed so bright as human rights restor'd?
O may that godlike deed, that shining page,
Redeem our fame, and consecrate our age!

On the whole we can only say to this
Poem, in the words of Yorick, "Dis-
guise thyself as thou wilt, still, *Slavery*,
thou art a bitter draught!"—

a juvenile performance; yet the passages, which evince genius, and afford indications of talents likely hereafter to produce something more worthy of attention, will, it is presumed, be found numerous enough to preserve it from contempt, and respectable enough not to render it unworthy of the School, of which he is a member. The copies of it are multiplied with a
view

view to stimulate to exertion—by keeping alive in the school that great, vital principle of improvement—Emulation. This consideration will, it is hoped, entitle it to that indulgent Criticism, which the voluntary publication of maturer years cannot solicit—at least upon the same grounds—or with the same prospect of success.’

As a specimen, we shall extract from the Fourth Book the following description of night.

The night had spread her mantle o’er the
sky,
And in soft slumber seal’d the wearied eye.
A gentle calm had sooth’d the raging seas,
And the woods nodded to the Zephyrs breeze;
The stars thro’ Heav’n now held their middle
way,
And half the world in deepest silence lay;

The sheep, and painted birds that haunt the
floods,
And those that wander thro’ the fields and
woods,

Throughout the silent night in slumber lay,
And ev’ry heart forgot the toils of day:
No slumber seals unhappy Dido’s eyes,
Tumultuous passions in her bosom rise.
Her cares increase, fierce love her mind di-
vides,

And anger rises in successive tides.

To borrow a phrase from a Sister Art,
“The Master is in it!”—we hope, there-
fore, to see our young Translator here.
after produce fruits worthy of so very
early and so very promising a shew of
blossoms. He has but to remember, that

“Qui cupit optatam cursu contingera
metam,

“Multa tulit fecitque puer.”——

HOR.

Thoughts on the Manners of the Great. 8vo. 1788. Cadell.

THE late Dr. Goldsmith, as we are told by himself in some of his Essays, made it a rule never to read a pamphlet intitled *Thoughts* or *Free Thoughts* on any subject whatsoever. The rule, though perhaps too general, is in the main a safe one; for more trash has appeared under this title than almost any other. *Thoughts*, as they are called, seem generally the work of men who never think. The pre-

sent production is, however, an exception. It is a very sensible and well-intended little work, though we can hardly flatter ourselves it will operate much on those whose manners are the subject of it. The characteristic of the present age is rather, in our judgment, frivolity than vice; and as dissipation is ever an enemy to reflection, we wish the pamphlet had a better title.

Letters of Abelard and Eloisa. With a particular Account of their Lives, Amours, and Misfortunes. By John Hughes, Esq. To which are added, several Poems, by Mr. Pope, and other Authors. A new Edition. Illustrated with Copper-plates. 8vo. 4s. 1788. Lowndes.

OF this work the reputation is too well established to need any commendation here; but of the present edition it is only justice to say, that the paper, type, and, still more, the embellishments are executed in a style that does honour to the liberality of the publisher. The en-

gravings are creditable, not merely to this edition, but to the present state of the arts in England. To this Edition are also now first added two Poetical Letters from Abelard to Eloisa, written by Mr. Samuel Birch and Mr. Seymour.

Elegant Extracts; or useful and entertaining Passages in Prose: selected for the Improvement of Scholars, at classical and other Schools, in the Art of Speaking, in Reading, Thinking, Composing, and in the Conduct of Life. A new Edition. 8vo. 8s. Dilly. 1788.

WHERE so much has been done, and so little assumed, as by the editor of the present collection, he must be a churl indeed, who should nicely enquire after the defects of a work so modestly introduced to the public as that now

under our consideration is. There are already, says the editor, many collections of a similar kind, which have been found very useful; and this pretends not to any superiority over them, but that of affording a greater quantity of matter than any
of

of them have exhibited in one volume. It is but justice to the present selection to observe, that it is compiled not only with judgment but taste. It contains much to be applauded, and little to be censured; nothing that can taint the mind; but, on the whole, more entertainment for both youth and age than can be pointed out in the same compass, and at the same price.

The present edition is considerably enlarged and improved.

A new edition of a selection of "Elegant Extracts in Verse," by the same compiler, and a large impression of which has been sold in a very short time, we hear is now in the press, with considerable additions.

Egerton's Theatrical Remembrancer, containing a complete List of all the Dramatic Performances in the English Language; their several Editions, Dates, and Sizes, and the Theatres where they were originally performed; together with an Account of those which have been acted and are unpublished, and a Catalogue of such Latin Plays as have been written by English Authors, from the earliest Production of the English Drama to the End of the Year 1787. To which are added, *Notitia Dramatica*, being a Chronological Account of Events relative to the English Stage. 12mo. 3s. 6d. Egertons.

A VERY useful performance, which does credit both to the industry and accuracy of the publishers. The reader may here have a ready recourse for information in what relates to the English stage, and, from an attentive perusal we are warranted to say, without the danger

of being misled. Such praise, therefore, to use the publishers words, as laborious industry is intitled to, we shall not withhold from them. In a future edition, however, it may be worth their consideration, whether the table of chronological events ought not to be enlarged.

The Flowers of Ancient History: comprehending, on a new Plan, the most remarkable and interesting Events, as well as Characters of Antiquity. Designed for the Improvement and Entertainment of Youth. By the Rev. John Adams, A.M. 12mo. 3s. Kearsley.

The Flowers of Modern History: comprehending, on a new Plan, the most remarkable Revolutions and Events, as well as the most eminent and illustrious Characters of Modern Times; with a View of the Progress of Society and Manners, Arts and Sciences, from the Irruption of the Goths and Vandals and other Northern Nations upon the Roman Empire, to the Conclusion of the American War. Designed for the Improvement and Entertainment of Youth. By the Rev. John Adams, A.M. 12mo. 3s. Kearsley.

THESSE compilations are by the same author, are intended for the same purpose, and will be found very useful in conducting the education of youth. History is, of all other objects, the most pleasing to young persons; and the plea-

sure which arises from the pursuit is unmixed with any of those pernicious effects which attend many other species of reading. The authors from whom these selections are made are of the greatest reputation and the highest authority.

An Appeal to the Humane on Behalf of the most deplorable Class of Society the Cimbing Boys employed by the Chimney-Sweepers. By J. P. Andrews. 12mo. Stockdale.

IT is a pleasing reflection to the friends of humanity to find, that at a time when the rights of the oppressed are the subjects of particular attention, the benevolent purpose of Mr. Hanway, respecting a certain class of wretched beings, is not likely to be abandoned. No persons

seem more to claim the notice of those who can relieve misery than the objects of the present publication; and we cannot but applaud the benevolence of Mr. Andrews's exertions, which we shall be highly gratified to congratulate on being crowned with success.

The

The London Medical Journal, for the Year 1787. Part the Fourth. 8vo. Johnson.

I. CASE of an Extra-uterine Fœtus.

Communicated in a Letter to Dr. Simmons by Michael Underwood, M. D. Licentiate in Midwifery of the Royal College of Physicians, and Physician to the British Lying-in Hospital in London.

This curious narrative relates to a Woman, who, for the space of forty years, continued to void the bones of an extra-uterine fœtus. As the facts will probably be interesting to many of our readers, and cannot easily be abridged, we shall give an account of them in the Author's own words:

"Mrs. Sheppard, of Snow-Hill, London, naturally a healthy woman, rather under the middle size, muscular, but not inclined to be corpulent, was married in 1731, being then in her twenty-third year. She soon became pregnant, and miscarried at the end of ten weeks. She after this miscarried five or six times at nearly the same period of gestation.

"In 1738, when in her thirtieth year, she again proved with child, and went on well till she had quickened. Unfortunately, at the end of five months, being violently frightened, she fainted away, and, upon her recovery, felt something (as she expressed it) break within her, and from that period was for a considerable time subject to returns of the fainting. She continued, however, to increase in bulk, and at the end of nine months, being affected with the grinding pains of labour, she sent for a midwife, who, though she could not discover any opening of the os uteri, was fully persuaded that the abdominal tumor was owing to an enlargement of the womb. The pains continued to increase next day, but without producing any visible change in the os uteri. Dr. Bamber and other physicians being consulted, internal medicines and clysters were exhibited; notwithstanding all which, she continued in racking torture for four days, when she fell asleep, and soon after awaked easy. During the following night she was affected with repeated faintings, and milk was then found to be in her breasts. She continued for a short time to be tolerably easy, but soon had some returns of pain, and, for the

first time, perceived a black, foetid, bloody discharge from the vagina, which lasted four or five days, and during the five succeeding weeks she had repeated appearances of this kind, attended at times with violent pains, and a discharge of coagula, resembling pieces of flesh. The swelling of the abdomen began gradually to diminish after the first discharge, and at the time the patient got abroad (which was two years after) was reduced to half the former size, and continued diminishing for the three succeeding years; during all which time she had painful discharges at irregular periods, and passed several of these solid coagula, which the bystanders imagined (contrary to the opinion of the medical gentlemen) to be parts of a placenta.

"After these five years she passed no more solid coagula, but had the catamenia regularly, though painfully, and discoloured, for about two years more. In her thirty-seventh year, viz. in 1745, she thought herself breeding again, as she increased gradually in bulk, as before, to what she thought her full term of nine months, when, being seized with labour pains, which continued regularly for a whole day together, her midwife pronounced her to be certainly with child, but without any appearance of natural labour.

"She continued to be harrassed with grinding pains, equally ineffectual, and frequently attended with some discharge, every fortnight or three weeks, for about two years; after which she was attended by the late Sir William Watson, who continued to visit her occasionally the five succeeding years, during all which time the enlargement of the abdomen remained, and the pains frequently returned. He procured her temporary relief by opiates and clysters; but her complaints always recurring, she consulted the late Dr. Ward, who gave her repeatedly half of one of his sweating powders, which at first relieved her, but after the fourth dose brought on violent pain of four hours continuance; after which she fell asleep, and when she awaked was free of pain. In a week afterwards she found herself better, her abdomen gradually subsiding and her breathing becoming easier. The menses

now returned more regularly, and in greater quantity, and in six months she was reduced to her natural size. She had, nevertheless, her usual and violent pains at times for about thirteen years.

"About a year after the swelling of the abdomen had disappeared, she menstruated more sparingly, and at longer intervals, and began again to feel an increase of the abdomen, which continued for near nine months, and then gradually disappeared.

"She had, after this, three more enlargements of the abdomen, of a shorter continuance, during the above thirteen years, but had no milk in her breasts, as in the two former of three and seven years.

"At the expiration of these thirteen years from the second supposed pregnancy, after suffering pains for several days, she was seized, while sitting on the clostool, with one more violent than usual, and passed something with great difficulty by the anus, which was found to be the rib of a fœtus. This was in the year 1759, about twenty-one years from her fright during pregnancy. The menfes had then left her about twelve months. From this time some bones came away every two or three days for several weeks, but with more ease than the first, and she was able in about five weeks to walk about the house, but could not for three years walk half a mile. During all this time some bones came away every two or three weeks; but after that time she remained easy for a quarter or half a year, without parting with any, and then gradually recovered a considerable degree of strength. The bones she voided seemed to be those of a fœtus of about five months growth, and were those of the ribs, scapula, and vertebrae, all of which were passed previously to the beginning of the year 1770, when I first saw her, and received from her the above narrative. At this time some bones were coming away every three or four days, but with less pain than formerly, and I found her, upon the whole, in tolerable good health. During the early part of the year 1771 she voided but few, but towards the close of it passed near twenty pieces of bone with considerable pain, and she never could walk to any distance without suffering by it. After this she voided very little bone till towards the end of the year following, when, falling down stairs, she bruised the os coccygis, which

occasioned pain every time she went to stool. Before this fall she had got free of those bearing-down pains which she had been so long subject to; but after that she had more constant pain, though not so violent. Several more pieces of bone were passed about this period.

"During the space of two years after this fall she continued to void pieces of bone with much less trouble, and had frequent intervals of ease for months together, which enabled her to recover her strength in a great measure, though she never was so easy as before the accident.

"Towards the latter end of the year 1774 she was become pretty easy, and, by computation, it was found she had passed, in the last fifteen years, about three hundred small pieces of bone, and half as many larger, which last were very thin. At the beginning of 1775 she brought on a painful disorder of her bowels by an advertised purging pill, and after this she passed several pieces of bone, and particularly one, which seemed to be an exfoliation of the ileum, near two inches long.

"In the course of the next year, 1776, many small bones were voided; but after this she remained upwards of a year without passing any, and again recovered her health and strength in a great degree.

"After this she no longer passed any large pieces of bone, but sometimes smaller ones, without any other trouble, however, than that of some uneasiness when she allowed herself to become costive.

"In 1778, when she had arrived at the age of seventy years, she received a considerable accession of fortune, which (owing probably to a frame enervated by forty years suffering) so changed her temper, and deranged her mind, that she became peevish, emaciated, restless, and very soon after maniacal. She continued in that state till her death, which happened not long ago; and having been removed into the country, when she lost her senses, there was no opportunity of examining the body."

II. Observations on Extra-uterine Cases, and on Ruptures of the Uterus. By Maxwell Garthshore, M. D. F. R. S. and S. A. Fellow of the Royal College of Physicians at Edinburgh, and Physician to the British Lying-in Hospital in London.

This

This is in some measure a commentary on the subject of the preceding article, and on a case related by Mr. Jacob in a former part of the volume. Dr. Garthshore has also collected a variety of similar facts from his own practice, and from books. The mode of treatment to be observed in ruptures of the uterus, forms, however, no inconsiderable part of the paper, in which we meet with many remarks that claim the attention of the accoucheur.

III. An Account of a large Mass of Hydatids discharged from the Uterus. Communicated in a Letter to Dr. Sim-

mons by Mr. B. Wilmer, Surgeon at Coventry.

The author of this paper is already well known as a surgical writer, and the case he has here communicated will, he thinks, be deemed interesting. It is similar to one described by Ruych, who supposes that the hydatids in such cases are produced by a diseased state of the glands of a retained placenta; but in the instance related by Mr. Wilmer, in the work before us, the mass discharged appeared to consist entirely of hydatids, connected by a mucous medium.

[*To be Continued.*]

View of the English Interests in India. By William Fullarton, Esq. M. P. late Commander of the Southern Army on the Coast of Coromandel. 8vo. 4s. 6d. Cadell. 1787.

(*Concluded from Page 89.*)

HAVING thus proposed the improvements necessary for re-establishing, and indeed renovating the British military constitution in India, Colonel Fullarton proceeds as follows:

“ But we cannot expect a permanency of arrangement in the present indefinite state of military command:—while the power that should direct and the power that should obey are at variance, while the subordinates are at the mercy of contradictory orders from contending authorities,—nothing but counteraction can ensue. The inferior officer looks not to his commander for preferment, nor cares for his displeasure, provided his acquiescence with the civil interest can procure him an appointment. The condition of the Commander is still more humiliating:—without weight to resist the encroachments of the civil service, his opposition only exposes his weakness, and his compliance infallibly forfeits the confidence of the army.—Involved in odious discussions, and being overwhelmed with committee business, a very small portion of his thoughts is bestowed upon the duties of his station. Hence, for years past, there have been no regular reviews, no inspection of the troops on the part of the Commander in chief,—no enforcement of the established regulations of the Coast service, and so little encouragement of parade duty, that the discipline of the army depends solely at this time on the meritorious attention of subordinate officers.

“ There appears but one remedy for these inveterate evils. While the power of a Governor rests upon a different basis from that of a Commander in chief, the passion for superiority will occasion violent and dan-

gerous collision. The mass of the civil service espouse the cause of their Governor; the body of the army range under the banners of their General. The first are able and united:—the others are superior in vehemence and number. The discontented of the civil service make common cause with the military;—the obsequious of the military take shelter under the wing of civil patronage. Hence a general ferment is excited.—The civil service prosecute their measures with methodical assiduity;—the military indulge in clamorous excess. The grounds of discontent are communicated to the numerous attendants who surround all Europeans:—from these they spread through other classes of the natives, and extending over the peninsula involve every Englishman in the hatred and contempt of all India. The Asiatics cannot enter into European distinctions of participated power:—while they behold Generals seizing Governors, and Governors arresting Generals, they necessarily think ill of either situation.

“ So indispensable in all Eastern Government is power undisputed and control without counteraction, that we cannot hope to see a period put to these calamities until authority shall issue from one source, and flow in one equal undivided stream. Were this the case, —were the powers of Governor and Commander in chief united in the same person, still subjecting all public acts of Government to the voice of a council or committee, the civil and military would forget their animosities; and instead of regarding each other as contending squadrons, they would feel themselves confederate forces acting under the same leader. No longer would the delibe-

rative plans for the conduct of a war be thwarted by reluctant execution or actual disobedience, nor the most alluring hopes of decisive enterprise be stifled by the sparing hand that should support them. Neither can it be conceived, that from this amendment any disadvantage would result to the military. At present they have the mortification to behold their leader without power, influence, or respect: in the other case, he would possess them all. Were the same person Governor and Commander in chief, the officer next in seniority would naturally be entrusted with the general conduct of the army, and enjoy consideration due to the second in command of a great military establishment. Thus the ungovernable feuds of party would be checked, and there would be some prospect that the public welfare might engage the undistracted attention of those to whom it was entrusted."

Having thus with great ability dispatched the military department, Colonel Failarton takes a prospect of the present state of the civil administration of India, in which misrule and mismanagement appear very forcibly to predominate.—From the grievous misconduct of the Nabob, it became absolutely necessary to transfer the collection of the revenues to the Company; and the only mode, which, from the situation of the Country, they could adopt, was by *Renters*, who contract for extensive districts, and whose sole object but too frequently is to take advantage of the present moment, and, doubtful of futurity in a country at all times liable to fluctuation, to ransack, embezzle, and at last go off enriched with the spoils of their provinces.

"The established practice throughout this part of the peninsula has for ages been, to allow the farmer one half of the produce of his crop, for the maintenance of his family and the recultivation of the land, while the other is appropriated to the Circar. In the richest soils under the Cowle of Hyder, producing three annual crops, it is hardly known that less than forty *per cent.* of the crop produced has been allotted to the husbandman; yet renters on the coast have not scrupled to imprison reputable farmers, and to inflict on them extreme severity of punishment, for refusing to accept of sixteen in the hundred as the portion out of which they were to maintain a family, to furnish stock and implements of husbandry, cattle, seed, and all expences incident to the cultivation of their lands. But should the unfortunate Ryot be forced to submit on such

conditions, he has still a long list of cruel impositions to endure:—he must labour weeks after weeks at the repair of water-courses, tanks, and embankments of rivers;—his cattle, sheep, and every other portion of his property is at the disposal of the renter, and his life might pay the forfeit of refusal. Should he presume to reap his harvest when ripe, without a mandate from the renter, whose Peons, Conicoplys, and Retainers attend on the occasion, nothing short of bodily torture and a confiscation of the little that is left him could expiate the offence.—Would he sell any part of his scanty portion, he cannot be permitted while the Circar has any to dispose of.—Would he convey any thing to a distant market, he is stopped at every village by the Collectors of Sunkum or Gabelles, who exact a duty for every article exported, imported, or disposed of. So unupportable is this evil, that between Negapatam and Palagatcherry, not more than 300 miles, there are about thirty places of collection; or, in other words, a tax is levied every ten miles upon the produce of the country. Thus manufacture and commerce are exposed to disasters hardly less severe than those which have occasioned the decline of cultivation

"But these form only a small part of the powers with which the renter is invested. He may sink or raise the exchange of specie at his own discretion; he may prevent the sale of grain, or sell it at the most exorbitant rates: thus at any time he may, and frequently does, occasion general famine. Besides maintaining a useless rabble, whom he employs under the appellation of Peons at the public expence; he may require any military force he finds necessary for the business of oppression, and few inferior officers would have weight enough to justify their refusal of such aid. Should any one however dispute those powers; should the military officers refuse to prostitute military service to the distress of wretched individuals, or should the civil Superintendent remonstrate against such abuse, nothing could be more pleasing to the renter, who derives from thence innumerable arguments for non-performance of engagements, and for a long list of defalcations. But there are still some other not less extraordinary constituents in the complex endowments of a renter; he unites in his own person all the branches of judicial or civil authority, and if he happen to be a Bramin, he may also be termed the representative of ecclesiastical jurisdiction. It would be impertinent to enlarge on the consequences of thus huddling

into the person of one wretched mercenary, all those powers that ought to constitute the dignity and lustre of supreme executive authority."

So much for the collection of the revenues—revenues which, as being drawn from commercial articles, are hourly diminishing, for the staple commodities of Indian commerce are the produce of the lands and the labours of the manufacturer; but the decay and approaching extirpation of that useful class of subjects appears abundantly from the extracts we have given. Add to this a debt of fifty lacks of pagodas, or 2,000,000*l.* sterling; and the condition of the British interest in India is lamentable indeed.

Having thus stated the evils, it remains to apply the remedy. Colonel Fullarton proceeds to address the President and Select Committee at Madras, (to whom his book is addressed) as follows:

"The mode of restoring prosperity to your territories is, in my opinion, extremely simple. These countries experienced the refinements of civil polity and regulation suited to their condition, ages before they even heard the name of European. You have only to restore the general form and tenor of the Indian jurisprudence; and where that system, over-rating the pretensions of superior castes, tends to the violation of natural law and public welfare, there the rigour of Gentoo enactments should be mitigated, without destroying the established order and gradations of the country. Protect the poor from the oppression of the great, restrain the despotic violence of the native leaders, and let every one within the limits of the English influence feel that he is safe in his property, his person, and his life. If this were actually the case, the husbandman, the labourer, the manufacturer, and the merchant would very soon fly from every corner of Indostan, to take shelter under a government that respected the sacred rights and established institutions of their ancestors, while it afforded personal security and independence, the offspring of an English polity.

"The country still abounds so much with sheep and cattle, that the full complement for all the purposes of labour and subsistence would soon be procured; the towns and villages

would be re-peopled, and the fields recultivated with a rapidity unknown in other climates. Such is the natural fertility of those countries, and so strong their propensity to reproduction, that the quick renewal of abundance, industry, and commerce, is the necessary consequence of security; which implies the protection of every one in the possession of his own, by refraining all from the forcible or fraudulent appropriation of that which belongs not to themselves.

"While the Company holds the territorial management of the country, it is to be dreaded that this happy renovation cannot be accomplished; because your civil servants, by the constitution of your establishment, are under no restraint, excepting those of their own sentiments. Every one knows that orders are nugatory where there is no punishment for disobedience, and the severest denunciation of your displeasure against a civil servant, only dismisses him from a service, which the very act that incurs your censure probably enables and inclines him to relinquish. The expedient of military interference in the business of interior management, is still a more egregious violation of all good policy and public trust. For though military men are far more proper to be charged with specific orders than civilians, being answerable for disobedience with their lives; yet the exertion of the military arm in the detail of civil regulation implies a total abrogation of all civil rights, and declares aloud that no power prevails but that of force.

"You have already found, that ruinous as both these modes undoubtedly are, they seem mild and reputable, in comparison with the only other means of management that it has hitherto been found practicable to adopt with success in any part of India—the delegation of territorial authority to native Agents, and black Renters, who have no tie whatever of character, permanency, or situation to restrain them from the commission of outrages too atrocious for any European imagination to suggest. What then remains but to perform an act of equal policy and justice? to redeem the English name from the general imputation under which it labours, of violating the rights and honour of our best adherents, of coveting the possessions of friend and foe †, and of a total incapacity,

† "The hardships and humiliation which have been endured by the Nabob of Arcot, by the Rajah of Tanjore, by the Nabob of Bengal, and by the Mogul himself, while under the protection of the English, afford the strongest grounds for other Princes of India to dread an intimate connexion with us. At the same time it must be confessed, that many powerful arguments may be adduced for retaining the interior management of the countries within our influence."

from situation and constant change of system, to manage what we so unjustifiably acquire? Disprove the allegation, restore the country and the sovereignty to its rightful owner the Nabob* ;—emancipate the Rajah of Tanjore, and all other Rajahs, Princes, and Zemindars, belonging to your Coast, from the vexatious interference of the civil, and from the rough assumptions of the military power ;—employ the former in the proper duties of their station, in the business of office and investment ; and in pursuance of your favourite system of retrenchment, reduce their numbers to the proportional diminution of demand for their services. Would they acquire fortune, let them aspire to it, not in the spoils of districts, but in the prosecution of commercial operation. As for the latter, confine them to their garrisons, stations and cantonments : suffer them not to be scattered through the country, and remind them that their business is not usury and exaction, but discipline and war. In order that this salutary alteration may be attended with popularity and effect, their professional emoluments ought to be sufficient, without any aid from indirect acquirement.

“ Should the Nabob, the Rajahs, or the Zemindars, take advantage of your indulgencies, and endeavour to withhold their stipulated payments ; shew them that lenity and justice are neither the offspring of indolence nor weakness : but, on the first symptoms of their persistence in such delays, march a body of troops to enforce your orders, make them pay the expences of the expedition, and teach them that you will not suffer intentional misconduct to pass unpunished. You have likewise to restrain every class of Europeans, the merchant only excepted, from mingling with the natives ; for when they are familiarised with our practices, they cease to respect our virtues in the just abhorrence of our crimes. Above all, let it never be forgotten, that in the present state of national depravity, wherever a latitude of power is lodged, whether in civil or military hands, the eye of Justice must be more piercing, and her sword more severely pointed against delinquency, before you can hope to restrain the repetition of abuse.

“ Another circumstance is particularly deserving of consideration. It is a truth palpable to every mind at all acquainted with political œconomy, that no country whatever is more favourably situated for the support of public credit, and extensive circulation,

than India. The mass of treasure has been so widely diffused, the avowed possession of private property is so insecure, and the mode of pecuniary transactions so disadvantageous, that any Government on whose integrity and stability the natives durst rely, might form the greatest bank of deposit on the globe. To the influence derivable from such an institution, would be added the benefits of circulating bank or public securities in lieu of specie. Those benefits are proportioned to the extent of country in which such notes or securities can have currency, to the quantity that may be safely issued, and to the length of time that they may remain in circulation, as well as to the gain derivable from the intermediate application of money, when not needed in the bank. The profit on bills of exchange, discounting bills, granting cash accounts, and other operations of banking companies, are also considerable. In all these particulars, India possesses peculiar advantages : the range of circulation is more extensive, the probable period of the notes returning into bank more distant, the rate of money higher, the transactions more numerous, and the profits on each transaction greater than in any other country. Had such an establishment of public security existed six years ago, your Presidency could not have fallen into the state of degradation which it has experienced ; nor would it have been oppressed with a mass of paltry debts, whose amount on their present footing may possibly overthrow the Government ; but which, with the aid of such a bank, could not for a moment have obstructed the career of public service. In that event, Hyder, so far from ravaging your country, and menacing you within the walls of Madras, would have been quickly driven from the Carnatic, and from his own dominions.

“ Such an establishment would attach all classes by the ties of private benefit ; it would subject to your influence every prince in India, by enabling you to supply his wants, or to support his adversaries, according as his conduct merited your friendship or excited your resentment. If similar proceedings have exalted the Seets and other private Soucars throughout Indostan, to a weight and influence little short of princely power, what might we not expect from the operation of such a machine, in the hands of a Government whose wisdom, justice and stability, should entitle it to public confidence † ?

Such are the proposals of Colonel Ful-

* “ This cannot be supposed to take place until the period for which the Nabob’s revenues were assigned to the Company be elapsed, and until the object of that assignment be fulfilled.”

† “ No degree of energy and rectitude in any individual Governor can possibly produce the benefit in question ; it is the energy and rectitude of long established system alone, from whence they can be derived.

lerton—propofals which in our opinion appear to be the genuine result of great information, found judgement, genuine candour, and unbiassed integrity. The importance of the fubject has induced us to give this article pretty much at length. It may not, perhaps, be impertinent to obferve, that one material propofal of Colonel Fullarton's has been anticipated by the appointment of Earl Cornwallis to the consolidated offices of Governor General and Commander in Chief; an appointment, which, from its coincidence with his opinion in one instance, gives weight to it in the reft.—If thefe meafures be adopted, the Colonel draws a very flattering picture of the confequences, with which we fhall conclude this article.

“ It is indisputable, that if Government hope to preferve a fhred of their Indian empire, not a moment muft be loft in correcting the alarming outrages under which it labours;—in removing thofe caufes of diffection that threaten its exiftence;—in reforming thofe abufes, civil and military, by which its ftrength has been wafhed, and its power decayed; and in bringing every man, meafure, and resource, of thofe diftracted fettlements, into one decided point of obedience, co-operation, and effect.

“ Could we flatter ourfelves, that there is yet vigour, union, and integrity enough in the nation to atchieve fuch a re-eftablifhment, it would not be chimerical to indulge the moft exalted expectations.—The intrinsic value of thofe poffeffions would then be fully known to us. We fhould then recognife the ineffimable benefits, of which an equitable and united Government could render them productive beyond all aggregate resources in the Britifh empire. The countries fubject to our influence under any Administration that did not openly cherifh difcord, and exult in malverfation, would yield an annual revenue of 10,000,000, ftirling, and would increafe in value with every fubfequent improvement. The manufactures of thofe countries, if at all encouraged, would afford employment for the whole commercial flock of England. The fhipping * engaged in that trade would fwell into a formidable armament for the national defence. The resources or finance of thofe eftablifhments, where 1000l. can hardly be raifed at this moment, might be fixed on fo fe cure a bafis as to fupport a pile of public credit, more wonderful than that of London or of Amftterdam, and enriched by a circulation more extenfive than the whole exchange of Europe.”

The Conqueft of Canaan: A Poem, in Eleven Books. By Timothy Dwight. Hartford: Printed by Elijha Babcock, 1785. 12mo.

[Continued from Page 84.]

HAVING in our laft given an abridgement of the arguments of the various books of our American Epic, we now proceed to lay before our readers fome copious extracts, from which they may judge for themfelves of Mr. Dwight's verification, and other poetical powers.

The chief whose arm to Israel's chosen band
Gave the fair empire of the promis'd land,
Ordain'd by Heaven to hold the sacred sway,
Demands my voice and animates the lay.

O Thou, whose love high-thron'd above all
height,
Illumes th' immense, and suns the world of
light;

Whose distant beam the human mind inspires,
With wisdom brightens, and with virtue fires;
Unfold how pious realms to glory rise,
And impious nations find avenging skies:
May thy own deeds exalt the humble line,
And not a stain obscure the theme divine.

When now from western hills the sun was
driven,
And night expanding fill'd the bounds of
heaven,
O'er Israel's camp ten thousand fires appear'd,
And solemn cries from distant guards were
heard;
Her tribes, escap'd from Ai's unhappy plain,
With shame and anguish mourn'd their heroes
slain.

* “ At present the India ships are mere trading vessels, without force, discipline, or defence; and in time of war are in danger of falling a prey to every well-armed privateer. But the slightest observation must suggest, that they ought to be all constructed on the principle of two-deckers, as the Dutch India ships are; and improving on that model, that they should be well armed, completely manned, and subject to naval officers under the articles of war. In that event, whenever they had their war complements and instructions on board, they would form a fleet superior to any probable attack. If it should ever be judged expedient to build ships of force in India, a whole navy might be constructed at Bombay, and at other places on the Malabar coast, where Teak timber abounds.”

Pierc'd with deep wounds the groaning warriors stood:
 Their bosoms heav'd, their tears incessant flow'd;
 Their sons unburied on the hostile plain,
 Their brothers captiv'd, and their parents slain.
 The tender father clasp'd his lovely child,
 That thoughtless sporting innocently smil'd;
 To his fond arms with soft endearments leapt,
 Gaz'd on his tears, and wonder'd why he wept.
 Her woes with his the trembling mother join'd,
 Edg'd all his fears, and sunk his drooping mind;
 Array'd in tenfold gloom th' approaching light,
 And gather'd foes unnumber'd to the fight.
 Thus trembling, sad, of every hope forlorn,
 The hapless thousands watch'd the coming morn.

The lines 9th and 10th of the above are exactly in the *cant* of the American estimate of themselves and of Great Britain—a *cant* afterwards strongly asserted by our author, as shall be cited in its proper place. The distress of the Israelites on their repulse before *Ai*, tho' common-place enough, has merit, is in our author's best manner, and marks the situation of America during the commencement of the late war. Many of our author's fictitious characters of "*generous heroes slain*," allude, he tells us in a note, to particular Americans, but we do not pretend to appropriate them.

In lines 75 and 76, Book I. having just mentioned *Aram*, an Israelite, who was slain, our author adds,

*Thus while fond Virtue wish'd in vain to save,
 Hale, bright and generous, found a hapless grave.*

On which he gives the following note:

The comparisons of this kind were all written in the early stages of the late war, and annexed to the Poem, to indulge the author's own emotions of regard to the persons named in them. As it was impossible to pay this little tribute of respect to all the deserving characters who have fallen in defence of American liberty, the author determined to desist after the first attempt. The lines on Major Andre are an exception to the above remark, as are those on General Mercer.

Besides our author's confession of having America often in his eye, the preceding couplet gives an instance of his worst manner.

The lines immediately before it are,
 The Heathen slew, fierce Zimri clave his breast,
 But Aram's eyes were clos'd in endless rest.

Here *slew* ought to have been *slid*; but the couplet which follows we cannot construe. The verb *found* seems to want its *nominative*. We would ask Mr. Dwigth, Is it *fond Virtue*, or are *Hale, bright and generous**, personifications that found "a hapless grave?" To say that the natural construction applies to *Aram*, is to break *Priscian's* head with a vengeance. Nor would we have been so particular on this fault, which might pass for inattention, did not similar instances abound in our author; and however he may dread that America should imbibe the vices and corruptions of Great Britain, we would advise him and his brother-poets, either to study the English language with more care, or to write their poems in the tongue of their *great and good* allies, those *zealous and disinterested* defenders of the *liberties* of mankind, the *French*.

Our American bard's mention of Major Andre will be acceptable to our readers:

With soul too noble for so base a cause,
 Thus Andre bow'd to war's barbarian laws.
 In morn's fair light the opening blossom warm'd,
 Its beauty smil'd, its growing fragrance charm'd;
 Fierce roar'd th' untimely blast around its head;

The beauty vanish'd and the fragrance fled;
 Soon sunk his graces in the wintry tomb,
 And sad Columbia wept his hapless doom.

Here again is great want of perspicuity and simplicity of diction. The metaphor of "*the opening blossom*" is strangely abrupt, and the transition from "*its beauty, its growing fragrance, and its head*," to "*soon sunk his graces*"—is harsh, and far from good English expressions. Having in our last given the argument of the First Book at large, and observed, that the reasonings of the American loyalists and patriots are there ascribed to Hanniel and Joshua, under the allegory of advising to return to Egypt, in the one, and to esta-

* We have heard King William in this manner called *Old Glorious*.

blish themselves by the sword, in the other. We shall give but few extracts of this part. The character of Hanniel is thus delineated in Mr. Dwight's very best manner, during the consternation and distress of the Israelites.

Rent were their martial vestments, torn
their hair,

And every eye spoke pangs of keen despair.
'Mid the sad throng, in mournful robes
array'd,

Vile dust besprinkled o'er his downcast head,
Pale Hanniel rose, and with dissembled woe
Clouded his front, and urg'd the tear to flow.
Of princely blood, his haughty sire of yore,
Proud Pharaoh's favourite on th' Egyptian
shore,

O'er Israel's race was scepter'd to preside,
To rule their tributes and their toils to guide.

In the son's mind again the parent liv'd,
His pride rekindled, and his art reviv'd.
Whate'er pride call'd, his changing soul
would turn,

Grieve with the sad, and with the envious
burn;

Vaunt with the brave, be serious with the
wise,

And cheat the pious with uplifted eyes;
In youth's fond spoils with seeming zeal
engage,

Or list, delighted, to the tales of age.

When Joshua's hand the sacred rule
adorn'd,
With pangs he saw, but still in secret
mourn'd;

His close revenge the hero's fate decreed,
And smooth, sure slander taught his name to
bleed.

With friendly grasp he squeez'd each warrior's
hand,

With jests familiar pleas'd the vulgar band;
In sly, shrewd hints the leader's faults dis-
clos'd,

Prais'd his whole sway, but single acts op-
pos'd;

Admir'd how law so stern a face could wear;
Stil'd combat rashness, and nam'd castion
fear:

With angels then his fame and virtue join'd,
To tempt coarse scandal from each envious
mind;

Blest his own peaceful lot, and smil'd that
Heaven,

To minds that priz'd them, empire's toils had
given.

Yet safe-born fear his vigorous soul disdain'd;
Each danger shar'd, and every toil sustain'd:
Joy'd in terrific fields the foe to dare,
And claim'd the honours of the fiercest war.

Now the blest period, long in vain desir'd,
His fond hope flatter'd, and his bosom fir'd;

To end his rival's sway, his own secure,
Resolv'd, his fancy deem'd the triumph sure.

In seeming anguish oft his hand he wrung,
And words imperfect murmur'd on his
tongue;

At length with feeble voice he thus began,
While round the tribes a mute attention ran.

Of Hanniel's speech, which is a very
incoherent oration, take the following
specimen:

But where, oh where shall hapless Israe^l
fly;

Where find a covert, when the ruin's nigh?
Will no kind land the wish'd recess disclose?
No friendly refuge soothe our long, long
woes?

Yes; the fair fruitful land, with rapture
crown'd,

Where once our fires a sweet retirement
found,

That land, our refuge Heaven's high will
ordains,

Pleas'd with our prayers, and pitous of our
pains.

Joshua's reply is also a very incoherent
harangue, and almost every period of it
might be transposed without prejudice to
the oration. It is likewise languidly te-
dious; and if the hypocrisy of Hanniel
is well described, (a character, accord-
ing to some, common in America, and
therefore must have often fallen under
our author's particular observation) that
of the great hero is most poorly and
awkwardly delineated in Mr. Dwight's
character of Joshua. Besides the inco-
herence of his rhapsody, it falls often
into downright vulgar scolding; and the
dignity ascribed to Joshua, and his boasts
of his own prowess, have much of that
ornament called bombast. Joshua's reply
to Hanniel:

— Like angels dress'd in glory's prime,
With conscious worth, and dignity sublime,
While the still thousands gaz'd with glad sur-
prize,

His great soul living in his piercing eyes,
The Chief return'd: By wild ambition toss'd,
To shame impervious, and to virtue lost;
Here bend thine eye, thy front unblushing
rear;

Let frozen conscience point no sting severe;
Then tell, if falsehood lends thee power to
tell,

Thy mind believes on scene thy lips reveal;
One black aspersion form'd to blot my name;
Or one vain prospect rais'd for Israel's
shame.

Disclose what dreaded toil this arm has fled,
On what dire plain this bosom fall'd to bleed:

Tell, if thou canst, when lur'd by interest's
call,
One nerve, one wish forgot the bliss of all.
In virtue arm'd, while conscience gaily
smiles,
I mock thy fraud, and triumph o'er thy
wiles:
Thy darts impoison'd peace and glory bring;
'Tis guilt alone gives slander strength to
sing.
Blush, Haniel, blush; to yonder tent depart;
Let humbler wishes rule thy envious heart;
Calm the wide iust of power, contract thy
pride;
Repent those black designs thou canst not
hide;
Once more to Heaven thy long-lost prayers
revive,
And know, the mind that counsels can for-
give.
Can I, as God, unfailling bliss assure,
Foil with a wish, and peace at choice secure?
What nature can, this arm unbroke shall
bear;
Whate'er man dar'd, this breast unshaken
dare;
Canaan's host those eyes with pain shall view
My falchion vanquish, and my feet pursue;
On Israel's faithful sons this hand bestow
The bliss of quiet and the balm of woe.

The American hatred of the name of
King is thus ascribed to Joshua.

Tho' whelm'd in floods one impious tyrant
lies,
In the thron'd son shal' all the father rise;
The same black heart; the same, beclouded
mind:
To pity marbled and to reason blind,
Search ancient times; the annal'd page run
o'er;
With curious eye the sun's long course ex-
plore;
Scarce can each age a single King confess,
Who knew to govern, or who wish'd to
bless:
The rest, of earth the terror or the scorn,
By knaves exalted, and by cowards borne.
To lords like these shall Israel's millions
bow?
Bend the false knee, and force the perjurd
vow?
Then all the plagues from jealous power
that spring,
And death, the tender mercy of a King,
Your breast shall feel ———.

Haniel is thus upbraided with his
birth, (see the introduction to his cha-
racter, above cited) in a vulgar manner:

Can I forget, how from the dunghill
rais'd,
Villains who bow'd, and sycophants who
prais'd,

O'er Jacob's heirs were scepter'd to preside,
Their tributes gather, and their labours guide?
From them, each cruel pang your heart shall
rive,
That coward minds or offic'd slaves can give:
Their daring hands prophane the spotless
charms,
That yield soft transport to your melting
arms;
Each generous thought the brandish'd scourge
controll,
And insult rend the agonizing soul.

In the beginning of the American war
it was the *cant* of that country to repre-
sent England as plunged in vice, and lost
to every civil and religious virtue, and
therefore highly dangerous to the edu-
cation of the youth of the virtuous States.
This miserable *cant*, so disgraceful to
American candour, is thus expressed by
Joshua:

To Egypt's crimes our sons shall fall a prey,
And learn her manners, while they own her
fway:
From many a bowyer obscene the poison
glide,
Taint the young soul, and freeze the vital
tide.

Haniel in his speech had foretold the
miseries of Israel in case of success by
war. (See the argument of Book I. in
our last.) To this part Joshua opposes
the dreams of future grandeur, in the
true style of the American enthusiasm of
expectation:

Then o'er wide lands, as blissful Eden
bright,
Type of the skies, and seats of pure delight,
Our sons, with prosperous course, shall stretch
their fway,
And claim an empire spread from sea to sea;
In one great whole th' harmonious tribe com-
bine;
Trace Justice' path, and choose their chiefs
divine;
On freedom's base erect the heavenly plan;
Teach laws to reign, and save the rights of
man.
Then smiling Art shall wrap the fields in
bloom,
Fine the rich ore, and guide the useful loom;
Then lofty towers in golden pomp arise;
Then spiry cities meet auspicious skies;
The soul on wisdom's wing sublimely soar,
New virtues cherish, and new truths explore;
Thro' time's long tract our name celestial run,
Climb on the east, and circle with the sun;
And smiling Glory stretch triumphant wings
O'er hosts of heroes, and o'er tribes of kings.

And with Caleb's proposal for a fast
of two days, the First Book concludes.
(To be concluded in our next.)

The First Part of the Institutes of the Laws of England, or a Commentary upon Littleton. By Sir Edward Coke. A new Edition, with Notes and References, by Francis Hargrave and Charles Butler, of Lincoln's-Inn, Esquires. Folio. 3l. 3s. Brooke. 1788.

IN our last Number we gave an account of the general design of the present edition; we shall now proceed to give a few of the notes which display the greatest elegance of arrangement, and most scientific acquaintance with the subjects they treat of: at the same time we shall select those, which, from their nature, are most adapted for popular inspection. Our first selection shall be from that part of the volume on which Mr. Hargrave has commented.

The following note on Entails will prove highly interesting and useful to a professional reader.

“Two things seem essential to an entail within the statute *de donis*. One requisite is, that the *subject* be land or some other thing of a *real* nature. The other requisite is, that the *estate* in it be an *inheritance*. Therefore neither estates *pur autre vie* in lands, though limited to the grantee and his heirs during the life of *cestui que vie*, nor *terms for years*, are intailable any more than *personal chattels*; because as the latter, not being either interests in things *real* or of *inheritance*, want *both* requisites, so the two former, though interests in things *real*, yet not being also of *inheritance*, are deficient in *one* requisite. However, estates *pur autre vie*, *terms for years*, and *personal chattels*, may be so settled, as to answer the purposes of an entail, and be rendered unalienable almost for as long a time, as if they were intailable in the strict sense of the word. Thus estates *pur autre vie* may be devised or limited in strict settlement by way of *remainder* like estates of inheritance; and such as have interests in the nature of estates-tail may bar their issue and all remainders over by *alienation* of the estate *pur autre vie*, as those, who are strictly speaking tenants in tail, may do by *fine* and *recovery*; but then the having of issue is not an essential preliminary to the power of alienation in the case of an estate *pur autre vie* limited to one and the heirs of his body, as it is in the case of a conditional fee, from which the mode of barring by alienation was evidently borrowed. The manner of settling *terms for years* and *personal chattels* is different, for in them no *remainders* can be limited; but they may be intailed by *executory devises* or by deed of *trust*, as effectually as estates of inheritance, if it is not attempted to render them unalienable beyond the duration of lives in being and 21 years after, and perhaps in

the case of a posthumous child a few months more; a limitation of time, not *arbitrarily* prescribed by our courts of justice, but wisely and reasonably adopted in analogy to the case of freeholds of inheritance, which cannot be so limited by way of remainder as to postpone a complete bar of the entail by fine or recovery for a longer space. It is also proper to observe, that in the case of *terms of years* and *personal chattels*, the *vesting* of an interest, which in realty would be an estate tail, bars the issue and all the subsequent limitations, as effectually as fine and recovery in the case of estates intailable within the statute *de donis*, or a simple alienation in the case of conditional fees and estates *pur autre vie*; and further, that if the executory limitations of personality are on contingencies too remote, the whole property is in the first taker. Upon the whole, by a series of decisions within the last two centuries, and after many struggles in respect to personality, it is at length settled, that every species of property is in *substance* equally capable of being settled in the way of entail; and though the modes vary according to the nature of the subject, yet they tend to the same point, and the duration of the entail is circumscribed almost as nearly within the same limits, as the difference of property will allow. As to the entail of estates *pur autre vie*, see 2. Vern. 184. 225. 3 P. Wms. 262. 1. Atk. 524. 2. Atk. 259. 376. 3. Atk. 464. and 2. Vef. 681. As to the entail of *terms for years* and *personal chattels*, see Manning's case, 8. Co. 94. Lampett's case, 10. Co. 46. b. Child and Bailey, W. Jo. 15. Duke of Norfolk's case, 3. Cha. Caf. 1. a Case in Carth. 267. and one in 1. P. Wms. 1. See also Fearn's Essay on Execut. Rem. and Exec. Dev. 2d ed. p. 122. to the end. Mr. Fearn's work is to very instructive on the dry and obscure subject of remainders and executory devises, that it cannot be too much recommended to the attention of the diligent student.—Note, it was resolved in the 40. Eliz. that the statute *de donis* doth not extend to the Isle of Man, because the statute is *general*, and the Isle of Man is not *especially* named. See 4. Inst. 284. 2. And. 115. and 2. Vef. 350. See also ante 9. a. where the following note by Lord Hale in respect to the case of the Isle of Man, there mentioned by Lord Coke to have been adjudged in 40. Eliz. should have been introduced; though as it partly relates to the statute *de donis*, it may come in here without any impropriety. Note, *William Earl of*

Salisbury got Man from the Scots, and granted it to William Scroop. Hen. 4. claiming it by conquest from him, granted it comiti Northumbriae, and on his attainder granted it to Sir John Stanley and his heirs; and in this case ruled, 1. That Man is not parcel of England. 2. That it is bound by statutes of England where specially named, otherwise not. Therefore the statutes de donis, of uses, of wills, not in force there; and it descends to the coheirs of Ferdinando, and not to his brother William Earl of Derby. Hal. MSS.

The note on Deans contains in itself an extensive course of curious learning.

“ Various kinds of deans, besides deans of chapters, are known to our law; and it requires more divisions than one to distinguish them properly. Considered in respect of the difference of office, deans are of six kinds.

1. Deans of chapters, who are either of cathedral or collegiate churches; though the members of churches of the latter sort may more properly be denominated colleges than chapters. 2. Deans of peculiars, who have sometimes both jurisdiction and cure of souls, as the dean of Batel in Suffex; and sometimes jurisdiction only, as the dean of the Arches in London, and the deans of Bocking in Essex and of Croydon in Surry. 3. Rural deans. 4. Deans in the colleges of our universities, who are officers appointed to superintend the behaviour of the members and to enforce discipline. 5. Honorary deans, as the dean of the Chapel Royal at St. James's, who is so styled on account of the dignity of the person over whose chapel he presides. As to the chapel of St. George, Windsor, there being canons as well as a dean, it is something more than a mere chapel, and, except in name, resembles a collegiate church. 6. Deans of Provinces, or, as they are sometimes called, deans of bishops. Thus the bishop of London is dean of the province of Canterbury, and to him as such the archbishop sends his mandate for summoning the bishops of his province, when a convocation is to be assembled; which perhaps may account for calling the dean of the province dean of the bishops. What the other parts of his office are, the books we have been able to consult do not explain; nor do they mention whether there is a dean for the province of York. See Lyndw. Ox. ed. 317. Gibb. Synod. Anglican. 17. Ante 94. a.—Another division of deans arises from the nature of the office, and is into deans of spiritual promotions and deans of lay promotions. Of the former kind are deans of peculiars with cure of souls, deans

of the royal chapels, and deans of chapters; though as to these last a contrary opinion formerly prevailed. Perhaps too rural deans may be added to the number. Of the latter kind are deans of peculiars without cure of souls, who therefore may be and frequently are persons not in holy orders.—In respect of the manner of appointment, deans are, 1. *Elective*, as deans of chapters of the old foundation; though they are only so nominally and in form, the king being the real patron. 2. *Donative*, as those deans of chapters of the new foundation, who are appointed by the King's letters patent, and are installed under his command to the chapter, without resorting to the bishop either for admission or for a mandate of instalment; if that mode of promoting still prevails in respect to any of the new deaneries. Deans of the royal chapels are also *donative*, the King appointing to them in the same way. So too may deans of peculiars without cure of souls be called, as the dean of the Arches, who is appointed by commission from the archbishop of Canterbury; but this must be understood in a large sense of the word *donative*, it being most usually restrained to spiritual promotions. 3. *Presentative*, as some deans of peculiars with cure of souls, and the deans of some chapters of the new foundation if not of all. Thus the dean of Batel is presented by the patron to the bishop of Chichester, and from him receives institution. Thus too the dean of Gloucester is presented by the King to the bishop with a mandate to admit him and to give orders for his instalment. 4. *By virtue of another office*, as the bishop of London is dean of the province of Canterbury, and the bishop of St. David is dean of his own chapter.—Again in respect of the manner of holding, deans are *absolutely*, or in *commendam*. But this division applies only to spiritual deaneries.—In thus pointing out the several denominations of deans, we have attempted a more comprehensive as well as a nicer general discrimination and arrangement, than the books usually resorted to furnish; though to them we are indebted for most of the materials, and to them we refer the student for a competent idea of the nature of each kind of deanery.

“ The new deaneries and chapters to old bishopricks are eight; namely, Canterbury, Norwich, Winchester, Durham, Ely, Rochester, Worcester, and Carlisle. The new deaneries and chapters to new bishopricks are five, viz. Peterborough, Chester, Gloucester, Bristol, and Oxford.

“ As to the old deaneries, it will be very difficult

difficult to trace the subject, with any tolerable degree of precision, higher than the reign of King John, or to ascertain what was the legal mode of constituting deans of chapters before. If our ancient chronicles are to be depended upon, nothing could be more variable than the practice for several reigns after the Conquest. Thus in the church of York, we find sometimes the archbishop collating to the deanery, sometimes the king conferring, and sometimes the chapter electing; and it is probable, that a like uncertainty prevailed in other cathedrals. See Drake's Antiq. York 557. to 565. 1 Will. Surv. Cathedr. 64. At length however after many struggles the *elective* mode of constituting deans, as well as bishops, abbots, and priors, was established throughout the kingdom; for King John by a charter of the 16th of his reign grants *ut de cætero, in universis et singulis ecclesiis et monasteriis cathedralibus et conventualibus totius regni nostri Angliæ, liberæ sint in perpetuum electiones quorumcumque prælatorum majorum et minorum; and deans of chapters clearly fall within the description of minor prelates.* See King John's charter in 1. Coll. Eccles. Hist. Append. No. 33. and as to the word *prælatus*, consult Lyndw. Oxf. Ed. 41. and 217. But notwithstanding the strong terms, in which the freedom of canonical election is provided for by this charter, and the repeated confirmation of it by various statutes, the election of a dean by the chapter is by long practice converted into a mere form, and the King is in reality as much the patron of the *old*, as he is both in name and substance of the *new* deaneries. For two centuries past at least, the King's *conge d'elire*, which by the charter of John must precede every election of a prelate and was in use long before, hath been invariably accompanied with the King's *letter missive*, as it is styled, recommending a particular person, whom the chapter of course elect their dean. In the case of the *old bishopricks*, which are filled in the same form, the election of the person named by the Crown is secured by a statute of the 25th of Henry the Eighth, which compels the chapter to yield to the recommendation by the pains of a *præmunire*, and if they refuse authorizes the King to appoint a bishop by letters patent. See post. 134. a. But no such statute hath been yet made in respect to the *old* deaneries; and therefore the right of the Crown over them rests wholly on the charter of King John and the subsequent practice. Here then it may be asked, how the Crown, without the aid of a statute, can enforce its claim of patronage; and what are the means, by

which the nomination would be made effectual if the chapter should disregard the royal recommendation, and persevere in a free exercise of the right of electing? This question may be resolved, by considering, that even the charter of King John requires the King's confirmation of the choice made by the chapter; and therefore by refusing to confirm he may always prevent the effect of their election. Nay, it hath been said, that the election is so wholly a ceremony as not even to be essential, and that even before any act of parliament to dispense with it the King might nominate to the *old* bishopricks by letters patent, without resorting to the chapter for the form of their concurrence; and the *old* deaneries are within the same reason. See the case of Revan O'Brian in Cro. Jam. 552. Palm. 22. and 2. Ro. Rep. 101. 130. and f. c. cited in F. N. B. 4to ed. 396. note (a). This doctrine, it must be owned, notwithstanding the positive terms in which it was asserted, and the reverence due to the judges by whom it was recognized, seems as repugnant to the *letter* of King John's charter, as the mode of electing in conformity to the *letter missive* certainly is to the genuine *spirit* and intention. But the latter having the sanction of a practice too ancient to be now drawn into question, it can be of little use to deny the former; and accordingly in the reign of Charles the First we find some instances, in which the King actually appointed to some of the old deaneries by letters patent without the least appearance of opposition on the part of the chapter. See Rym. Fœd. vol. 8. part 3. page 166. vol. 9. part 1. page 82. To fix the time when the *letter missive*, in respect either to the old deaneries or the old bishopricks first came into use; to explain how from a mere recommendation it grew into a royal mandate; and more particularly to determine, whether it operated as such before the Reformation, or whether *that*, in consequence of the assertion of the King's supremacy, was the era of implicit obedience to it; might be both curious and useful. Probably the *letter missive* was not generally used, to controul the freedom of election, till after the time of Edward the First. At least Mr. Prynne, hostile as he was to canonical election, he deeming it an usurpation to the prejudice of the royal prerogative, gives us a *conge d'elire* of Edward the First for the election of a bishop, which concludes with a recommendation to the chapter in general terms to chuse a person duly qualified; but he takes no notice of its being accompanied with a *letter missive*; a circumstance, which, had it occurred, would scarce

scarce have escaped his observation. See 3. Pryn. Rec. 1255. The earliest precedent of such a letter, we have hitherto met with since the charter of King John, is of the year 1347, when Philip de Welton is said to have been elected to the deanery of York on exhibiting a letter from Edward III. Drak. Antiq. York, 563. Another instance of a *letter missive* relative to the same deanery occurs in 1544. Henry VIII. signifying it to be his pleasure that Dr. Wootton should be elected, and the chapter electing him accordingly. Drak. Antiq. York. 565. and Append. 81. These few facts may give *some* idea of the gradation, by which the Crown hath possessed itself of the complete patronage of the old deaneries. We are not prepared for a more ample discussion; and if we were, this would not be the proper place for a subject so extensive.

“As to the deans of the *new* foundation, though the King nominates by letters patent, yet *some*, if not *all*, of the *new* deans of *cathedral* churches are *now* deemed *presentative* and not *donative*, the practice being to present the letters patent to the bishop for institution and a mandate of installment. It hath indeed been a question, whether they are *donative* or *presentative*; for the understanding of which we shall shortly state the principal facts, on which the case, so far as relates to the *deanery* of Gloucester, depends. The *new* deaneries were erected by Henry the Eighth under powers given by act of parliament, which also authorize him to make statutes for their regulation by *letters patent* or *writing under the great seal*. In the charter for founding the deanery of Gloucester, being one of the *new* foundation, the King reserved the nomination of the deans to himself, and directed that the deans and chapters should be governed according to such rules and statutes as the King should appoint by *indenture*. The King afterwards by commissioners named for the purpose, formed a body of statutes, amongst which one required, that the King should upon every vacancy nominate a dean by letters patent, and that he should be presented to the bishop, and being instituted by him should be admitted by the chapter. The commissioners signed these statutes; but they were neither under the *great seal* nor *indented*; and on account of this deviation both from the act of parliament and the commission, they were considered as invalid, and powers were given by other acts to Mary and Elizabeth successively to form other statutes. However nothing usual being done under these powers,

some of the statutes framed by Henry the Eighth's commissioners, for want of others more regularly made, were adopted; but the particular statute, which made the deanery *presentative*, was never practised after the Restoration, and only in one instance before, the deans being constituted by mere grants from the Crown. In this state of things came the 6. Ann. c. 21. which established *sub* of the statutes of the cathedral and collegiate churches founded by Henry the Eighth, *as had been usually received and practised in the government of the same respectively since the Restoration*, and were not inconsistent with the constitution of the church of England or the laws of the land. But this act, made to remove doubts, created a very important one; which was, whether the act confirmed the *whole* body of statutes where *any* of them had been practised since the Restoration, or only such statutes or parts of statutes as had been *individually* received. Amongst other cases which depended on the solution of this doubt, one was the mode of constituting the dean of Gloucester; for if receiving a part of Henry the Eighth's statutes necessarily was followed with a confirmation of the whole, then the cathedral church of Gloucester being under this predicament, it was become essential to conform to the particular statute, which required a presentation of the dean to the bishop, though that form had hitherto been disregarded. It being of importance to have this point settled, the Crown in 1720 referred it to Sir Philip Yorke and Sir Robert Raymond the then attorney and solicitor general, who were of opinion, that it was intended by the act of Queen Anne to confirm the whole body of statutes where any part had been received, and therefore that in the case of the particular deanery of Gloucester a presentation was become necessary; though they allowed the question to be one of *great doubt* and *difficulty*. See Burn. Eccl. L. tit. *Deans and Chapters*. To this opinion was added the form of a presentation; and it is presumed, that the deanery of Gloucester hath ever since been treated by the Crown as *presentative*. Probably too under the same sanction the example may have been followed in respect to such other of the *new* deaneries, as at the time of the act of Queen Anne were in the same circumstances; that is, had statutes of doubtful authority from Henry the Eighth or any of his successors, some of which between the Restoration and the act of Anne had been usually practised, though not the particular one directing a presentation of their deans. But whether this construction

of the act of Anne hath ever been judicially recognized, we cannot inform the reader. As to those *new* deaneries, which had statutes requiring a presentation and usually complied with *after* the Restoration, there cannot be the least doubt of their being legally *presentative*. But if there are any of the *new* deaneries, the rules and statutes of whose churches are wholly silent as to presentation, it is most likely that they always have been donative, and still continue so; and we guess, that the church of Westminster may fall under this description, it being *collegiate*, and not for any other purpose subject to the jurisdiction of any bishop.—From this detail about appointing to deaneries of the new foundation, it seems that Lord Coke was fully justified in styling *all* of them *donative*; for it is said, that none of the charters for founding the *new* deaneries mention presentation, and that the subsequent statutes prescribing it were equally liable to the objection of *informality* as those of the church of Gloucester, and there was no act for establishing them in Lord Coke's time. On the other hand, bishop Gibson *might* be equally warranted in calling *all* the *new* deaneries *presentative*, if we except the collegiate church of Westminster; because in 1713, when the *first* edition of his book on Ecclesiastical Law was published, they were become so by the operation of the act of Queen Anne. This distinction of *time* did not strike the Bishop, though a writer in general well informed and much to be relied on, when he animadverted on those, who, like Lord Coke, denominated the *new* deaneries *donative*. 1. Gib. Cod. 197.

“What we have hitherto observed, as to the manner of constituting the *old* and *new* deans, must be confined to *England*; those of *Wales* and *Ireland* being under different circumstances, and therefore reserved for a separate consideration.

“Of the *four* Welsh cathedrals, *two* are without deans; or rather the dignities of bishop and dean unite in the same person, the bishop being deemed *quasi* *decanus*, and having, it is said, both an episcopal throne and a decanal stall allotted to him in the choir. The cathedral churches of St. David's and Landaff are of this kind. St. Asaph and Bangor, the other two Welsh cathedrals, have the dignity of dean distinct from that of bishop; but the patronage of both deaneries is in the respective *bishops*, they being neither elective by the *chapter*, nor donative by the *Crown*. See *Eccl. Theaur.* ed. of 1742. and *Will. Parochial. Anglic.*

“In respect to *Ireland*, as we are informed, before the Reformation the deaneries of the cathedral churches there were

elective by the respective chapters, under a *conge d'elire* from the Crown, in much the same manner as the *old English* deaneries. But since the Irish act of the 2d of Elizabeth, which takes away the election of bishops in Ireland, and declares them wholly donative by the King, and hath never been repealed as the English statute of Edward the Sixth to the same effect was, the form of electing to the *old* deaneries hath been also discontinued, and the King appoints to them by letters patent as to bishopricks. This change, so far as regards the Irish old deaneries, not having yet had a parliamentary sanction, its legality depends on a notion, that the patronage of deaneries as well as of bishopricks was an ancient right of the Crown, that the election by the chapter was a mere ceremony, and that the statute for putting an end to it in the case of the bishopricks was a provision of caution and not one of necessity; and this notion, little consonant as it may appear to some of the facts we have stated in our historical account of the *old* English deaneries, is not only supported by practice since the reign of Elizabeth, but seems to have been *judicially* recognized and acted upon in the case of the Irish bishoprick already cited from Croke James and other books. See ante 96. b. in the notes. Such, we are told, is the state of the patronage of the Irish *old* deaneries in *general*; but it must be added, that the right of the Crown over *one* or *two* of them, which either are or are supposed to be under peculiar circumstances, is denied by the chapters. Suits on this subject have been depending between the Crown and the chapter of *St. Patrick*, one of the two cathedrals of the archbishoprick of Dublin; the Crown claiming the deanery as a royal *donative*, and the chapter insisting that the dean is *elective* by them on a *conge d'elire*, not from the King, but from the *Archbishop of Dublin*, and that it is so in the true sense of the word, and not in *name* only, like our English deaneries of the old foundation. See in 17. E. 3. 40. a case in which the deanery of York is pleaded to be elective in this form. One amongst other grounds, on which the chapter are said to defend their title, is, that the deanery was founded by an Archbishop of Dublin. See *War. Irel.* by Harr. vol. 1. p. 302. But it seems that both this fact and the inference from it are denied on the part of the Crown. We have also heard, that the chapter of *Kildare*, which is another of the *Irish old* deaneries, claim a right of electing their own dean in the same way. As to the *Irish new* deaneries, we are told that all of them are unquestionably *royal donatives*. The only one about

which

which there hath been any contest, is the deanery of *Dromore*, the collation of which was some years ago claimed by the bishop under letters patent from King James the First; but the patent not being warranted by the King's letter, on which it passed, the Crown prevailed.

"We shall close this note about the *old* and *new* deaneries of cathedral and collegiate churches, with some general observations on the various modes of constituting them. From the inquiries we have made into the subject, it seems to us, that the right to appoint such deans and the mode must generally depend almost wholly upon *charters usage* or *acts of parliament*, and very little on arguments drawn from the *nature of the office* or from *foundership*, however common those topics may be. The *former* indeed can scarce have influence on any case, which may arise as to the appointment of deaneries. What is there in the nature of the office, which is inconsistent with its being *elective presentative donative* or *collative*, or which renders either of those modes so incongruous as to be contrary to any principle of our law? What is there in the office, which imports, that the patronage should *necessarily* be in the Crown, though it usually is? The facts we have stated shew, that in England some deaneries are *nominally elective* under the *royal conge d'elire*, and the rest *really presentative* or *donative* by

the Crown; and that the only two deaneries of the Welsh cathedrals are *collative* by bishops. Nay, if it can be proved, that election under a *conge d'elire* from a *bishop*, instead of one from the *King*, is an established mode of appointing to any deanery in Ireland, we do not see any legal objection to it *merely as a mode*, however *singular* it may be. The argument from *foundership* will also for the *most* part be found inconclusive. Several of the English *old* deaneries were certainly endowed by bishops, either with their own private possessions, or by dismembering those of their respective sees; and yet all are *elective* under a *conge d'elire*, not from *bishops*, but from the *King*. 1. St. lingsf. Eccles. Caf. 341. But should a case ever happen, in which there is neither *charter usage* nor *statute* prescribing a rule, then some general principle of law must be appealed to for a direction; and in such a case, which is barely a possible one, *foundership* seems to be the *true* and indeed *only* criterion of the title to the patronage and right of constituting.

"It is feared, the reader will think, that we have dilated too much on the *modes of constituting* deans of *cathedral* and *collegiate* churches; but as there is little of *digressed* matter upon the subject in other books, this may excuse us for detaining him so long here." [To be continued.]

The Microcosm, a periodical Work. By Gregory Griffin, of the College of Eton. 8vo. 4s. 6d. Debrett. 1788.

THIS is the production of four young Etonians, who have given by the present proflusion, strong and founded hopes of powerful exertions, when time shall have more fully matured their talents, and occasion called them forth into action. The essays of Mr. Griffin are uniformly pleasant and classical, frequently instructive, and, with great skill and propriety, peculiarly adapted to the meridian of the place where they first appeared. Though the modesty of Gregory would have it understood that they are for the perusal of his fellow-citizens of Eton only; yet there are few readers who may not reap some profit, and none who may not find a fund of entertainment in his lucubrations. Of his essays, perhaps his humorous ones are the best; his criticisms are uncommonly happy; his morality, though sound, is not equally so; but who can expect morality in perfection from youths of sixteen or eighteen?

Gregory Griffin has, by his present publication, thrown down the gauntlet

with spirit to all the great schools in England; and to the honor of Eton be it said, none has yet presumed to touch it. Our juvenile essayist's glove is like the cestus of Entellus, and those who should be his antagonists and rivals for fame, seem afraid even to look on it. Shall it then be understood, that Eton has engrossed all the rising genius of England? Is Westminster, Harrow, all dumb? To be equal to Gregory is not, most certainly, easy; yet sure it is worth a contest; and even the second place is an object to stimulate our young students. Marshal Turenne, when a boy of ten years old, complained that the victories of Alexander would not let him sleep. In like manner let the glory of Mr. Griffin rouse the latent valor of Westminster, and spur them on to "go and do likewise."

We shall select a specimen of these essays, and conclude with assuring Mr. Griffin, that he has our warmest approbation of his principles, esteem for his virtues, and admiration of his abilities.

The following essay, the seventh in the work, is the production of Mr. Canning. Our best eulogy is to give the letter entire.

“ To discharge with faithfulness the duties of the important office which you have undertaken, you ought in my opinion to omit nothing which might be any ways conducive to the advantage or improvement of your fellow-citizens; to the advancement of their welfare, or the support of their dignity. Of this number I have the honor to be one; and by grounding a few remarks on the subject which I now offer to your consideration, you will confer a benefit not on me only, but on many others of the great as well as little world, who may labour under the same calamity.

“ You must know, Mr. Griffin, that it is my hard hap, to receive an annual invitation from an old gentleman, a distant relation of mine, to spend every Christmas at his Hall, in a northern county. This compliment I am never at liberty to refuse; as, his estate being very large, and himself too far advanced in life to give any apprehensions of matrimony, my family have built great hopes and expectations on his partiality for me. That you may understand the nature of my misfortunes, it is necessary to inform you, that he is one of that race of men called Country 'Squires; who having been deprived of the advantages of a liberal education, by the foolish fondness of his parents, which occasioned them always to keep him in their sight, professes to hold *book learning* in the greatest contempt. Hence he takes no small pleasure to overthrow the arguments advanced by the parson of the parish in its favor, by alledging its inefficacy to enrich a man, which he exemplifies in the poverty of his opponent; and adds, with a triumphant sneer, that “ *if his learning would get him a good living, he would say something.*” In short, Sir, this talent of *Joking* is the grievance of which I complain; for when the old gentleman is once in the humour, he is apt to be unmercifully waggish; an event which never fails to take place on the day of my arrival.

“ I would you could see us, Mr. Griffin, as we sit round the table in the great hall; you might then possibly form some idea of my miserable situation.—It is necessary for your proper information, to premise, that the company on that day always consists of the 'Squire, with his feet in flannel, (the gout, like myself, usually paying its annual visit about this time;)—the parson of the parish, who is always invited to welcome me, —and two nieces of the 'Squire, who have

passed some years with him, not much to the advantage of their education, and are dined out on this occasion in all their finery.

“ Having for several years been accustomed to sustain a very regular fire of wit all the first evening of my arrival, and knowing from experience the order in which the jokes succeed each other, I can now nearly bear the battle without flinching. The first attack is made, as the parson terms it, *à posteriori*, by desiring a cushion to be brought for me to sit down upon; one of his nieces, with a suitable grin on her countenance, enquires the reason, as in duty bound, for which she is referred to me; and on my protesting my ignorance of it, the old gentleman's right eye instantly assumes an arch leer at the company, while with a composed gravity he enquires of me, “ *Whether birch grows pretty plentifully about Eton?*” This question is immediately followed by an ungovernable he! he! from the young ladies, and a sly “ *I warrant ye!*” from the parson. The 'Squire having for a time retained his gravity, at length, as if quite overcome by the force of his own wit, gives himself up to a loud and tumultuous vociferation. This grand volley of wit, with the scattered small-shot that follow, concerning *Great home consumption of the article, Great demand for pickle, diachylon, &c. &c.* generally fills up the space before dinner. That joke indeed about the similitude of our arms to the American, namely *thirteen stripes*, did, the first time of hearing, occasion me to laugh heartily; the second recital provoked a smile; but I am now grown so callous by dint of frequent repetition, that I can hear it without moving a muscle of my countenance.

“ At dinner my troubles begin afresh. The very dishes are calculated to furnish out a set of witticisms. The leg of mutton he supposes he may help me to, as he dares to say that I never heard of any such thing at Eton; the boiled fowls he conjectures to be too common food for me; and he declares himself not without apprehensions, that I may find fault with the poorness of his wines, being accustomed to drink none but the choicest elsewhere. During the interval between the first and second course, it is easy to perceive that there has been some little plan concerted for my surprize or mortification. Every nose in company has a forefinger applied to it to enforce secrecy; and every eye is fixed on my countenance, to enjoy the transport, which I am expected to discover at the entrance of a *plumb pudding* of immoderate size; half of which is immediately transferred to my plate, accompanied with sundry wise cautions, to use no time, and not to be too

modest. While in my own defence I am endeavouring to make away with some little portion of it, the 'Squire declares he thought he should surprize me; and on my disclaiming any such surprize, an appeal is made to the rest of the company, by whom it is unanimously resolved, that, when the pudding made its appearance, I betrayed the strongest symptoms of rapturous admiration.

"Finding it vain to contend, I now resign myself to my fate;—nor long the time, before the old gentleman's countenance begins to undergo various revolutions, which seem to prognosticate some stroke of uncommon pleasntry:—and at the appearance of a dish of pippins, I prepare myself with Christian patience for the *good story*, which I am assured I have never heard before,—namely, "*A full and true account of his being caught in Farmer Dobson's Orchard, stealing, as it might be, just such apples as these, when he was just about my age.*"—It is now, Mr. Griffin, just fourteen years since I first heard this story; and every one of the fourteen times of telling it, he has, with wonderful facility, adapted it to my comprehension, by contriving to be "*just about my age*" when the adventure happened. The tale being told, it is customary for one of his nieces to ask me in a whisper, "if I don't think him monstrous funny?" On my assenting to it, I am informed, that "*he has some such comical stories I can't think,*" and that "*she will get him to tell me how old Dixon trick'd the Londoner.*" Nor is it without an infinite number of protestations, that I am able to make her sensible of my perfect acquaintance with all the circumstances of that notable history, and to dissuade her from a courtesy so superfluous.

"After some short respite, I perceive the old gentleman begins to grow waggish again, and am soon desired to stand up and measure heights with the young ladies.—As I am some years older than they, I have been regularly found some inches taller every time of measurement; and this circumstance has as regularly produced one wink of the 'Squire's right eye, and two several repetitions of the old proverb, that "*Ill weeds grow apace.*"

"Next follows my examination by the parson, touching the proficiency which I have made; prefaced indeed by the 'Squire's declaring himself willing to wager any thing on my knowing all about it as well as the best of them. During the ceremony he usually falls asleep, and on waking takes the opportunity to have a fling at the parson, by asking significantly, "*whether I am too kind for him?*"

"But, in short, Mr. Griffin, I lament my inability to give you a perfect idea of this character, which however I am persuaded is not very uncommon. There are, no doubt, many, who in the same manner aim at the reputation of *Wits*, without any advantages either of natural abilities, or acquired understanding. On such as these I could wish you to bestow some advice, for the correction of their ignorant pretensions, and the amendment of their erroneous opinions. These are the people most apt to indulge their satirical humour at the expence of your fellow-citizens, whose honour and credit it is your duty to defend against every calumnious imputation. Tell them, these good people, how widely mistaken they are in supposing, that the mind of youth, like the vegetation of the walnut-tree, is quickened by blows in its advances to maturity. Tell them, that the waters of Helicon do not flow with brine; nor are the laurel and the birch so intimately interwoven in the chaplets of the Muses, as they are willing to believe. Tell them also, that an increase of knowledge does not necessarily bring with it a proportionable increase of appetite; and that the being able to read a Roman Author with facility, does not justify the supposition of an immoderate desire for *toast and butter*, and an insatiable craving for *plumb pudding*. Remind them, that these, and all similar jokes which they are pleased to make use of on these occasions, have been made the same use of at least fifty times before. Advise them to reflect how often they themselves, on the same subjects, at stated opportunities, have reiterated those regular bons mots and trite conceits; how often given vent to the same strain of annual waggery, to the same fallies of periodical facetiousness. And let them know, that as they have but little to boast of on the score of novelty, they have as little on that of humour. If on the repetition of their witticisms, a grin takes possession of the countenance of their auditors, warn them, that they mistake not the sneer of ridicule for the smile of approbation; and hint to them, that, though, by the respect or diffidence of those at whose expence it pleases them to be merry, they may be secured from being rendered openly ridiculous, they may still be liable and likely to become secretly contemptible.

I am, Sir,

Yours, &c. &c."

We are sorry our limits do not allow us to give more of this pleasant little work, which is equally honourable to the Seminary, and the individuals who have thus early in life given such proofs of ability

abilities which hereafter may shine in more extended spheres of action. It is but a tribute due to the authors to record their names: Messrs. John Smith, George

Canning, Robert Smith, and John Frere; a quadrumvirate which we are not sanguine enough to hope that we shall see speedily equalled.

The Fate of Sparta; or, the Rival Kings. A Tragedy. By Mrs. Cowley. 8vo. 1s. 6d. Robinsons.

THE hint of the principal incident of this piece is taken, as we are informed by the fair Authorefs, from Plutarch's life of Agis; and she has availed herself of it in a manner creditable to her abilities, and which shews her a perfect mistress of what is called stage effect. The story is this: Chelonice, daughter of Leonidas, one of the Kings of Lacedemon, is married to Cleombrotus, the other. The monarchs differing, her husband is expelled from Sparta, chiefly through the machinations of the traitor Amphares, and her father remains triumphant. Cleombrotus having collected an army of barbarians, ravages Lacedemon, and returns to the gates of Sparta, which he presses with a close siege. The city being reduced to the last extremity, Chelonice determines on the desperate step of passing the guards, and throwing herself at the feet of her husband, to beg for mercy on her father and her country. This she accomplishes in the sacred garb of a priestess: but as the scene is written with considerable force and energy, we will let our Authorefs speak for herself.

Officer.

From the town a priestess,
With hasty steps, and accents that breathe
 music
Sweet and resifless as the golden lyre
Of beamy-hair'd Apollo, seeks thy tent,
Royal Cleombrotus!

CLEOMEROTUS.

A priestess! say'st thou?
Surely of magnitude must be the errand
Which asks a messenger to pure, and holy.
Retire, my friends; 'tis due to rank like
 her's.
In a few moments he who bids you go,
Shall bid ye follow!
Nor will he stop, 'till his glad voice shall
 hail you
Victors, in Sparta (*they go.*) Now attend the
 virgin.

(*The Officer goes out and re-enters with* CHE-

LONICE)

Thus, holy maid! lowly and wondering,
I greet your presence.—Oh what great be-

hest

Can have impell'd thee from thy hallow'd
 couch,
To seek amidst the hurry of a camp
A care-worn foldier?

CHELONICE.

Couch, Cleombrotus?
Dost thou then think within the mournful
 walls
These feet have left, that one unfeeling wretch
Can seek a couch, or meditate repose?
Thou hast our sleep.—Our balmy rest lies
 tenter'd
On the sharp points thou 'ast levell'd at our
 hearts.

Restore our rest! bid the soft God of sleep
Again revisit our long watchful lids!
It is for this I seek thee in thy camp;
For this that humbly in the dust I bend,
Asking thy pity for our wretched Sparta.

CLEOMEROTUS.

But that I dare not touch thy sacred form,
Thou *shouldst* not humbly bend.—Oh,
 Priestess, rise! [*She rises.*]
If this thy errand to our martial plain,
'Twere well the fire that burns within your
 temples,
Yet felt your feeding hand.—Your altars,
 virgin!
They are the places for your prayers to rise
 from;
There, mix'd with incense, they might reach
 Olympus,
But here, alas! they fall on sterile earth—
Or must return, unanswer'd, to your bosom.

CHELONICE.

Oh, is it possible! Canst thou who own'st
A soldier's gen'rous feelings, think a moment
On the dread horrors of this waning night,
And yet resolve to pull those horrors on us?

CLEOMEROTUS.

Bid your own sov'reign save ye! Oh, Leo-
 nidus,
How wretched is this art! Yield me my
 crown!
And not descend to seek the aid of women
To deprecate the vengeance thou provok'st?

CHELONICE.

Oh, by the flame that burns to chaste Minerva,
 Leonidas

¶ ¶ ¶

Leonidas *swoops* not to supplicate ;
 Knows not the step that I unprompted take !
 Well dost thou know his haughty, princely
 soul,
 That lighter holds the heavy ills thou'rt charg'd
 with,
 Than to submit and invoke thy pity.

CLEOMBROTUS.

'Tis well ; his firmness shall be firmly met.
 Return then, priests ! let your King prepare
 His roughest welcome for unbidden guests.
 His roughest welcome we have sworn to me-
 rit ;
 And not a heart within this banner'd field,
 But will sustain the arm his oath hath bound.

CHELONICE.

Oh, for a voice to *perjure* them—
 'Twere a celestial crime ! Cleombrotus,
 Is there not one voice—Stubborn ! ask thy
 heart,
 Is there not one could move thee ? Chelonice !

CLEOMBROTUS.

Oh, name her not ; her image ruins me !
 Her form, her supplicating look—resist her !
 Oh, she could drag me from the arms of glory,
 And bid me stop, with victory on my sword.

CHELONICE.

Blest be that form !—it is henceforth immor-
 tal—
 It saves my country !—Now—now—then,
 Cleombrotus, [*Unveiling.*]
 See her before thee ! see her at thy feet !

CLEOMBROTUS.

Oh, Gods ! Why's this ? Shall I upbraid, or
 bless ye ? [*Gazing on her.*]
 Oh bless ye ever—'tis my Chelonice !
 [*Raising her.*]
 Now rage—rage on, ye furies of the War !
 Bear your bold thunders to the tyrant's gates—
 My treasure's safe, I hold her to my heart !
 Fearless begin the attack ; for Chelonice
 Breathes not within his walls ; it is my arms
 Which press and guard her. [*Voices without.*]
 General ! Cleombrotus !—

CLEOMBROTUS.

Hear the impatient soldiery ! Lead on !
 I'll follow with an arrow's swiftness,—
 Spare !
 Spare me one moment.—Mars ! 'tis thus
 thou hang'st (*clapping her.*)
 Upon the breath of Venus ; thus anticipat'st
 The dear reward of Victory ; then dart'st
 Amidst thy foes, and by her touch inspir'd,
 Hurl'st thy bright vengeance o'er th' enfan-
 gulin'd field !

CHELONICE.

Dost thou deceive me ? *this* the power of
 Chelonice ? [*Goes to the wing.*]
 Stay your rash speed ! your prince com-
 mands ye—Stop !

Stir not 'till he shall *lead* ye to your spoil !
 Yes ; lead them to their spoil, thou mighty
 General !
 Guide your keen hunters where the tim'rous
 deer

In their inclosures herded, wait their fate ;—
 The conquest will be worthy them and thee !

CLEOMBROTUS.

Oh, my beloved, be worthy of thyself,
 And of the fate with which the moment
 teems !
 I wrest this night my crown from usurpation,
 To place it on thy brow—

CHELONICE.

To decorate my bier !
 Ne'er shall the crown, torn from Leonidas,
 Circle his child.—But go ! lead on your army.
 Here will I patient wait your cries of victory—
 The signal of my death !

CLEOMBROTUS (*as to himself*).

Oh, woman !

CHELONICE.

'Tis not a woman's, but a SPARTAN's threat.
 The hour in which thou vanquishest Leonidas,
 Prepare the pile to flame around his daughter !

CLEOMBROTUS.

Princes ! thou dost mistake thy duty.—Spar-
 tan,
 And daughter of Leonidas, are titles
 Dearest to thee—

CHELONICE.

Mistake my duty, said'st thou ?
 When at a husband's feet I ask a father's life,
 Do I *mistake* my duty ?—If I do,
 I'll ever so mistake, and boast my error !
 Yes, 'till Leonidas sits thron'd in safety,
 His daughter shall forget she is a wife ;—
 Tear from her heart each trace of long past
 fondness,
 And own no ties, but those first awful ones
 Stamp'd there by nature.

CLEOMBROTUS.

Wife of Cleombrotus !

Thy honour and thy fame's deriv'd from him ;
 Thy happiness from the same source should
 flow.
 How dear those hours—for sure such hours
 have been,
 When thou disclaim'dst all joys but in my
 love.

CHELONICE.

Hadst thou found bliss in love—

CLEOMBROTUS (*smiling*).

I'd not sought bliss on thrones,
 Thus, as a lady would you chide, and this
 Let all the *subject* world receive as law.
 Let them be taught that in the humble shade,
 Far from the reach of proud ambition's eye,
 Felicity has rais'd her grassy sea,

And

And wantons there with love.
 But, madam, I was born to reign !
 And he *so* born, feels fires that vulgar souls
 Could not endure.—Felicity, to us,
 Is not a nymph in humble ruffet clad,
 Sipping the dew-drops from the silver thorn,
 Or weaving flow'rs upon a streamlet's brink—
 Oh, no! she's SCEPTER'D, and her gifts are
 CROWNS !

CHELONICE.

I have a soul, to taste her gifts, like thine.
 I have a mind that grasps sublimer cares
 Than cottage nymphs can know; I would
 be great,
 And bear the cares of thousands.—But am-
 bition,
 And ev'ry lofty sentiment it gives,
 Sinks to the earth, when weigh'd against *his*
 life
 From whom I drew my own.

CLEOMBROTUS.

Were I dispos'd
 To grant thee *all*, and sink again to nothing,
 Yet am I *bound* to lead my forces on.
 It is not glory, nor the hope of fame
 The mercenary feels—his God is plunder.
 Should I protract their promis'd hour of
 harvest,
 Disgust and mutiny would fill their ranks—
 I cannot, dare not, yield to thee.

CHELONICE.

Farewell !
 I'll be the herald of thy near approach,
 The child shall bid the father bare his bosom
 To her lord's sword;—shall bid the citizens
 Throw wide their portals to admit the con-
 queror.
 Then, whilst my Spartans bow their necks
 beneath thee,
 And from a *parricide* receive their chains,
 Then shall the last sad sighs of Chelonicæ,
 Mix'd with the shouts of victory, proclaim
 Her murd'rous husband Lacedæmon's king !
 [going.]

CLEOMBROTUS.

The last sad sighs of Chelonicæ—Oh !
 [following and leading her back.]
 Sweet, cruel tyrant, who is victor now ?
 Nature ! in mockery thou stil'f'st us LORDS,
 And bid'st us govern in this turbid world.
 Th' historic page, recording all the acts
 That stand the loftiest in an empire's annals,
 Reports but woman's will !

CHELONICE.

Then thou dost yield !
 How my soul thanks thee, peaceful hours
 shall tell.
 Now, on joy's swiftest pinions let me bear
 The grateful tidings to the gates of Sparta.

Oh filial duties, be ye ever crown'd
 With joy as pure as blest Chelonicæ !
 [Exit, led by Cleombrotus.]

The absence of Chelonicæ being in the mean time discovered, her father supposes she has fled to her husband; and on her return she is loaded with chains and thrown into prison. Leonidas and Amphares then conspire to destroy Cleombrotus by treachery; and it is determined, that Amphares shall go to the camp, tell him that his wife is false, and offer to give him ocular proof, by shewing her in the arms of a favourite that very night in a grove near the city. The credulous Cleombrotus too rashly believes the information, and promises to be there at the hour appointed. In the mean time Nocrates, brother to Amphares, who is entrusted with the secret of the intended assassination, goes to the grove to warn Cleombrotus of his danger, but is himself stabbed by his brother, who mistakes him in the dark for his victim. Amphares having committed the murder retires, and Cleombrotus enters. Nocrates, who is not quite dead, informs him of the plot and the situation of Chelonicæ, and then expires. The husband flies into the town to rescue his wife, but meets her on his entry liberated. Just at this moment his army of barbarians burst into the city. He quits Chelonicæ, and hastens to repel them. After having driven them back, he is himself obliged to take sanctuary from the fury of his father-in-law in the Temple of Minerva. Leonidas demands him, and proceeds to force him from the shrine. Cleombrotus seizes the sacred knife from the altar to defend himself, when Chelonicæ entering snatches the knife; and after reproaching her father with his cruelty, determines to go into voluntary banishment with her husband. Leonidas leaves her in high indignation, but returns immediately mortally wounded by the traitor Amphares. Amphares enters, and rushes to attack Cleombrotus, but falls himself beneath the sword of the conqueror, a just victim to his manifold villainies. Leonidas then, in his dying moments, blesses and forgives Cleombrotus and Chelonicæ, who reigns after his decease peaceably over Lacedæmon.

Such is the outline of the plot. The characters, particularly that of the heroine, are well sustained; the language is strong and nervous; the situations hap-
 pily

pily imagined, and poetic justice strictly maintained. One or two trifling errors we observed; and a few unusual words, as "filicide." The traitor Amphiaraus, a Greek and an heathen, talks of "the balmy night's still *sabbath*." But these

are trivial mistakes, *quas aut incuria fudit, aut humana parum cavit natura*; and are amply recompensed by several striking beauties in the rest of the performance.

Love in the East. A Comic Opera. By the Author of The Strangers at Home. 8vo. 1s. 6d. Lowndes.

THE author of The Strangers at Home is a Mr Cobb, of the India-House, who has likewise produced a pleasant farce—The First Floor. He however, in attempting any thing above farce, has egregiously over-rated his talent for dramatic composition; and of this, Love in the East is a conclusive evidence. This Opera is no other than a farce of five acts, which from its length becomes intolerably heavy. Had it been compressed into two, it would have escaped without condemnation; but in its present state it is inadmissible. We object to the plot as impossible, the characters as unnatural, the wit as forced, and the sentiments as ridiculous. But to be more particular:

A certain Colonel Bentley educates his only daughter as an orphan, for this curious reason—lest he should grow too fond of her, and so spoil her through too much indulgence. Now as the young Lady is brought up in the house of the Colonel, and under his eye, it is not easy to see why his calling her an orphan, rather than his daughter, should stiffen or even regulate his fondness for her. If he wanted an excuse to the world, this might serve; but it is against the softness of his own nature that he seeks a defence; and a most ingenious one he has devised: however, so it is. Ormellina is an orphan, and is beloved by a Mr. Warnford, who asks her of the Colonel, and is, "to try the force of his attachment," kept in suspense. He however, being a hot young man, and rather incautious, gives the Colonel notice, that if he refuses his consent, he will carry off the young Lady. The Colonel, after his departure, applauds his spirit, and determines to give him his daughter, whom he expresses his resolution to own in these ambiguous words: "To-morrow I will call her *mine* in the face of the world." Ormellina overhearing them is terrified at the idea of marriage with her supposed guardian, which is the construction she very naturally puts on the sentence; resolves to elope with Warnford; and for this pur-

pose they meet in the evening at the garden of Captain Coromandel. Colonel Bentley however, being apprised of the plot, intercepts them there, and cuts up all idea of elopement, by generously bestowing his daughter's hand on her lover. And this is one plot.

A second is, a young Lady whose name is Eliza, having jilted a lover in England, (for the scene of the Opera is laid in Calcutta) by marrying a rich old man, after burying her husband, follows her first love to India in the disguise of a Highland Officer, and calls herself Mac Proteus. She soon finds her object, Ensign Stanmore; and after changing her dress for that of a French Officer, why we confess we are unable to develope, in the denouement discovers herself to him, and they are united. This is the second plot.

The third, which is indeed the principal, is thus: Mr. and Mrs. Mushroom are a couple who hate one another cordially in private, and are as fulsomely fond in public. A Colonel Baton, a French Officer from Pondicherry, who has letters to Mushroom, comes to visit them. Mr. Mushroom being out, the Colonel receives a letter from Mrs. Mushroom which was intended for Warnford, for whom the Lady, being a woman of gallantry, has a *tendresse*: he is in consequence introduced into her chamber; she is extremely deranged by this *contre tems*, but is relieved by the arrival of her husband. The Colonel flies, exchanges dresses with a taylor, returns as a taylor, and the taylor, Mr. Twist, as the Colonel. This is the most facetious incident in the piece. We might, to be sure, ask, why the Colonel absconded in the first instance, when the taylor returns in his habit a moment after without mischief or suspicion; but then had probability been consulted, we should have lost several sprightly fallies and most ingenious mistakes which take place on this *double* transformation: we should have said *trouble*; for at the end of the piece

piece there are no less than *three* Colonel Batons! viz. the Colonel himself, Twilt the taylor, who is, as he says, "not the original Colonel, but a translation from the French;" and Eliza, who has likewise assumed the garb and name of this Frenchman, who is indeed from the first introduced merely to breed confusion, that the author may shew his dexterity at extricating his plot.

Such is the contrivance of this piece, which, though we have endeavoured to simplify it as much as possible, we are not so vain as to think we have made clear. Our readers will see, that there is a total want of any thing like probability, and that the incidents are strained almost beyond the limits of farce. The language is *mediocre*; the poetry or rather verse of the songs is poor indeed; the music still worse. One thing we must remark as a grievance. Characters are now-a-days written, if we may so express ourselves, at particular performers. Eliza is made a Highlander and a Frenchman only, as we can discover, because the actress who sustains the character can speak Scotch and French. Another actress who has succeeded in the character of the Page, in Richard Cœur de Lion, is therefore provided with a similar one under the name of Rosario. This is a paltry method of endeavouring to bribe the audience by the merits of the actor.

We shall conclude this article by extracting the best scene in the piece, which yet is monstrously farcical: we mean the interview and consequent mistakes between Mushroom, the Colonel, Mr. Twilt the taylor, and Mrs. Mushroom.

Enter *Twilt*, in *Col. Baton's* clothes.

Mush. [to *Twilt*] My dear Colonel Baton, I am heartily glad to see you in Calcutta. [shaking hands with *Twilt*] But, odds, I forgot—perhaps he can't speak English.

Lucy. Let me talk to him, Sir; I'll warrant I'll contrive to make him understand us. [taking *Twilt* aside.]

Mush. This is a mighty queer kind of a Frenchman—he is as silent, and as shamefaced, as if he had been bred up in England.

Lucy. [aside to *Twilt*] Bred up in England!—No bad hint that—pursue it by all means.

Mrs. Mush. Oh, Colonel Baton! how shall I make you amends for all this?

Col. Bat. Madame, I will have de honour to tell you anoder time. [aside] Bless me! what could make her so mosh in love vid me?

Twilt. [to *Lucy* aside] And so I'm to pass for the French Colonel—But are you sure I shan't get my bones broke for this?

Lucy. [aside to *Twilt*] Pshaw! you can't oblige the Colonel more—Come, begin.

Twilt. [aside to *Lucy*] And may I give myself as many airs as I like?

Lucy. [to *Twilt*] The more the better—be as impudent as you please.

Twilt. [aside to *Lucy*] A match—I warrant you shall have no reason to complain of my modesty. [goes up to *Mushroom*, and claps him on the shoulder] Mushroom, my dear old boy, how are you?

Mush. Thank ye, thank ye—but you need not have been so violent in your salutation.

Twilt. I have an English tongue, you find.

Mush. Yes, and an English arm too—and you have learnt our country fashion of asking people how they do.—My dear Mrs. Mushroom, this is Colonel —

Twilt. Pshaw! zounds! the lady knows very well who I am—By your leave, Madam—[catches *Mrs. Mushroom* in his arms, and kisses her] No offence, I hope?

Col. Baton. [aside to *Mrs. Mush.*] Ah, peste! Madame, I am enragé—hail I cut his throat? Diable! I have no sword.

Mrs. Mush. By no means, Colonel—The poor fellow means no harm.

Mush. But, pray, Colonel, how does it happen that you speak English so well?

Twilt. Oh, I was bred up in England from a child—I was at school in London.

Mush. Egad, I should not suppose you had been at school any where by your breeding. [aside]—I'll take a pinch of your snuff, Colonel.

Twilt. I don't know whether I have a snuff-box about me.—Oh, yes—here it is. [offering him snuff.]

Mrs. Mush. What a handsome box! charming indeed.

Twilt. Yes, 'tis pretty enough—I think I never observed it before.

Mush. Pretty!—it is exquisite.

Twilt. The box is much at your service, if you like it.

Mush. My dear Colonel, ten thousand thanks. [aside] This fellow will prove a fine pigeon.

Col. Bat. [aside] Ah ma chere tabatiere! my dears box [aside to *Twilt*] Rogue! villain!

Mush. Hey dey! what does that taylor want with you?

Twilt. Faith, I don't know—perhaps he imagines my coat wants altering.

Mush. Why, I don't think it would be amiss to —

Twilt. It does look as if it was not made for me—that is the truth of the matter.

Mush. He shall alter it for you.—Here, Mounseer—take measure of this gentleman directly—He is your countryman; and if

you don't alter his clothes to his liking—I'll have your ears cut off. [*aside.*] I may venture to bluster a little, as the Colonel is present.

Twist. Oh, hang him—he is as awkward as if he had never measured a man for a suit in his life—I dare say I could alter the coat better myself—set him about your own clothes.

Mush. Egad, there is no time to lose, indeed; so go to work directly, Mounfeer.—I commit him to your care, Lucy.—Lock him up, and give him nothing to eat, or drink, till he has completed the job.

Lucy. [*aside to Col.*] So it is your destiny to be my prisoner, Sir?

Col. at. [*to Lucy*] Ah, ma chere—I did read dat destiny in your eyes ven I first saw you. [*aside*] Pauvre fille! quite jealous of me—I must be kind to her. [*Casts a languishing look at Mrs. Mushroom, and exit with Lucy.*]

Mush. One must treat these fellows a little harshly, to make them do their duty.

Twist. Certainly, certainly. These rascals are a set of the most lazy, impudent—I'm glad the fellow is gone.

Mrs. Mush. So am I, most sincerely.

Mush. I am not sorry for it. I did not much like his looks.—But where are your letters, Colonel?

Twist. Letters!

Mush. Ay, from my friend at Pondicherry;—and the bill which he advises having drawn upon one in your favor.

Mrs. Mush. This will discover all.

Twist. Bill!—Really, my memory is so bad—[*searching his pockets.*]

Mrs. Mush. Perhaps you have put them into your pocket-book.

Asia: A Dissertation on the Governments, Manners, and Spirit of Asia. 4to. 1s. 6d. Murray.

THIS Dissertation, we are informed, is the copy of one of the lectures delivered by Mr. Logan, at Edinburgh, in the year 1780; and which had been taken down in short-hand by the Editor. The author has collected from different

Twist. They may be there, for aught I know. [*takes out a pocket-book.*] Here, Mushroom, look over the book for me. “I can't submit to the trouble of doing it.”
Mush. [*aside*] I don't know what to make of this Frenchman.

Twist. [*taking a letter from his waistcoat-pocket*] Here is another letter—perhaps this is for you. [*giving it.*]

Mush. [*aside.*] Eh! a letter from my wife, and to this French puppy—An appointment—Three raps at my chamber-door.—This is a fortunate blunder of his.

Twist. 'Tis very remarkable, that, though I speak English so well, I never could read it.—But pray, Mushroom, at what hour do you dine? I really think eating and drinking a mighty agreeable relief to conversation.

Mush. [*aside*] Egad, I should think any thing a relief from your conversation.

Twist. You'll excuse my freedom—But I am always perfectly at ease, wherever I go—You know that's very polite.

Mush. But, pray, my dear friend, is whispering a part of modern politeness?—You seem to deal in that mightily.

Twist. Whispering!—Why, my dear Sir, it is the perfection of eloquence.

Mush.—May be so—but I will take care you shan't profit much by the use of it. *Exit.*

Such is the dialogue of Love In The East, in which we may every where trace the author of The First Floor.—Twist is the lineal descendant of Tim Tartlet, with all the ridiculous pleasantry of the character; and had Mr. Cobb, as we before observed, condensed his plot into a Farce, and made Twist his hero, the Opera might have escaped the gulph of oblivion, which now yawns for it.

The Pocket Peerage of England, Scotland, and Ireland: Containing the Descent and present State of every Noble Family, with the extinct, forfeited and dormant Titles of the three Kingdoms; also general and particular Indexes, and Translation of the Mottos. 2 Vols. 12mo. Price 8s. Lowndes, &c.

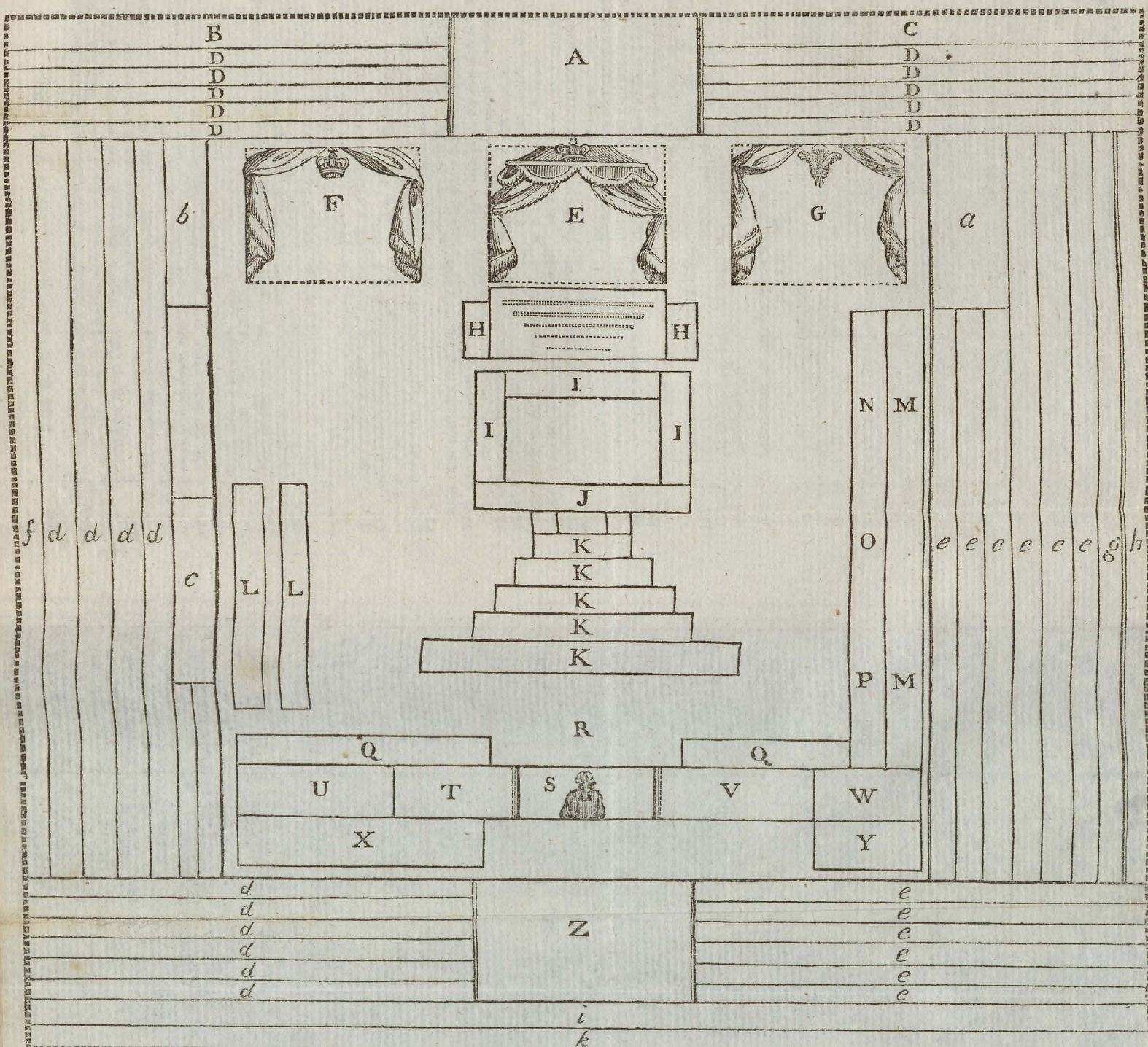
THE title of this work, tho' so full, does not explain the whole of its contents, which abound with much useful information compressed in a small compass. The utility is obvious, as its lists are more copious and correct, and the account of the descent and present state of the Nobility brought down to a much

writers on the subject a variety of observations, which he has methodically digested, and placed in a conspicuous light. The style is terse, abrupt, and flowery; and will give particular pleasure to the student and man of taste.

later period than in any other publication on the subject. The compiler appears to have executed his task with skill and ability, he having consulted with care all the proper sources of information, and availed himself of them. The Arms are new and neatly engraved, and the Frontispieces and Vignettes are elegantly designed.

PLAN of the HIGH COURT of PARLIAMENT,

Erected in WESTMINSTER-HALL for the TRIAL of WARREN HASTINGS, Esq. late GOVERNOR-GENERAL of BENGAL, for HIGH CRIMES and MISDEMEANORS, on WEDNESDAY, FEBRUARY 13, 1788.



- | | | |
|--|---|--|
| <p>A. Passage to the House of Lords.
 B. Court of King's Bench.
 C. High Court of Chancery.
 D. Seats for Peers Tickets.
 E. The LORD CHANCELLOR, under a rich Canopy of State.
 F. The Royal Box, lined with crimson, seats covered with the same, and a rich velvet chair, for his MAJESTY, if he comes, Lords in Waiting, &c.
 G. The Princes' Box, lined with crimson, seats covered with the same, for his Royal Highness the PRINCE of WALES, DUKE of YORK, &c.
 H. Heralds.</p> | <p>I. Judges, seated on Woolpacks.
 J. Masters in Chancery.
 K. Earls.
 L. Bishops.
 M. Viscounts.
 N. Great Officers of State.
 O. Dukes.
 P. Marquisses.
 Q. Barons.
 R. The Repeater.
 S. Prisoner.
 T. Evidence.
 V. Prisoner's Counsel.
 U. Counsel for the Prosecution.
 W. Usher of the Black Rod.</p> | <p>X. Committee of the House of Commons.
 Y. Short-hand Writer.
 Z. The Lord Great Chamberlain's Box for Ladies.
 a. Attendants on the Royal Family.
 b. Foreign Ministers.
 c. Speaker of the House of Commons.
 d. Seats for the Honourable House of Commons.
 e. Seats for Peereffes.
 f. Duke of Newcastle's Seats.
 g. Tickets for the Board of Works.
 h. Earl of Salisbury's Seats.
 i. Sir Peter Burrell's Seats.
 k. Westminster-hall Gate.</p> |
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ACCOUNT of the TRIAL of WARREN HASTINGS, Esq. (late GOVERNOR-GENERAL of BENGAL), before the HIGH COURT of PARLIAMENT, for HIGH CRIMES and MISDEMEANORS.

(Continued from page 132.)

SEVENTH DAY.

FRIDAY, FEBRUARY 22.

THE Court was this day crowded to a degree beyond any thing we had hitherto witnessed. The expected decision of the House of Lords respecting the form of proceeding, and the opening of the first charge by Mr. Fox, were the apparent causes of the general anxiety.

The usual solemnities being over, the Lord Chancellor addressed the Committee.—“Gentlemen of the House of Commons,

the House of Lords have ordered me to acquaint you, that they have made the following order:—“To hear the whole Evidence in support of ALL the Charges of Impeachment, and THEN to let the Defendant enter on his Defence*.” Upon which Mr. Fox rose and said, “My Lords, the Committee beg leave to retire for a few minutes, to consult in what manner they shall proceed.”

The Chancellor nodded his assent; and the Committee withdrew. They were out

* Against this determination, however, the following Protest was entered on the Lords’ Journals:—

D I S S E N T I E N T,

1st. Because we hold it to be primarily essential to the due administration of justice, that they who are to judge have a full, clear, and distinct knowledge of every part of the question on which they are ultimately to decide: and in a cause of such magnitude, extent, and variety, as the present, where issue is joined on acts done at times and places so distant, and with relation to persons so different, as well as on crimes so discriminated from each other by their nature and tendency, we conceive that such knowledge cannot but with extreme difficulty be obtained without a separate consideration of the several articles exhibited.

2d. Because we cannot with equal facility, accuracy, and confidence, apply and compare the evidence adduced, and more especially the arguments urged by the prosecutors on one side, and the defendant on the other, if the whole charge be made one cause, as if the several articles be heard in the nature of separate causes.

3d. Because, admitting it to be a clear and acknowledged principle of justice, that the defendant against a criminal accusation should be at liberty to make his defence in such form and manner as he shall deem most to his advantage; we are of opinion, that such principle is only true so far forth as the use and operation thereof shall not be extended to defeat the ends of justice, or to create difficulties and delays equivalent to a direct defeat thereof; and, because we are of opinion, that the proposition made by the Managers of the House of Commons, if it had been agreed to, would not have deprived the defendant in this prosecution, of the fair and allowable benefit of such principle taken in its true sense; inasmuch as it tended only to oblige him to apply his defence specially and distinctly to each of the distinct and separate articles of the Impeachment, in the only mode in which the respective merits of the charge and of the defence can be accurately compared and determined, or even retained in the memory, and not to limit or restrain him in the form and manner of constructing, explaining, or establishing his defence.

4th. Because, in the case of the Earl of Middlesex, and that of the Earl of Strafford, and other cases of much less magnitude, extent, and variety, than the present, this House has directed the proceedings to be according to the mode now proposed by the Managers on the part of the Commons.

5th. Because, even if no precedent had existed, yet, from the new and distinguishing circumstances of the present case, it would have been the duty of this House to adopt the only mode of proceeding, which, founded on simplicity, can ensure perspicuity, and obviate confusion.

6th. Because we conceive, that the accepting the proposal made by the Managers would have been no less consonant to good policy than to substantial justice, since by possessing the acknowledged right of preferring their articles as so many successive Impeachments, the Commons have an undoubted power of compelling this House in future virtually to adopt that mode which they now recommend; and if they should ever be driven to stand on this

about ten minutes; after which they returned, and took their places in Court.

Mr. Fox then informed their Lordships, that the Managers appointed by the House of Commons to conduct the prosecution, cheerfully submitted to the decision of their Lordships, confident as they were, from a conviction of the goodness of their cause, that let the proceeding take almost any course, most convenient and most advantageous to the prisoner, it was next to impossible that they should not succeed, and fail in their impeachment. He said, he felt a peculiar pride in standing before that ancient tribunal in the character in which he then had the honour to appear, viz. that of one of the Managers of a prosecution voted by the Representatives of the People, in the name of all the Commons of Great Britain. When he said, he felt a pride on the occasion, no man would suppose he meant any personal vanity, but that proper pride which every British subject, of every degree, must naturally feel, in having so striking an example, that what was called the *Lex et Consuetudo Parliamenti*, the bulwark of the liberties, rights, and privileges, and of every thing that was dear to Englishmen, had provided such a means of bringing criminals of the highest order to public trial, and, if found guilty, to consign punishment. He entered into a discussion of the nature and meaning of the *Lex et Consuetudo Parliamenti* (the law and usage of Parliament), and asserted, that it was coeval with our Constitution, and that it was, if rightly considered, of still greater importance than the common law of England, or even the written or sta-

tutory laws of the Realm. He explained this by stating, that the *Lex et Consuetudo Parliamenti* was superior to every other species of law, since it was paramount to all—it judged the Judges, and put those upon their trial who could not be otherwise tried at all. Having very elaborately defined what the Law of Parliament was, and by a variety of arguments manifested its serious importance and great utility, he said, notwithstanding these facts were matters of notoriety, and notwithstanding that recourse had been had to the Law of Parliament on a number of critical and pressing occasions, there were some persons who had lately, thought proper to affect an ignorance of the existence of the *Lex et Consuetudo Parliamenti*, and to treat it with no small degree of levity and contempt. Having taken occasion to assign this reason for his illustration of a subject which, he said, could not otherwise have required a syllable from him to explain to their Lordships, who must necessarily be as fully sensible of the meaning and importance of the Law of Parliament as himself, he reminded the Court, that the present Impeachment was brought forward under circumstances that distinguished it from every other Impeachment, and gave it a degree of lustre and dignity that had not belonged to any former prosecution of a similar sort.—Their Lordships would recollect, that most if not all of the ancient Impeachments had been agitated on a sudden, in a moment of party rage and fury, and had been uniformly brought forward by the triumphant side of the House of Commons, viz. by those who took the lead there, and were at the head of

extreme right, jealousies must unavoidably ensue between the two Houses, whose harmony is the vital principle of national prosperity; public justice must be delayed, if not defeated; the innocent might be harassed, and the guilty might escape.

7th. Because many of the reasons upon which a different mode of conducting their prosecution has been imposed upon the Commons, as alleged in the debate upon this subject, appear to us of a still more dangerous and alarming tendency than the measure itself, so much as we cannot hear but with the utmost astonishment and apprehension, that this Supreme Court of Judicature is to be concluded by the instituted rules of the practice of inferior Courts; and that the Law of Parliament, which we have ever considered as respected and revered by all who respected and understood the laws and the constitution of this country, has neither form, authority, nor even existence; a doctrine which we conceive to strike directly at the root of all parliamentary proceeding by impeachment, and to be equally destructive of the established rights of the Commons, and of the criminal jurisdiction of the Peers, and consequently to tend to the degradation of both Houses of Parliament, to diminish the vigour of public justice, and to subvert the fundamental principles of the constitution.

PORTLAND,	DEVONSHIRE,	BEDFORD,	CARDIFF,	DERBY,
WENTWORTH FITZWILLIAM.		STAMFORD,	LOUGHBOROUGH,	CRAYKE.

For the 1st, 2d, and 3d reasons,

For the 1st and 2d reasons only,

}	TOWNSHEND,
	HARCOURT,
	LEICESTER.

the majority. In the present instance, far different had been the origin, far different the completion and progress of the prosecution. After many years of laborious investigation and enquiry, upon full and mature conviction, in a deliberate manner, and free from heat or indignation, or any impulse of the moment, Charges of High Crimes and Misdemeanors had been exhibited against Warren Hastings, Esq. in the House of Commons, by those who were well known to form a party; weak, indeed, in point of weight or authority compared to that party which was the triumphant one, and which did possess every possible degree of weight and authority in that House. Long used to disputes and contests, the two parties had carried on a political warfare in Parliament with great acrimony for some time; but such was the conviction produced by an investigation of the charges, and a fair discussion of their contents, that to the immortal honour of the House of Commons, and to the glory of the country, both parties met upon the subject, and, forgetting all former animosities, consented to unite in putting a person, who appeared to them to have committed various high crimes and misdemeanors, upon his trial before their Lordships; thereby manifesting to India, and to all the world, that British justice never forgot nor disregarded the grievances of any description of persons, however distant their situation, who were in any degree entitled to its protection. Mr. Fox dilated on this idea at some length*, and shewed the disinterestedness of the House of

Commons collectively, and its Managers in particular, in bringing forward the present Impeachment, since it was not possible for them to derive any benefit or advantage from those whose wrongs they wished to redress, and the author of whose injuries, if he should be so found, they hoped to bring to a just and merited punishment.

Having very fully discussed these particulars, Mr. Fox proceeded to open the charge that he had been ordered to bring forward and explain to their Lordships, viz. the Benares charge.

He began by narrating briefly and perspicuously the history of the district of Benares. It was granted, he observed, by the Vizir Sujah Dowlah, in the year 1764, to Bullwant Sing, to be by him fully retained, and subject only to a tribute of *twenty-two* lacs yearly. On the decease of Bullwant Sing, in the year 1770, the grant was renewed to his son Cheyt Sing, the present Rajah, on the same terms:—it was again confirmed to him, though for what reason is not known, in the year 1773; and to this last grant Mr. Hastings was a witness and guarantee on the part of the East-India Company. In the year 1775, Asoph ul Dowlah, the son and successor of Sujah Dowlah, thought proper to make a demand on the Rajah of an advance in the tribute of five lacs. This extortion was firmly resisted by Mr. Bristow, then Resident at the Court of the Vizir, by desire of Mr. Hastings, as guarantee of the late treaty. The Rajah had at that time been received as the friend, and solicited as

* Giving way to the overbearing power of exultation, at once involuntary and reasonable from the avowed pride of his present place and purposes, Mr. Fox exclaimed, with becoming magnanimity—

“ It is a pride, however, that is not personal! It is, thank God, most nobly the reverse of all that is sordid, diminutive, equivocal, and base! It reaches, and it decorates, all my friends—all with whom I act—the age, and nation!—Other Impeachments have originated with the party then triumphant in the House of Commons: it is the obvious boast of the present business, to have begun with those too truly not there predominant; and I know not, on which side admiration may most fondly lean—whether, over those whose inventive ardour opened the career—or those whose ingenuous candour so well and fairly aided it to this EDIFYING CONCLUSION!

“ For surely it is grand and difying indeed, to display the collective vigour of NATIONAL HUMANITY, paramount over all!—to vaunt the dignifying, because useful, instance, of two Political Parties uniting, unexpectedly, in the point of reciprocal disinterestedness!—sincerely foregoing every fair purpose of allowable self-gratification!—sheathing those arms they both had wielded so ably, to mutual annoyance; and attacking, with a different array, what they deemed, whether right or wrong was to be proved, the Common Enemy to Truth and Feeling!

“ At such an effort, in the admiring view of surrounding Nations, it were impious, if possible, to be calm!—Indifference were insensibility—that profaned each sacred influence in Heaven and Earth!—There was no collective virtue superior—in the History of England—in the History of Man! It sprang from MOTIVES, of all others the most high and pure—the GOOD OF OTHERS;—and it flowed to CONSEQUENCES, of all others the most gratifying and enduring—the well-founded APPROBATION OF OURSELVES!”

the ally, of the East-India Company; and on this interference, the Vizir Afoph ul Dowlah thought it advisable to recede from his claim. In the same year, 1775, the sovereignty which the Vizir possessed over the Rajah and his territory, together with the annual tribute, was transferred to the Company. It would be absurd to say, that when the sovereignty was thus transferred, its rights were more enlarged than when they appertained to the original possessor. It would be strange language to hold forth to the Rajah—"When you were tributary to the Vizir, the Company was your friend and guarantee, and your rights were therefore secure;—but in changing your masters, you have lost your defence;—by becoming tributary to the Company, you are left without a Protector—and your rights and your independence have no longer an existence." The absurdity and impropriety of this language was manifest; yet such was the system exemplified in the conduct of Mr. Hastings.

With respect to the question on which so much had been said—Whether the Rajah was an independent Prince, or a mere Zemindar or dependant land-holder—Mr. Fox said, he should not trouble their Lordships with a syllable of argument. The former had been asserted on the one side, and as strongly denied on the other. In his opinion, the conduct of Mr. Hastings was equally unjust in both cases: but the truth would shortly appear from the evidence at their bar, Mr. Hastings himself had contributed in some degree to establish the former idea, by moving in Council, which had been carried unanimously, that the Rajah should be invested with a right of Coinage, and with the execution of criminal justice within his territory:—two symbols undoubtedly of sovereign authority. The Rajah, it was understood also, by treaty, was to hold his rights and possessions—"while he paid his tribute regularly—and paid a due obedience to the sovereignty."—This latter part of the sentence would require some explanation, as it had been made, however untenable, a ground of defence by the Governor-General. If the Rajah assented in the quarrels of the Company—if he did not molest their friends, and suspended all intercourse with their enemies—this would probably be deemed a due obedience; but it unfortunately did not approach to that passive submission which was required by Mr. Hastings. Neither did the *European* ideas of sovereignty accord with the definition contained in his *Indian Dictionary*.—By *sovereignty*, says Mr. Hastings in his defence delivered to the Commons—*I mean arbitrary power!* And lest his mean-

ing should be misunderstood—lest he should be thought to have spoken of *absolute* power, he adds, "What I mean by arbitrary power is that state where the will of the sovereign is *every thing*, and the rights of the subject—*nothing!*" "I do not in general (said Mr. Fox) approve of either the logic or definitions of Mr. Hastings; but he certainly has the credit of being the first person who has given a full and fair definition of **ARBITRARY POWER.**

But how then was the compact between the Rajah and the Company to be understood? Mr. Hastings, it appeared, was to say to the Rajah, in virtue of his arbitrary power, "Pay me the tribute—observe your obedience—give me whatever sum I shall ask—I then assure you that I will not ask for MORE!"—But where, in this case, was the compensation, the *quid pro quo*, which should appear in every compact? The Rajah was to pay his tribute, he was to obey every injunction; and in return, if he dared to murmur, he was told by Mr. Hastings—"My will, as a sovereign, is **EVERY THING**; and your rights, as a subject, are **NOTHING!**"—This arbitrary power, however, did not appear to be in contemplation, when in granting the Rajah the privileges of coinage, and of executing criminal justice in his district, Mr. Hastings thought it necessary to reserve by an express clause the right of fining the Rajah if the coin was found to be beneath a certain standard!—Where arbitrary power was vested, such a reservation was superfluous: if the will of the sovereign was every thing, why was the liberty of fining his vassal guarded by such a clause? The exception undoubtedly tended to prove, that in general the right did **NOT** exist. Mr. Hastings, however, had assumed a contrary inference in his defence: he alledged, that the exception being made in that instance, proved that the right existed in every other; and inverting the axiom *Exceptio probat regulam*, he contended, that because an exception was made in a particular instance, the same exception should be understood in all cases whatsoever.

There was one circumstance, Mr. Fox said, in this part of the conduct of Mr. Hastings, which, if their Lordships knew his character sufficiently, would strike them with the utmost astonishment. The late Treaty ascertaining the rights of the Rajah of Benares had been made in the year 1775, and it was absolutely three years before it was broken by Mr. Hastings!!!—If such another instance could be adduced from the whole history of the transactions of the Governor-General in India, Mr. Fox said, he would even consent to let him now escape from

from punishment. In July 1778, he at length made a demand on the Rajah of an additional sum of five lacks of rupees, or 50,000*l*. The pretext for this was the report received of the war with France being about to commence. But even supposing this probable necessity to exist, it could not afford a justification of Mr. Hastings, as the Treasury, by his own account, had at that time an overplus of two crores of rupees, or upwards of two millions sterling. Nor could the comparatively trifling sum demanded from the Rajah be meant as the commencement of a general tax on all the dependencies of the Company; as by the confession of Mr. Hastings, there was no other Prince who stood in a similar situation, or on whom such a demand could be made. It had the appearance of harshness, Mr. Fox observed, to assign motives for criminal actions, which were generally presumed; yet he stood emboldened by a complication of proofs to aver, that this extortion had its real source in personal resentment to the Rajah, for having sent his *Vakil* to congratulate Sir John Clavering, when it was rumoured that he was shortly to be raised to the rank of Governor-General. This circumstance would appear natural and inoffensive to any person who considered the humiliation to which the Princes of India are reduced; but in the mind of Mr. Hastings was sufficient to excite a rancour, which could not terminate but in the ruin of its object.

If their Lordships, Mr. Fox remarked, had merely a general and popular knowledge of this subject, on hearing that the unfortunate Rajah had been divested of all authority, and exiled from his dominions, they would undoubtedly suppose, that Chyet Sing had refused to pay the fine, and had been thus punished for his contumacy. But what in that case would have been their astonishment to learn, that he had not only paid it to the last shilling, but had advanced the same sum on a similar requisition in 1779 and 1780, the two succeeding years. In each it had been demanded in July, and paid in the October following; and this delay was the sole crime imputed to him by Mr. Hastings, as far as respected this part of their transactions.—With respect to the Extortion, as a violation of compact, and an infraction of the rights of RAJAH, Mr. Hastings placed his defence solely on two points—the concurrence of Mr. Francis—and the approbation of the Court of Directors. In the first of these arguments, if such they could be called, there appeared a specimen of that respect which even the most corrupt are compelled ultimately to pay to the energies of virtue; but it was in vain that Mr. Hastings sought to shel-

ter himself under the concurrence of Mr. Francis, as it would appear in evidence, that the latter only gave his consent to the application, as not knowing but the sum required might come as a voluntary gift from the Rajah, but that at the same time, he had absolutely protested against such a requisition as a right.—On the second plea, the approval of the Directors, it would be idle to dwell at length. Their approbation had been ever certain, when their interests were in any degree promoted. From the general knowledge of this circumstance had originated the bill for suspending the powers of the Court of Directors, which he had once the honour of presenting at their Lordships bar; and another also which had met a more favourable reception, and was now a part of the law of the land.—But when it was wisely provided that not even the Royal pardon could be pleadable in bar to an impeachment preferred by the Commons, it was absurd to mention the implied approbation of a set of merchants as a plea against their Lordships' process and decision.

The Council, he remarked, had, on a former occasion, recommended to the Rajah of Benares, to keep up a force of 2000 cavalry for their mutual security, which were to be paid for at a settled rate, if taken into the service of the Company. There was no demand made at that time; the term and language were such as should be used between equals. It was in every respect a *subsidiary* treaty; and his Majesty could, with as much propriety, claim the sovereignty of Hesse Cassel, as Mr. Hastings found a claim of arbitrary power on that proceeding; and yet the Governor-General, finding all other efforts ineffectual to irritate the Rajah to disobedience, and that, on the contrary, his submission kept pace with every insult, he turned the recommendation into a demand, and required 2000 cavalry to be furnished at the expence of the Rajah, and not at the expence of the Company, as before proposed. This requisition, on the Rajah stating its impossibility, was moderated to 1000. Chyet Sing still declared that he had but 1200, five hundred of which he offered to furnish, and to supply the deficiency with 500 matchlock-men, to be also at his expence.—At the same time, he attempted to conciliate the friendship and protection of Mr. Hastings by a present of 20,000*l*. which the Governor received, as he afterwards suggested, for the use of the Company; as if such a voluntary gift was to be expected from a man worn out with extortion, if it was not obviously meant as a bribe to purchase a rescue from future oppression.

Yet with all these concessions Mr. Hastings

ings declares, that his patience was exhausted; and "I determined, said he, to turn his crimes to the advantages of the Company, by imposing a heavy fine on his disobedience."—He accordingly makes money a part of criminal jurisprudence, and of criminal punishment. He departs from his character of Chief of the executive Government in India, and takes up that of a criminal Judge; he unites in him the three characters of Judge, of Accuser, and of Witness; and in the delicacy of that novel situation he writes a letter to the Rajah, demanding peremptorily a fine of *fifty lacs*, or 500,000*l.* and proceeds himself to Benares, to enforce the requisition!—If the Rajah had withheld the additional tribute required beyond the time it was due, the interest of the sum for that time might have been imposed as a mulct; if he withheld 500 cavalry, the difference of expence between them and matchlock-men, might have been exacted with some appearance of propriety. If his conduct had been disobedient and contumacious, a pecuniary fine might have been imposed with some plea of justice; but instead of the last mentioned conduct, his demeanor was as contrite and submissive, as if he had been either guilty or dependent.—[The letter of Cheyt Sing, which has been long before the public, and is marked by the strongest traits of *fidelity* and *humiliation*, was then read by Mr. Grey.]—Yet this letter, Mr. Fox observed, the Governor-General had pronounced to be extremely *offensive*—but if it partook of that quality, it was only offensive in humiliation—and offensive in its dependence. Mr. Hastings declared, that it showed the growing spirit of independence—that it was a reprimand rather than a defence—and that it breathed the language of *disfiance*.—I know not, said Mr. Fox, in what tones or language their defiance is announced in *India*; but if this be a defiance, I would merely in the spirit of literary curiosity wish to know, in what terms an *Indian* would declare his submission.

Mr. Hastings, however, was determined to punish. He refused to see the unfortunate Rajah, and actually placed him under an arrest. It was not wholly necessary to recur to Indian manners and customs, to explain the force of this insult.—If we supposed an European Chief, without adverting particularly to his rank, who must be supposed of some consequence, when he paid his Sovereign a tribute of 240,000*l.* per ann. committed to prison, not only deposed of his immediate power, but his Government entirely annihi-

lated, some idea might be formed of the business of that day. The rescue of the unfortunate Rajah, with the massacre both of Europeans and Gentoos which followed, were too well known to require a particular description.

On the disproportion of the supposed crime to the actual punishment, Mr. Fox dwelt with much diffuseness, yet with infinite force. The fine of 500,000*l.* he said, was so much beyond all bounds, that the *finger* of the *law*, on that occasion, was heavier than the *loins* of a *King*; and that if such was *British justice*, the miserable Hindoo should pray that it might be exchanged for *Tartarian barbarity*.—Mr. Hastings had lately been compared to a conqueror, whose fame filled the universe:—a character so exalted as to dispute *PRECEDENCE** had assimilated Warren Hastings to Alexander the Great. But if any resemblance were found, it could not be to Alexander when his mercies and his victories kept an equal pace;—it could not be to the generous or forgiving conqueror;—the likeness must be meant to Alexander maddened after a debauch; to Alexander in petulant wantonness setting temples on fire—to Alexander when his follies and his crimes had excited horror and contempt sufficient to obscure the radiance of his former glories.—In the first points of the comparison there was not a shade or resemblance; in the latter part of the parallel there was all the justice that could be required.

In an apostrophe the most beautiful that can be imagined, Mr. Fox made the injured Cheyt Sing the utterer of his own complaint to the House.—"I was, said he, the Sovereign of a fertile country, happy and beloved; I endeavoured to conciliate the friendship of all around me, and as I thought with a success which impressed me with every sensation of felicity.—This was the situation of which I boasted; but what is now the reverse?—I am a wretched exile, dependent on the bounty of those who were my enemies, but whose enmities are now buried in their sympathy for my distresses. What have I done to deserve this punishment?"—"You forget," replied an Englishman, "that though a Sovereign Prince at Patna, at Benares you were but a Zemindar; in the latter character you were guilty of disobedience, and are therefore sentenced to a judicial exile."—"Alas," rejoins the wanderer, "I was ignorant of my crime. Why had I not an instructor to teach me the subtleties of

* Alluding, it is said, to the Chancellor's having disputed precedence in the daily procession to this trial with the Prince of Wales.

* your laws? Though to your power I was "but as an atom in the view of Omnipotence, yet surely my intentions should have been regarded, and my ignorance not construed as guilt."—Mr. Fox then observed, that with respect to the massacre which ensued on the injudicious arrest of Cheyt Sing, Mr. Hastings had been solely culpable.—If he went to insist on his demand with the Rajah, knowing that he was *not* aiming at Independence, then was he answerable for his injustice, and for all its consequences. If, to adopt his own defence, he apprehended that there was any such intention, then was he guilty of the highest and most culpable imprudence in being so slightly attended. In either way, a criminality must attach itself, without the smallest possibility of a vindication.

The principal points, however, on which Mr. Fox dwelt as highly criminal, were the demand of the additional five lacks beyond the stated tribute, and the enormous penalty of 500,000*l.* which was demanded, though not received; and to these points, he said, the evidence should principally be directed. He concluded by enforcing very strongly the necessity of punishing the late Governor-General. By imposing a disproportionate punishment, Mr. Hastings had placed venial error on a footing with absolute guilt. Their Lordships should take care to avoid the opposite extreme, and to affix a punishment to the crimes of Mr. Hastings, equal, if possible, to their enormity. They must now become, he said, either the avengers, or the accomplices of his crimes. They could not now plead ignorance of the facts which had been so plainly stated, and which should be so fully proved. The affairs of India had long been hid in a darkness hostile to enquiry, as it was friendly to guilt;—but by the exertions of **ONE MAN**, these clouds had been dissipated.

The ardent virtue, the sublime genius, and that glowing enthusiasm so essential to the operations of both, had, with the application of years, left them nothing of information at present to desire. The eyes of Europe, he reminded their Lordships, was now fixed on their proceedings, and they were looked to for the ruin, or the restoration of the British name. Disgrace attached itself to nations as to individuals. There was a time when the name of a Spaniard was infamous on account of the cruelties practised in their foreign colonies, and not avenged at home; so had we not escaped our share of disgrace; and it rested with the present decision, whether the name of BRITON, proud and glorious as it has been, should be doomed to honour or to scorn.—There was also another circumstance to be considered, which was, that when the Spanish infamy was recorded, it was said, that the GOLD and JEWELS brought from their settlements in South America had been the instruments of mediation for the offenders. Such an imputation might rest on their Lordships, and such a stain was not easily erased. To obviate the insinuation, it was only necessary to recur to their own feelings and their own convictions. The British honour, he would repeat, was in their hands. The Commons had done their duty in bringing to their Bar the person accused, and they were now to decide, whether by his acquittal or punishment, the infamy should rest with the Nation or the Individual.

Mr. Fox concluded * at a quarter past five o'clock, and the Court immediately adjourned †.

—————
EIGHTH DAY.

MONDAY, FEBRUARY 25.

The Hall was this day not so crowded as on former days, as little was expected beside

* For individual passages, separable from their novelty, or their original importance, in idea or diction, Mr. Burke is the mighty master. This speech of Mr. Fox was not so distinguished. It abounded, however, in distinctions of its own kind, of which the best was vehemence; the worst, unnecessary repetition of preliminary words. The SARCASTIC REFERENCE to opinions in another place, was very artfully conveyed. His distinctions between the Advocate's duty, and his duty as a Delegate from the Commons, was admirably exact. He said,

"The Advocate may urge whatever may serve his cause, and INFLUENCE JUDGMENT. The Delegate's allowances are limited;—he should suggest nothing but what he thinks is admissible when judgment is pronounced."

The short mention of Mr. Burke found ready reception with all who heard it:—"If we are no longer in shameful ignorance of India; if India no longer makes us blush in the eyes of Europe; let us know and feel our OBLIGATIONS to HIM—whose admirable resources of opinion and affection—whose untiring toil, sublime genius, and high-spirited honour, raised him up conspicuous among the most beneficent Worthies of Mankind."

† The Commons present this day were above 300. The rest of the auditory were very numerous.

the production of evidence; and discussions not fraught with much entertainment, respecting what was admissible, and the contrary. It was twelve o'clock before the Peers were seated, and proclamation made in the usual form.

Mr. Grey then rose, and in a speech of much ability resumed and enforced the remaining part of the first charge against Mr. Hastings, commencing where Mr. Fox had concluded on Friday last.—He adverted in the first instance to the rights of which the Rajah stood possessed when he became the object of the Chief Governor's indignation. It mattered little, he observed, whether Cheyt Sing at that time was merely a Zemindar, or the tributary, but independent, Sovereign of his District. In the year 1773, when Afoph ul Dowlah had made the arbitrary demand of ten lacks, Mr. Hastings in his letter to Mr. Bristow, the then Resident at Lucknow, had instructed him to declare, that Cheyt Sing was more than a mere Zemindar—that he was the Ally of the Company, and should be protected in his rights! But when the sovereignty over the Rajah was transferred, and when he became the vassal of the Company, vested of course with all those rights; when he had also been indulged with the symbols of Royalty in privilege of the Mint, and of the administration of criminal justice; then Mr. Hastings scorned to look to those rules which he had compelled the Vizier to observe. The rights of the Rajah were trampled upon, and his privileges degraded. The Company had wished to conciliate the attachment of a Sovereign over near two millions of people, and to convert him into a powerful barrier between them and their enemies on that quarter. But what the unexampled lenity of the Company must have effected, was totally destroyed by treachery as unexampled; and the arts of conciliation which policy and humanity would have justified, were neglected for the pursuits of Avarice which destroyed its own purposes, and in the prosecution of a Resentment as absolute as it was unfounded.

His extortion from the Rajah, Mr. Hastings now attempted, when other efforts failed, to justify on the principles of the feudal establishment. It was certain, that by the feudal laws, the vassal was compelled to attend in the wars of his Lord, and to contribute to certain of his necessities. But then the length of his attendance and the quantum of his contribution were all strictly and precisely defined. There was not in the feudal, nor in any other law that could be quoted, a single principle to justify a tyrannical licence of exaction, or the vindictive selection of an individual, whose only guilt might be, that

his riches had raised the avarice, or his power excited the envy, of his Lord, and brought down on him an arbitrary punishment.

This extortion had again been attempted to be justified by the imputation of certain crimes said to have been committed. Of the first was—a delay of his remittance of the five lacks required in addition to the stated tribute. On this head, Mr. Grey observed, enough had been said by the Right Hon. Gentleman (Mr. Fox) who had preceded him in the present charge; to that, therefore, he should only add, that the Rajah himself had urged, what was not denied, that the failure in the remission was in some degree owing to the English Resident.—The next charge against the unfortunate Rajah was—the disorders which he had suffered to overrun his territory. But the wisest Police, it will be confessed, with the strictest administration of justice, cannot possibly prevent the offences of individuals: but surely that country could not be looked upon as disorderly or unsafe, when it was a fact asserted and not denied, that those who had acquired fortunes in the more turbulent parts of India, made it a practice to retire to Benares, there to indulge themselves in acknowledged security.—With respect to two other charges imputed to the Rajah,—his withholding the cavalry, and his inclinations to rebel;—the first, if true, was punished without enquiry; and the second was fully refuted, by the small number of attendants taken by Mr. Hastings: when he went to punish his delinquency.—[On these topics Mr. Grey dilated with infinite force of reasoning; but as the ground has been in a great degree pre-occupied by those that have preceded the Hon. Gentleman, we forbear to follow him. He was also, at times, exceedingly severe upon Mr. Hastings; but though such strength of expression is undoubtedly justifiable in an Advocate speaking from his conviction, our sense of propriety forbids us to follow the Hon. Gentleman by a literal report.]

There was also, he observed, another species of guilt imputed to the Rajah, which was the supposed concealment of vast treasures. This was indeed a grievous fault, and grievously had the Rajah been made to answer it. This last was the cause, however, of Mr. Hastings' journey to Benares, which had been productive of such extraordinary events.—He then took up Mr. Hastings' narrative of his journey, "given with a solemnity equal to an oath," which he compared with his defences, and pointed out a variety of strong contradictions. In the one, Mr. Hastings declared, that, previous to his departure, he had communicated his plan of operations to Mr. Anderson and Major Palmer;

mer; in the other, he averred that he acted from the exigency of the moment.—After pointing out a variety of similar instances, he observed that the maxim was not less old than true—*Quos DEUS VULT PERDERE PRIUS DEMENTAT.*—The sanity of the intellect was disordered by the vice of the pursuit.—It would have been impossible to follow Mr. Hastings through all his windings, if he had not himself afforded a clue to his transactions. In the midst of his contradictions, he frequently threw a light on the circumstances, which no degree of enquiry could produce.

Mr. Grey then proceeded to state the arrest of the Rajah, with all its circumstantial ignominy. There was a point, he observed, in human nature, beyond which outrage could not be suffered, nor indignity be borne. Yet all this disgrace in the eyes of his people, produced in the Rajah but a repetition of remonstrances, and an added degree of humiliation. He read the very affecting letter from Cheyt Sing, which concludes—“Whatever may be your pleasure, do it with your own hands.—I am your slave.—What occasion can there be for a guard?”—Having mentioned the inefficacy of these applications, he then related the circumstances of the rescue of the Rajah, by the tumultuous force which had crossed the river from Raminagar, and the slaughter of the British guard, when their countrymen could only arrive in time to witness their expiring friends. For that carnage, he said, and for all the horrid business which succeeded, Mr. Hastings must undoubtedly be answerable. He who sowed the SEED, must necessarily be looked to as the AUTHOR of the HARVEST. It was the natural effect of oppression to beget resistance; and if the consequences be fatal, the oppressor is undoubtedly guilty.—In relating the escape and subsequent calamities of the Rajah, he remarked with great force, how fatally the transfer of the sovereignty to the Company had operated against his interests. He had passed from the sovereignty of uninformed Barbarism to that of enlightened Religion;—he had exchanged the arbitrary code, as it was deemed, of Timur, for the mild sway of British justice. But what was the consequence? Under the former he had found PROTECTION—under the latter his portion was MISERY!

The next point of criminality which Mr. Grey alleged against Mr. Hastings, was the assault by Major Popham on the fortrefs of Bedjeygur, where the wife and mother of the Rajah resided, and the incitements which he had on that occasion held forth to the soldiery to plunder and rapine. In proof of this charge he quoted the very words of the

Governor-General to Major Popham:—
 ‘If the reports brought to me are true, your
 ‘rejecting her offers for any negotiations
 ‘with her would soon obtain you possession
 ‘of the fort on your own terms, I apprehend
 ‘she will contrive to defraud the captors
 ‘of a considerable part of the booty,
 ‘by being suffered to retire without examination.
 ‘I should be very sorry that your
 ‘officers and soldiers lost any part of the
 ‘reward to which they are so well entitled.”

This letter had been defended by Mr. Hastings, merely on a cavilling distinction between a public order and a confidential letter. But that the letter was not CONFIDENTIAL, was sufficiently proved, as the next day there was not an officer or private in the detachment who was unacquainted with its contents; and even if that were not the case, there was no military man who would not look on such a letter as a complete justification of whatever he should do in obedience to its intimation. Accordingly, the hint was not lost. The fortrefs was surrendered—its unfortunate inhabitants plundered of every thing, in violation of a solemn compact:—yet the soldier had an excuse to plead.—The orders of the Governor-General were not more cruel and barbarous, than they were peremptory and specific. These females of dignified rank were, therefore, stripped of every resource in their want, and of every solace to their eye!—Those who had compared Mr. Hastings to Alexander the Great, would here find their parallel was greatly deficient. Alexander had so comforted himself to the wife and mother of Darius, that they scarcely felt their loss;—Mr. Hastings, on the contrary, had so demeaned himself to the wife and mother of Cheyt Sing, that the unfortunate Rajah felt their sufferings as the keenest aggravation of his own.

It was not a little remarkable, Mr. Grey observed, that the ostensible purpose of Mr. Hastings, in his journey to Benares, was to recruit the Company’s Treasury; but no sooner did the occasion offer for that purpose in the seizure of the fortrefs of Bedjeygur, than the plunder of 250,000. was assigned to the troops. It was true, indeed, that on the representation of the Council, he had attempted to refuse it by way of loan. They knew him too well, and this stratagem failed of course. He had then endeavoured to draw resources from a country already exhausted, when he appointed the minor Muttiparain to the empty title of Rajah, fixed the sum of 40 lacs as the annual tribute, and named Ouffain Sing as the collector of the taxes, under the controul of Mr. Markham. The country was depopulated, and no force could make it productive. It was

in vain that Guffain Sing was imprisoned at the end of the year on account of the deficiencies, and confined until death put an end to his misery. His successor could do no more: and at the end of three years, when Mr. Hastings repeated his visit, desolated towns and ruined villages convinced him of the truth of their reports. No contrast, Mr. Grey observed, could be more strong than that of the description given by Cheyt Sing of the territory of Benares whilst under his government, compared with its situation when under the East-India Company. "My fields," says the Rajah, "are cultivated, my towns and villages full of inhabitants, my country is a garden, and my RYOTS (husbandmen) are happy. The principal merchants of India, from the security of my government, resort to my capital, and make it their residence. It is the Bank of India, and contains the treasures of the Mahrattas, the Jaiks, the Saiks, the native and European nations, the traveller and the stranger, from one end of my country to the other, lay down their burdens, and sleep in security."—When Mr. Hastings, on the contrary, went through those districts, Famine and Misery stalked hand in hand through uncultivated fields and deserted villages. There were found only the aged and infirm, who were unable to fly; robbers, prepared to kill; and tygers, whose ferocity marked the desolation of the scene.—Such was the contrast between the dominion of the INSOLENT Rajah, and of the unassuming and judicious Mr. Hastings.

Having dwelt at considerable length on this subject, he summed up the whole of this charge with a degree of force which could only be equalled by the modesty of his conclusion.

"I hope not much longer to be troubled some. I beg indulgence but for few words more.

"If, my Lords, in going over my appointed ground, I have ever been hurried too fast, or carried too far;—if my imagination has, against my wish, seemed at times over-heated as it went, and the VERBUM ARDENS flayed away from the proper aim—let my heart be understood to be involuntary—let my excitements be acknowledged pure. I hope I may with full credit DISAVOW MALICE. I PANT FOR TRUTH. But I cannot, here, look for it without emotion!

"Who can, who should be unmoved, when he becomes the spectator of enormi-

ties!—when he is delegated to a sacred service for the detection of guilt!—when he thinks he can trace criminality to its PROOFS, as certainly as he has sympathy for its CONSEQUENCES!

"Think, my Lords, if you can, without rational anger, of outrage—exaction—devastation—and death!—the plunder of provinces!—the distress of nations!—all nature blasted by the withering malignity of man!—the helpless and the unoffending—what is useful, and what is honourable—the peasant, and the prince—all prematurely swept together to the grave!

"His deeds—whoever sins up to deeds like these—his deeds be on his head!—he, by whom the SEEDS OF RUIN are scattered—his is the HARVEST OF INIQUITY—the PENAL RESPONSIBILITY, at each exact tribunal, here and hereafter!

"Thus, my Lords, you cannot help forgiving the strong emotions, which your own honour and humanity must feel.

"But there is more to be forgiven—I have much positive imperfection—I have more comparative deficiency to deplore.—I have, alas! taken a task that is above my strength.—and have been forced to follow, MULTA GEMENS LONGO INTERVALLO, after abilities such as no strength, I know, CAN KEEP UP WITH!

"However, thank God, I have tried to DO MY DUTY; and the best of men can do no more! If I fall, perhaps, on an estimate of TALENTS—I hope to rise, without presumption, on the claims of FAIR INTENTION!

"And, after all, it is not GENIUS—it is not ORATORY—it is not the charm of unexpected throws of language, nor the rapt gaze after new sublimity in ideas—No, my Lords, it is NATURE!—it is TRUTH!—it is from duties well done—from privileges well asserted—from the steady maintenance of every thing right, and from the strong impeachment of all who are wrong, that we can satisfy the claims of existence and responsibility!—decorate ourselves with the only ennobling quality, worth—and transmit the remembrance of OURSELVES, and the very name of OUR COUNTRY, with common honour to our children*."

As soon as Mr. Grey had concluded, the Committee of Managers began to adduce their chain of evidence on this important charge.

Mr. Anstruther opened the evidence, and called

Mr. Morton, Secretary to the East-India Company, to prove the terms of the Charter

* Mr. Grey was nearly two hours in delivering his speech; his manner was suited to the occasion; he was fervid, graceful, and impressive. He was well collected, without arrogance.

granted to the Company in 1696. In this Charter all rights belonging to the Royalty are expressly reserved.

Mr. Hudson was next called to prove the appointment of Mr. Hastings to be Governor-General.

Mr. Benson was afterwards called to prove the Act of Parliament of 1774, and likewise the Answer of Mr. Hastings to the Articles of Impeachment in the Commons.—The answer to the charge respecting Benares occupied upwards of an hour; and after the reading was finished,

Mr. Law, on the part of the prisoner, made two objections to the evidence. The first was, to copies of dispatches being read, unless the originals were proved to have been received; and the other, to the Journals of the House of Commons being read in evidence—both which were over-ruled by the Lord Chancellor.

Mr. Anstruther informed their Lordships, that he should not trouble them any longer this day, but he intended to bring further evidence next day.

NINTH DAY.

TUESDAY, FEBRUARY 26.

Mr. Anstruther went on with the evidence on the Benares Charge. There was no personal witness called to give oral testimony. Office documents were adduced on the subject of Mr. Hastings's Commission, and the similar authorities of his predecessors, Mr. Verelst and Lord Clive.—Mr. Cartier had, it seems, no Commission in his appointment at Bengal.

These were also read—the Constitution of a Zemindar—the Constitution of Cheyt Sing*—and various Extracts from Secret Letters to the East-India Directors—Minutes of Council at Calcutta—Communications, Conversations, &c. &c.

In the course of these, some few words passed between Mr. Law and Mr. Fox. The

former having read, contrary to the wishes of the latter, not an Extract from an Instrument, but the Instrument at large. Mr. Fox “imputed this—wherefore, was not visible—to delay; and urged in future instances of similar exactness, that the Counsel should alledge the specific object of each evidence thus additionally adduced;—an allegation which will prevent trifling, by the shame of voluntary falsehood!”

To this short speech, Mr. Law asserted in few words, what few seemed willing to deny, the existence of his right, and the propriety of his exerting it.

After some conversation between those Gentlemen and the Lord Chancellor, it was agreed that no paper should be read at length, unless a sufficient reason was assigned.

At half past four o'clock, the appointment of the Benares Resident being the object, an altercation arose about a letter written by Mr. Hastings, which the Managers were for reading, and the Defendant against.

The date of this letter was 1779—Mr. Markham's appointment to the Residency was 1781. The Chancellor seemed to doubt the relevancy of the letter. Mess. Fox, Anstruther, and Adam, supported it. Mr. Taylor also was going to speak—when, on a motion from Lord Camden, the Lords adjourned—and, contrary to the expectation of many people who waited their return (among whom were Mrs. Sheridan, the Duchess of Devonshire, &c.), the Court concluded there †.

On their Lordships' return to the House to decide upon Mr. Law's objection, the Lord Chancellor, Earl Stanhope, the Duke of Norfolk, and Lord Hawkebury, severally delivered their sentiments, when it was agreed without a division, “That the evidence offered by the Committee was admissible evidence, and ought to be received.”

Ordered a message to the Commons, that the Lords will proceed further upon the trial of Warren Hastings, Esq. on Thursday next.

gance; free in his expression, without any rattle of volubility; firm in his sentiments, with scarcely any disgusting obduracy to the Defendant.

Mr. Grey spoke like a man in earnest. He did not philosophize, agitate, and edify, so powerfully as Mr. Burke; but he shewed some reading, and some abstract reflection. He not only declaimed, but his speech had, what is less attainable by so young a man, much good arrangement and lucid order.

* When a letter to Cheyt Sing was reading by the Clerk, Lord Stormont, with much sagacity, enquired, “if there was any title in the Address, or any Address at the conclusion of the page?” The answer stated—“there was none.”

The Archbishop of York, on the word “independence” occurring in one of the documents relative to the Zemindar, asked the import of the word, and “whether it referred to the India Company, or to Local Sovereignty?” The Chancellor bore testimony to the propriety and importance of the question; but said, the consideration at present was informal.

† But very few of the Commons, not above 20 or 30, were present through the day.—There was at first rather a full auditory; but they soon quitted the Hall.

TENTH DAY.

THURSDAY, FEBRUARY 28.

The Court met at twelve o'clock, when the Lord Chancellor informed the Managers of the resolution of the House respecting the letter to be admitted in evidence.

The Clerks also passed through a various mass of other written evidence—from the Consultations of the Calcutta Council—their Letters to and from the Company, public and secret—some of which, had the meaning been to have kept it secret still, could not have been better read.

Two of the Clerks from the India House were at the Bar with their Office Books—and both, but particularly the Accountant, gave a short testimony, in a mode that was very sensible and well collected.

The evidence adduced, chiefly went to the Benares Residency, and the circumstances in the appointment of Mr. Fowke and Mr. Markham—the Stipends—the Cavalry—and the Subsidy in lieu.

The eloquent and convincing Account of the Expedition to Benares, stated to be written by Mr. Hastings, was the last paper before the Court. Much of it was read, till the Clerk could see to read no longer;—at near half after five o'clock, therefore, the Court adjourned*.

Besides what has been mentioned, there was little said or done. Lord Stanhope spoke a few words, and Lord Stormont, both very much in point.

ELEVENTH DAY.

FRIDAY, FEBRUARY 29.

The business on this day commenced rather sooner than usual. At eleven o'clock the Peers were seated, and the Court had passed through the general forms.

The reading of the necessary documents was then resumed; the letters of Mr. Hastings, and the Rajah Cheyt Sing—the Mi-

minutes of the Secret Council—the correspondence of the Court of Directors, and variety of other papers were read which made matter of evidence on the present charge. On producing Mr. Hastings' Narrative of the Expedition to Benares, Mr. Adam submitted a proposition to the Court—that as they had determined that the business of each day should be printed for the use of their Lordships, it would tend much to expedition, without subtracting from the justice of their proceedings, if the necessary extracts from the Narrative were only marked for the purpose of being printed, without being read at length in the present instance.

To this proposal no objection was made until Mr. Adam had nearly gone through the whole statement of the extracts which were intended to be printed.

Earl Stanhope then rose suddenly and said, that in making the motion in their Lordships Chamber of Parliament, for the printing of the papers of each day, it was not his intention that any should be printed but such as had been previously read. In his opinion, the ends of substantial justice would not be answered by passing over the papers in the manner now proposed.

This objection brought on a variety of observations from the Lord Chancellor, Earls Camden, Fitzwilliam, and several other Peers; but Lord Stanhope adhering to his original opinion, it was agreed, that to avoid the inconvenience of a temporary adjournment, the extracts should be read at length according to his desire †.

When these were concluded, a variety of accounts were produced, tending to shew the state of the establishment in Benares, after the expulsion of Cheyt Sing, and of the extravagance of the annual tribute demanded by Mr. Hastings of FORTY-NINE lacks, when the country, in its most prosperous state, had never produced more than FORTY-FOUR, and

* The Hall this day had not much resort—there being but very few Members of the House of Commons present—never more than twenty, and latterly but three—and of Peereſſes, from seven, till they dropped to three also.

† The Papers read were different Minutes of Proceedings with Cheyt Sing—of the country laid waste—the Bengal dispatches—and then the appointment of Mr. William Markham to the Residency of Benares.

On this subject, the reasons of Mr. Hastings for this appointment were read. If the grounds of the appointment were creditable to Mr. Markham, the reasons given by Mr. Hastings were still more so, to his own understanding, and were enforced with all the strength of fine writing.

Mr. Fowke was removed—but the honourable manner in which that removal was expressed by Mr. Hastings, was more flattering than the office itself. His salary too was continued for three months—amounting to 3000 rupees.

The conclusion of the written evidence consisted of the detail of the prize money—letter from Colonel Champion—and a picture, before given from Mr. Hastings, of the devastation of the country of Benares.

these only under the pressure of severe exaction.

The written evidence being concluded, the Managers proceeded to enforce it in particular parts by oral testimony.

Mr. Adam connected and explained the above evidence.

At half past three, the first evidence called was

J. STABLES, Esq.

Examined by Mr. ADAM.

This gentleman was second in Council.—Being sworn, he stated that he went to India in 1759, and that in 1764 he was an officer in the army sent to Benares; that he had frequent opportunities of seeing Bulwant Sing; that he looked upon him as a very considerable person, and that in the end of the year 1763, or beginning of 1764, a negotiation was set on foot to detach him from the Vizier, to whom he was tributary, and to engage him in the English interest. That the country of Benares was full of people, and in high cultivation; that Bulwant Sing was treated by his subjects with marks of affection very different from the attention shewn to a mere Aumel or Collector; that Benares was the residence of a wealthy community of the religious order; and that the army in which he served were not permitted to enter the place.

He was cross-examined by Mr. Plummer.

The next witness called by the Managers was

FOX CALCRAFT, Esq.

Examined by Mr. GREY.

Mr. Calcrafft stated that he was Aid du Camp to Major Popham, in the detachment that took the Fort of Bedjcygur;—that the treasures found in the Fort were divided as plunder among the army, which he understood to be done under the authority of a letter from Mr. Hastings; that the plunder was divided the day after the seizure, and amounted to 25 lacks of rupees; that each sepoy had 100 rupees; that he was dispatched with the intelligence to Mr. Hastings, then at Chunar, 40 or 50 miles distant, who expressed vehement dissatisfaction at the division of the plunder among the soldiery at a time when the Company wanted the money; that he represented to Mr. Hastings the letter he had written to Major Popham, as giving an authority to the division.—This Mr. Hastings denied, said the letter was private, and gave no authority; that in all the proceedings of the war every officer had submitted to his advice, and that it was wrong to proceed to the division, which he called a scramble, on account of its precipitancy, without his concurrence, he being so near. That in answer to this, he said to Mr. Hastings, that the

letter could not be a private one, as it contained public matter; and that the cause of the precipitancy was, that in the case of the Rohillas the troops had never received their booty. Mr. Hastings asked if it would be possible to make the officers refund, and that if they would do so he would use his influence with the Board to procure for them the money afterwards. This he told him he thought impossible, as it was already too generally diffused. He said he brought a sword as a present from the officers to Mr. Hastings, and some ornamental plate to Mrs. Hastings, but he knew not whether they ultimately remained with them, as he delivered them to Mr. Markham; he believed they never did receive them, but he never heard what became of them.

The above gentleman, extraordinary as it may seem, was brought by the Prosecutors. His ideas and account of the general antipathy to REFUNDING, occasioned much entertainment. The Chancellor could not help smiling.

Mr. Calcrafft was cross-examined by Mr. Dallas.

The third witness called was

MR. BENN.

Examined by Mr. ANSTRUTHER.

He deposed, that Durbijah Sing was confined in a house belonging to the Rajah of Benares; that he had a garden of six acres to walk in; that all the guards were on the outside, and walked around it. That DISEASE—but which he did not further explain—was the cause of his death; that it was not occasioned by any cruelty. That he could not recollect that the New Minister, Jagger Deo Sen, or any person for him, had ever complained to the British officers that the revenue was insufficient to the demands; and that in particular, he could not procure the six lacks destined for the maintenance of the Rajah. That the arrears of his collection of the revenues were submitted to arbitration. That that arbitrator was Ala Eram Cawn, against whom no word of blame had ever been uttered by any one. That one lack, 50,000 rupees, were awarded to be due from Durbijah Sing. That in the years 83, 84, 85, and 86, the country of Benares was in high cultivation, and well peopled.

As this gentleman was proceeding in his evidence, which did not seem to satisfy the Managers, a question was proposed, tending to convey, that he gave another account before the House of Commons.

Mr. Law took an objection to this question, as being contrary to the practice of the Courts for prosecutors to arraign the credibility of the witnesses they had themselves called; nor was it proper that they should go

into a new enquiry after the cross-examination was concluded.

Mr. Fox said the learned gentleman was mistaken as to the practice of that High Court. In the case of Lord Lovat, where a witness was apparently unwilling to answer a question to the extent which the Managers knew he could answer it, they claimed the right, and they were permitted to refresh his memory by asking him what he said before.

Mr. Adam contended that the practice of the Courts below was invariably to allow of leading questions in the case of unwilling witnesses, which it was the misfortune of this prosecution to have; for the witnesses whom they had to adduce in the course of the trial stood in such a relation to the prisoner, as would make it extremely difficult for the Counsel to come at the truth, if the Managers were deprived of the means of extracting it, which was invariably pursued in the Courts.

The question being put by the Court, and answered in the affirmative, Mr. Anstruther read from the minutes a question and answer, purporting that heavy complaints were made by the Minister, that the revenues were not sufficiently abundant—and he desired to know whether this question was not put, and this answer given.

Mr. Law renewed his objection, and a pretty long debate took place, which occupied the remainder of the day, and prevented the Court from concluding on this charge.

Mr. Law said, it was contrary to all precedent in every Court of Judicature for prosecutors first to examine their witnesses, to suffer them to be cross-examined, and then finding the evidence not exactly what they expected, or what they wished it to be—to make an attempt to blast the character of their own witnesses, and to take from them all credibility. This was a thing unheard of in judicature, and he trusted that their Lordships would not allow of a practice so new and preposterous. He stated the matter in various ways, and argued that it was fundamentally improper.

Mr. Plummer rose to answer Mr. Adam—which he did in very strong and powerful terms. He requested “the Court to advert to the novelty of this attempt—an attempt, he believed, *before untried* in any Court of Judicature whatever. A party call their witness—they examine him in their own way—he is then cross-examined by the other party; and when the Prosecutors find that he does not turn out the evidence they wish—they endeavour to destroy the testimony they have themselves brought, and impeach his credibility. The precedent was indeed new! but whither would it lead? Every gentleman

brought upon this, or after this, upon any other cause, would find his character taken away, his veracity called in question, and his oath disputed, because he did not answer the expectation of those who brought him. He believed more honourable witnesses, or names more respectable, were not likely to be called on any future trial: and he trusted their Lordships would not be told by the Managers, however high they might hold themselves, *that you shall make a rule for us.* Ours is a peculiar case—we are to force out truth, and by violence must we come at it. But, my Lords, concluded Mr. Plummer—if to do a little right, you are to do a great wrong—consider what a precedent you establish, what high roads you lay open to error. If you determine this attempt in the Managers to be law, you argue against all other cases that we know of; and if you make a *new Rule*, as they would have you—future Courts in their turn, will leave or adopt it at their pleasure.”

Mr. Fox said, the two learned Gentlemen had spoken very ingeniously; but it unfortunately happened, that they had totally and completely misrepresented or misunderstood the case. They had made the whole of their argument on the assumed fact, that the Managers were desirous to blast the characters of the witness. No such thing was intended nor tried. He revolted at the idea of impeaching the characters of the witnesses he brought to the bar. The Managers felt that they were responsible for their conduct, and they disdained to bring witnesses to the bar of that high tribunal, whom they previously knew to be improper, and unfit to be credited. It so happened, that, solicitous only of producing truth, they had endeavoured to do that which every Court invariably practised in the case of an adverse witness. They had endeavoured to refresh his memory by a leading question. Now, though on this, as well as on all questions, he must enter his protest against the idea, that that High Court was to be guided by the practice of the Courts below; contending as he did, that their Lordships were to be guided by those rules only of which he acknowledged the propriety, yet still he was ready to put his ignorance against the legal knowledge of the learned Council, and to agree with them, that it was the constant practice of the Courts to suffer leading questions to be put to unwilling witnesses, and that this was not considered as an impeachment of their credibility. Even in cases of life and death, it was common to say to a witness, This was not what you said before the Magistrate, &c.; and that such refreshment of recollection was proper, and contributed to the production of truth. This was all that they denied in this instance. The witness might have improved his knowledge

by exercising his memory on the point since his examination before the Committee, and it would be no attack on his character, if on a more precise recollection his evidence might be different now from what it was then.

Mr. Michael Angelo Taylor and Mr. Burke concluded the debate with a few

words; and it being past six o'clock, and quite dark, the Lords adjourned to their own Chamber, where they resolved to put a question on the point in dispute to the Judges; and adjourned the Court* to Thursday the 10th of April.

[To be continued.]

JOURNAL of the PROCEEDINGS of the FIFTH SESSION of the SIXTEENTH PARLIAMENT of GREAT BRITAIN.

HOUSE OF LORDS.

MARCH 10.

THE Royal Assent was given by commission to the American Trade Bill, the West India Intercourse Bill, the Worcester Road Bill, and five private Bills.

MARCH 11.

Their Lordships met for the purpose of taking into consideration the petition of the Earl of Dumfries, impeaching the vote given to Lord Cathcart by a person claiming to be Lord *Rutherford*; and the Counter Petition from Lord Cathcart impeaching the vote given to the Earl of Dumfries, by a person claiming to be Lord *Colville*, of *Ochiltree*. It was agreed that their Lordships should begin by enquiring into the claim of the *sui-disant* Lord *Rutherford*. Some witnesses were called to the bar, to identify the person of the individual who had voted as *Rutherford*. This having been done, the Counsel for Lord Dumfries began to shew cause why his vote ought not to have been admitted; after which the House adjourned to

MARCH 13,

When their Lordships, on the Motion of Lord Loughborough, adjourned the further proceedings on this subject.

MARCH 17.

The attention of their Lordships was this day taken up with the consideration of the Mutiny and India Declaratory Bills. On the former being read a second time, it was opposed by

The Duke of Manchester in that part which relates to the six companies of military artificers, whom his Grace thought unnecessary; and therefore said he never should consent that the right of trial by jury should be taken away from so many fellow-subjects, and a military trial substituted in its stead.

The Duke of Richmond defended the measure, which he acknowledged to be his own. There was not, he said, a Court in Europe in which such a corps was not kept up, from a conviction that they were necessary; in many cases the fate of an army,

and of an empire might depend upon them. If two armies were in the field, and it was the wish of one of them to come to an engagement, and of the other to avoid it, the latter might find no other means of preventing a battle, than by strongly intrenching himself, so that he could not be attacked without evident disadvantage to the assailant; in such a case, 600 artificers would be of more service than three times their number of ordinary soldiers.

The Earl of Hopetoun, Lords Rawdon and Cathcart, took part in the debate; but the clause against which the opposition was directed, was at last suffered to pass without a division; and the House ordered that the bill should be committed on a future day.

The order for the second reading of the Declaratory Bill being then called for,

The Duke of Norfolk informed their Lordships that he had a petition to deliver from several of the Proprietors of India Stock, praying that the second reading of the bill might be deferred till Thursday, because, according to the constitution of the Company, they could not procure an earlier sitting of the Court of Proprietors, whose sense they wished to take on a measure so very interesting to them. The petition was brought up and read; but no order made in consequence of it.

Lord Porchester however opposed the bill: He observed that as it was brought in for the purpose of declaring the sense of an act passed in 1784, it would be proper for their Lordships to take the opinion of the Judges, whether this bill was a fair construction of that act; for this purpose his Lordship moved, "That it be proposed to the twelve Judges, whether, under the 24th of his present Majesty, troops sent to India for the defence of our possessions in that part of the world, but without the requisition of the East India Company, might be paid out of the revenues of the Company."

The Lord Chancellor, and the Earls Fitzwilliam and Hopetoun spoke for a few mi-

* The Commons this day rose from twenty to sixty. The thermometer stood there at the highest. nates.

minutes. The House then divided upon Lord Porchester's motion, which was negatived, there appearing Contents 30—Non-contents 73—Majority 43.

It was then moved, that the bill be read immediately a second time, on which the Duke of Norfolk moved for Thursday—This produced a second division, when there appeared Contents 33—Non-Contents 75—Majority 42.

A debate afterwards took place upon the bill, in which Lord Walsingham, the Duke of Richmond, and Lord Sandwich supported it; and Lords Stormont, Carlisle, Rawdon, and Pankerville opposed it.

Lord Sandwich took an opportunity in the course of his speech, to blame the first Lord of the Admiralty, for not having kept up a naval force in India.

Lord Howe said he had acted upon the best grounds, and was ready to meet any enquiry that might be made into his conduct.

The Marquis of Lansdown also joined in blaming the Minister, and said the smallness of our naval force in the Indian Seas, had been matter of so much concern to him, that he had thought of bringing the subject before Parliament.

It was at last moved that the bill be committed; accordingly, at one in the morning, their Lordships divided upon this motion, when the commitment was carried by a majority of ---48

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MARCH 18.

This day their Lordships sat in a committee on the India Declaratory Bill, Lord Chedworth in the chair; and a long conversation took place, which was the less interesting, as it turned chiefly, as is usual in Committees, on words in clauses to be added or left out.

Lord Loughborough said, that as the preamble asserted that the powers claimed by the Board of Control, were actually given by the Act of 1784, it would be proper that the clause in that Act, if any such could be found, which gives such powers, should be inserted in the preamble of the present bill, that it might be seen at once, whether the exposition of law contained in this declaratory bill was well or ill-founded. His Lordship made a motion to this effect. But it was opposed by

The Lord Chancellor as unnecessary and contrary to practice, as no such thing could be found in any Declaratory Act he had ever read—After some conversation on this subject, a division took place, and the motion was rejected by a Majority of—21

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Lord Porchester then moved, that part of a clause should be omitted; but this motion shared the fate of the former, and was negatived by precisely the same Majority of—21.

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	—

Majority against the Motion 21

Earl Fitzwilliam moved, that in that part which describes the Troops that the Board of Control may send to India, the word European should be left out, and the word British inserted in its room. By this Amendment his Lordship said he meant to restrain the Board of Control from sending out what number of Troops they pleased, by putting it out of their power to send any other than British.

It was contended that the motion was unnecessary, as under the clause, as it originally stood, the restraint was actually in existence. The Amendment was rejected without a division.

Lord Loughborough moved a clause to limit the duration of the Act, of which the present Bill was an exposition, to the duration of the Company's Charter, and the reason his Lordship assigned for his motion was, that it would be unjust that the Company should be subject to the Control of the Board, after it should have lost the possession of the territorial acquisitions, which alone had given a colour for any Control at all.—

On the other hand it was contended, that it would be preposterous and absurd to set limits to the duration of an Act, which in itself contained no limitation, by a Declaratory Bill, which was professedly explanatory of the former.

His Lordship maintained the propriety and justice of the measure; he contended, however, to withdraw it for the present, giving notice, however, that he would bring it forward again, in the shape of a rider, to be tacked to the Bill on the third reading; and he requested their Lordships would turn the matter in their minds in the mean time.

The Committee having got through all the clauses, the House was resumed, and having ordered that the report should be received the next day, adjourned at one o'clock.

MARCH 19.

The order of the day being read for the third reading of the Declaratory Bill, Lord Loughborough rose to move, "That the said Act be continued only during the continuance of the present charter."

The question was put, "Whether the motion of the Noble Lord should stand,"—which was negatived without a division.

Lord Porchester tried the sense of the House on the very identical question he had proposed

propofed on the fecond reading, and with the like effect.

The bill was then read a third time.

Lord Loughborough obferved, that from the papers on the table, it appeared that the four regiments, deftined for India, wanted above 1000 men to complete them. If they were fent out in fuch a condition, and he did not fee how they could be completed in time for the failing of the Company's fhips, he would be fully warranted in faying, that we were going to fend out fkeletons of regiments, to fill up fkeletons of regiments in India.

Lord Sydney faid, that there was only one of the regiments that was not nearly complete; and it was intended, that the privates of that one fhould be drafted into the other three; which, by that meafure, would become complete: The officers of the fourth regiment were to remain in England to recruit, and to complete their eftablifhment in time to be fent out the next opportunity.

Lord Loughborough obferved, that the Houfe was now to underftand that only three regiments, confifting of fearcely 2100 privates, were to fail this feafon; and that the fourth was to remain in this country in the pay of the Eaft-India Company from the day it was embodied.

The Marquis of Lanfdown, Earl Stanhope, Lords Portchefter, Loughborough, Stormont, Hawke, and Grantley fpoke againft the Bill, which was defended by the Duke of Richmond, the Earls of Camden, Hopetoun, and Abingdon; Lords Sydney, Bulkley, Onflow, and the Lord Chancellor.

On a divifion the Bill paffed by a majority of 43.

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The following proteft was immediately entered.

D I S S E N T I E N T.

1ft. Becaufe we object altogether to the very ftile and form of the prefent bill, inafmuch as it purports to be a Declaratory Bill of a kind as dangerous in its application as it is certainly unufual, if not new in its principle. If the Act of the 24th of his Majefty be clearly expreffed, any declaration of its fenfe is evidently unneceffary; if it be worded, whether from accident or defign, in dark and equivocal terms, we conceive, that, in order to do away every ambiguity, the mode moft open and candid in itfelf, as well as moft regular and conformable to the ufage of Parliament, would have been by a bill to explain and amend, and not to declare.—And we cannot but behold this extraordinary bill with yet greater alarm, when it has been avowed that it is intended to operate as an Act of Indemnity for paff meafures not explicitly ftated.

Surely it is a propofition abfurd and monftrous on the very face of it, to call upon this Houfe to declare what was and is law fubject to provifions which fhall be. A declaration fo qualified is a new fpecies of bill of indemnity, which, unlike all others, does not content itfelf with holding forth terms of protection againft the penal confequences of an illegal act committed, but retrofpectively alters and reverfes the nature and effence of the action itfelf from its very origin, if certain propofitive conditions be fubfequently obferved.

2dly. Becaufe the preamble of the prefent bill, which muft be prefumed to fet forth the legal grounds of the propofed declaration, does not appear to us in reality to contain any fuch grounds. It offers nothing more than partial and pieced extracts from various fections of the 24th of his prefent Majefty, two of which evidently convey only general powers to be exercifed in “ fuch manner as in the faid Act is directed,” that is, fubject to limitations and modifications not recited in the preamble; and the third of thefe extracts, which is taken from the conclufion of the 11th fection of the Act abovementioned, is in truth part of a claufe *imperative* on the Directors, not enabling to the Commiffioners; binding the former to obey the orders of the latter, (that is, all fuch orders as they may lawfully iffue under other parts of the Act) but not conferring on the latter any portion of diftinct power. Their powers, whatever they may be, muft be fought in the enabling claufes of the Act, by which alone this imperative claufe can be conftrued, but of which not a trace is to be difcovered in the preamble.

3dly. Becaufe the limitations and reftraints on the power of the Commiffioners, which are now impofed for the firft time in this bill, carry with them an intimation highly derogatory to the honour and wifdom of this Houfe; inafmuch as they imply, that in the very moment when this Houfe felt the moft tender apprehenfions for the fafety of chartered rights, and when they were moft anxiously alarmed for the confequences of transferring the power and patronage of the Company even for a time, they confciously and deliberately paffed an act, by which thofe rights were to be fuperfeded, and that power and patronage in effect vefted in the Board of Controul for ever, without fufficient checks and guards to protect the one, or to prevent the corrupt ufe of the other. The authors of thefe limiting and reftaining claufes have left to the majority of this Houfe no other refuge from the imputation of this inconfiftency, but in an ignorance of that meaning, which we are now called upon to declare.

4thly. Because if any such limitations and restraints be indeed necessary, the provisions of this bill, we are persuaded, must prove nugatory and inefficient.

5thly. Because coupling the act of the 24th of his Majesty with all its accumulated explanations and amendments, and understanding the powers there conferred on the Commissioners to the extent implied in the preamble and limiting clauses of the present bill, the system established by that act, in truth realizes all the dangers which were ever attributed to another measure then recently rejected by this House, and is certainly fruitful of formidable mischiefs proper to itself, friendly to corrupt intrigue and cabal, hostile to all good government, and especially abhorrent from the principles of our popular constitution.

The patronage of the Company (and this seems to be the most serious terror to the people of England) the Commissioners enjoy in the worst mode, without that responsibility, which is the natural security against malversation and abuse. They cannot immediately appoint, but they have that weight of recommendation and influence, which must ever inseparably attend on substantial power, and which in the present case has not any where been attempted to be denied.

Should this fail them in the first instance, they can intimidate and encourage; they can suppress the approbation and the censure of the Directors on their own servants; they can substitute blame for praise, and praise for blame, or they may instantly recall whomsoever the Directors may appoint against their will; and this they may repeat, till they ultimately compel the Directors, harrassed and over-awed, to nominate the man whom the Commissioners may wish to favour. Nor is this disposal of patronage without responsibility, the only evil that characterizes the system; all the high powers and prerogatives with which the Commissioners are vested, they may exercise injuriously, and thus for a period at least invade, perhaps in a great measure finally baffle all political responsibility; for they have a power of administering to their Clerks and other Officers an oath of secrecy framed for the occasion by themselves; and they possess in the India House the suspicious instrument of a Secret Committee, consisting only of the Chairman, the Deputy Chairman, and one other Director, all bound to them by an oath.—Thro' these they have sent an arrangement for paying the debts of the Nabob of Arcot, beneficial to individuals, injurious to the Company, and fundamentally contradicting the plain principle of an express clause in that very Act by which their own Board was in-

stituted; and through these they have concurred to transmit a dispatch, altered too by themselves, on a subject of mere trade, over which they profess to disclaim all right of management. After such examples we must confess, that our imaginations cannot figure to us any description of business, which may not be sheltered behind the thick veil of the Secret Committee; and from our past experience relative to the first of these transactions, we are so justly sensible of the great advantages with which the servants of the Crown must argue on such topics before an assembly constitutionally disposed to a general confidence in them, that we should be sanguine indeed, did we but expect any considerable check to be given to the possible misconduct of the Board of Control, by the fears of a Parliamentary enquiry.

6thly. Because the operation of this bill, and of the act, the meaning of which it was to declare, ought to have been limited to the duration of the existing charter. Whatever may be the right of the Legislature to subject the trade and the general revenues of the Company to the inspection and controul of a Board of Commissioners, nominated by the Crown, so long as the Company continue in the enjoyment of an exclusive trade, and in the management of great territorial revenues; we must, however, maintain, that to perpetuate such inspection, and to render the signatures of that Board necessary to all the Company's dispatches of every kind, when they may carry on their trade merely as a commercial corporation, without any monopoly, and when they may remain in the management only of their own proper estates, is a measure of injustice wholly unprecedented, and an example liable to much reasonable jealousy in a commercial country like Great Britain.

On all these grounds of objection to the stile and form of the Bill, as a Declaratory Bill; to the incongruities, absurdities, and deficiencies of the Bill itself; to much of the principle, and to all the distinguishing characters of the system which it is meant to declare, as well as to that system, we think it incumbent upon us, here solemnly on the Journals of Parliament, to record our hearty dissent for the satisfaction of our consciences, and for our justification to our fellow-citizens, and to posterity.

Portland,
Carlisle,
Went. Fitzwilliam,
Craven,
Sandwich,
Portchester,
Derby,
Devonshire,

Cholmondeley,
Powis,
Cardiff,
Bedford,
Loughborough,
Buckingham,
Hay (Earl of Kinnoul),

HOUSE OF COMMONS.

FEBRUARY 25.

MR. PITT said he had a motion to make upon a subject of some importance, to which he begged gentlemen would give their attention.—It had been the unanimous opinion both of the Board of Control and of the Court of Directors in October last, that the situation of affairs in India was such that a reinforcement of troops from Europe was absolutely necessary for the Company's service. Accordingly, with the full approbation of both sides, four regiments were raised for that service; but now when they were ready to embark, the Court of Directors, under the pretence that the troops were no longer necessary, refused to receive them on board their ships.—Upon this point it might be asked, if the Crown had a right to send troops to the British possessions in India necessary for their protection, without the consent of the Company: but the right was so obvious, that he would not attempt to prove it. Another question might be asked upon a point much more doubtful—Had the Crown a right to send troops to India, and make the Company pay the expences of sending them over?—By an act passed in 1781, the Company might refuse to pay any troops that were not employed in India *at their own requisition*; but it did not prevent the Crown from sending troops at its own expence. By the act of 1784, the authority and power of the Court of Directors in great political matters, and in the management of the Company's revenues, was transferred to the Board of Control, which might, in his opinion, direct the appropriation of these revenues in the manner that to them should appear most for the public advantage. But upon this it seemed there were different legal opinions. To remove these doubts, he moved for leave to bring in a bill to ascertain what right the Board of Control had acquired by the act of 1784 over the revenue of the British territories in India.

Mr. Baring opposed the motion. He said that if the bill passed, it would effectually annihilate the Company, as not a vestige of power would be left with them. An alteration on the face of public affairs had superferded the necessity of sending out the new regiments; and if they went out, they would, like the other royal regiments in India, dwindle into skeletons.

The Secretary at War denied that the King's regiments in India were skeletons; by the last returns, the deficiencies in them did not exceed 220 men.

Mr. Baring contended that the deficiencies amounted to 2400.

Mr. Fox accounted for this difference of opinion, by saying, that Government deducted from the actual deficiencies the number of troops on their way to India, without making any allowance for the probable diminutions that the climate would occasion.

Mr. Dundas maintained that the Board of Control had a right to manage the Company's revenues; but at the same time had the responsibility for so doing.

Colonel Barre considered the whole as a mere question of patronage, viz. who should have the nomination of the officers in these regiments, the Crown or the Company.

Mr. Pitt's motion was then carried without a division.

The hearing of evidence on the charges was put off till Wednesday, and the House adjourned.

FEB. 27.

This day witnesses were to have been examined in a Committee of the whole House on the illicit exportation of wool, but Mr. Pitt observed that the time of the House was now so very precious, that it would be expedient not to have it consumed in doing that which could be as well done by a private Committee above stairs. In consequence of this observation, the order of the day was discharged, and another order made for referring the business to a Select Committee.

The House then went into a Committee on the charges against Sir Elijah Impey—when

Mr. Francis observed, that as Sir Elijah Impey, in the course of his defence, had thought proper to bring a charge against him, he hoped the Committee would indulge him with a hearing to refute that charge. It had been his determination, he said, not to have taken any part in the prosecution of Sir Elijah, as he could not say any thing that was good of him; but that gentleman had driven him to the step he was going to take, by turning part of his defence into an accusation against him. The drift of his charge was this, that Sir Elijah was now accused of having stretched the law, for the purpose of taking away the life of Nunducomar; but that when a similar charge was made by Nunducomar himself, in a petition to General Clavering, two days before his execution, such charge was deemed by Mr. Francis and the Council to be so scandalous a libel upon the Judges who had sat in judgment upon Nunducomar, that he (Mr. Francis)

moved

moved that the petition which contained it, should be burnt by the hands of the common hangman. Mr. Francis observed, that before he should proceed to comment upon this recrimination brought by Sir Elijah, he would take notice by the way, that the Council had ordered the petition, the translation, and all the records to be burnt, so that no trace of it might remain; yet it now seemed from the paper produced by Sir Elijah, that a copy of it had been preserved and corrected by Mr. Hastings, in contempt of the orders and intention of the Supreme Council.

Another observation he should make was, that Sir Elijah had said he was ignorant of the charges brought against him by Nunducumar: this would appear to the Committee to be a downright falsehood, as Mr. Hastings had not only communicated to him the contents of the petition, but had actually furnished him with a copy, contrary to the sacred obligation of his oath; for every member of the Council, and the clerks attending, were obliged to take an oath, not to divulge the proceedings of the Council. Now Sir Elijah could not have known, that any petition from Nunducumar, containing charges against the Judges, had been laid before the Council, if the oath had been kept sacred; but he received sufficient information of what was going forward at the Board, for he caused a requisition to be delivered to it, desiring that a copy of the charges might be delivered to the Judges. It was clear then, that when Sir Elijah asserted that he was ignorant of the charges brought against him by Nunducumar, he had asserted what was not founded in truth.

Having premised thus much, Mr. Francis proceeded to defend himself from inconsistency in now making *that* a matter of criminal charge against Sir Elijah Impey, which when he was in Bengal he had pronounced to be so gross a libel, that he caused the papers which contained the charge to be burnt. The truth was, that he conceived the charge to have been a libel, for it was made against *all* the Judges, though Sir Elijah alone was suspected. Mr. Le Maire indeed was known to be entirely under the influence of Sir Elijah; but the other two Judges, Hyde and Chambers, stood high in the opinion of the public for integrity, however they might have been drawn in through an error in judgment.

Mr. Francis then proceeded to read passages from the Minutes of the Council, now before Parliament, to shew that the opinion he entertained and stated now, were the same he had delivered in Bengal.

He confessed also, that when he moved that Nunducumar's petition should be burnt, he acted with a view to the personal safety of General Clavering, who having delivered the petition to the Council after he had got it translated, might have been deemed to have published it.

Mr. Francis having sat down,

Sir Gilbert Elliot gave notice, that as what had fallen from Mr. Francis was material, he would on a future day substantiate it by evidence.

The Committee then proceeded to examine witnesses on the charges against Sir Elijah Impey, after which they adjourned.

MARCH 3.

The order of the day was read for the second reading of the bill introduced by the Minister for explaining the power of the Board of Controul, relative to the appropriation of India revenue in the defence of that territory. The bill was accordingly read, and Counsel called to the bar in behalf of the India Company against the said bill.

Mr. Erskine, as leading Counsel, then entered upon a speech of as great exertion and happy execution as we have ever witnessed. After the proemium, in which he claimed the attention of the House, from the magnitude of the subject, and deprecated his own deficiencies, he entered into an historical narrative of the different charters granted at different times to the India Company, from its first institution in the reign of Queen Elizabeth, down to the present year.

Through this series of years, and progression of charters, he traced the gradual growth, and repeated confirmation, not of *royalty*, but of territorial possessions, and which they claimed in common with other subjects of the empire.—Having pursued the chain of charters down to the year 1781, he then took a summary view of the rights of the Company, as they then stood abrogated or confirmed by the act of that year. He next examined the act of 1784, how far in the establishment of a power before unknown it infringed on the powers and rights of the Company, and how far it left them in the partial possession of their former franchises. Of these franchises, he contended they were in the full possession of all that were not specifically deprived by that act; and in that act he maintained there was not a syllable which went to deprive them of the free and unlimited disposition of the revenues as regulated under former acts. From the facts laid down, and by an infinite variety of ingenious arguments, Mr. Erskine laid it down, that neither by the jarring opinions of Judges, nor by the

ambiguous wording of the act itself, (upon which two grounds alone, he asserted, a declaratory act could be introduced) the propriety of terming the present a Declaratory Bill could be maintained. Many different grounds and much political disquisition fell from the honourable speaker. After Mr. Erskine had been about three hours speaking, he was taken ill and obliged to withdraw, when his fellow-labourer, Mr. Rouse, took up the subject, and nearly followed in the steps of his predecessor.

Mr. Erskine, however, finding himself sufficiently recovered, again resumed his charge, and went through what he designed in defence of the India Company, though so much exhausted, as to be hardly audible during the latter part of his speech.

Mr. Erskine having finally concluded, the Speaker called on the Counsel to explain what evidence they meant to produce in support of their allegations; and upon Mr. Rouse stating they meant to produce certain papers containing an account of the transactions which had taken place between the Board of Control and the Court of Directors, relative to the payment of the King's troops in India, a debate, perfectly uninteresting in the detail, arose merely upon the question—Whether it was more proper that those papers should be moved for by some member in his place, or that they be admitted as evidence against a Declaratory Law contrary to form? This question produced a division; when there appeared against their being introduced in evidence, Noes 242; Ayes 118.

Mr. Fox argued against further proceedings in the bill before an explanation had taken place on the part of his Majesty's Ministers in respect to the principles and particulars of the bill. This was in some respect agreed to by Mr. Pitt, who moved the commitment of the bill for Wednesday next, which, after some opposition, was agreed to. This important business being thus disposed of for the present, a conversation took place between Lord Mulgrave, Sir Matthew Ridley, and others, about the further hearing in the coal-heavers bill, which also produced a division upon deferring it from this day to Monday, or for six weeks, till the Judges were returned from their circuits. For deferring it, Ayes 28—Noes 20.

Adjourned.

MARCH 4.

As no business stood for this day, the House, after a very short sitting, adjourned.

MARCH 5.

The Chancellor of the Exchequer moved the order of the day, for the House going into a Committee to consider of the Declaratory Act.

The order being read, the Chancellor of the Exchequer then moved, "That the Speaker do now leave the chair."

Sir Grey Cooper opposed the motion, as conceiving the bill to have so many weighty objections against it, and to be of so dangerous a nature, that it ought not to be suffered to proceed a single stage further. He contended, that what was declared by the present bill to be law, was not the law held forth by the 24th of his Majesty. The only mode of deciding upon the question before the House, was to make a comparison of the old law with that which was now contended for. He argued that the power assumed by the Board of Control was not maintainable by law, which did not entitle them to the jurisdiction over the Company which they had thought proper to assume.—The Hon. Baronet here went into a comparison of the Acts, and said the main hinge on which the power of the Board of Control turned, was on the clause which bound the Directors to pay all obedience to the orders of the Board of Control, touching all military and political concerns. This clause he contended was not a substantive one, but belonged to the one immediately before it which was its preamble, and admitted of the rights of the Company over their own affairs. He argued, that when the Act of the 24th of his Majesty was first brought forward, Ministers had not thought proper to put that construction upon it which then they did. The Bill of his Hon. Friend (Mr. Fox) had been rejected as going to the destruction of the India Company, but the present Bill went to the same purpose; and should the powers contended for by the Board of Control be carried, the power of the Company and their compact would be totally annihilated. It was a dangerous principle, he contended, for Declaratory Bills to be admitted on such conditions, and improper for the Legislature to acquiesce in them.

Mr. Countessor Scott said, the only questions for the House to decide upon were, whether the Bill before them contained the sound exposition of the 24th of his Majesty; and, secondly, whether the House was not under the present circumstances bound in duty, and justified in passing such Declaratory Law. He agreed with those Gentlemen, who not agreeing to the exposition, meant to vote against the Bill; but he would say to them, that unless they bring in a Declaratory Bill according to their judgment of the Act, or come forward to repeal the Act, they neglect their duty.—If the exposition contained the true principles of the Bill, the exposition ought to be passed, however the Act might be obtained. He begged the

House

House to consider him, not as meddling with the policy of the Act of the 21st or 24th of his Majesty's reign, but contending for the public to be acquainted with the actual meaning of the Act. He quoted several law books to prove, that it was fit for Declaratory Laws to be made whenever any law caused a clashing of judicial opinions.

The Chancellor of the Exchequer said he rose not to detain the House long on a question which he conceived to lie within very narrow bounds, and which had been explained by his honourable and learned friend. There was no necessity, he said, for him to have stood so forward in the debate, nor should he, had he not been called on at the close of a debate of a former day, to state the reasons of bringing forward the present bill. He stood forward to throw every light that could possibly be thrown, for the purpose of obtaining the fullest, the most ample discussion. He fully agreed with his learned friend, that the two principal questions before the House were, first, Whether a necessity existed for an expounding of the Act of the 24th of his Majesty? and, secondly, Whether the bill then before the House did truly expound the Act? The arguments of his honourable and learned friend were, on those questions, in his opinion, true and conclusive. With respect to the power of the Board of Control to send the regiments to India, would any Gentlemen contend that that power should remain undecided, until perhaps, the most material mischiefs might be occasioned thereby? He was confident no one would: but should such contention be held forth, it would be too palpable to need refutation. Mr. Pitt then entered into a long discussion of the nature and tendency of the bill, with a comparison between it and that of Mr. Fox. Mr. Pitt concluded by observing, that had a majority of the Directors made a requisition for any number of troops, and had such requisition been acquiesced with, nothing of danger to the constitution would have been hinted, though it must have existed as formidably as if those troops were sent without their requisition.—The troops being proposed to be sent, had caused a clamour to be raised, had caused insinuations to be spread abroad that the constitution was likely to be shocked; and those times, not long since past, were brought back to remembrance. It had been said, that by the late measure, men grown old in the Company's service had been most shamefully ill-treated, and that they had been superseded by junior officers. There was no man more disposed than himself, and mea-

asures would be taken to relieve those officers from the hardships they laboured under.

Colonel Barre represented Mr. Pitt's India bill as equally violent with that of Mr. Fox. But with regard to the former act, it was, perhaps, supposed from the temper of the administration, that the execution of it would be milder. He then reprobated the Declaratory Bill, as contributing to the annihilation of the chartered rights of the Company. He spoke at some length on this topic, and concluded with expressing his dissent to the question.

Colonel Fullarton opposed the bill, on grounds similar to those adopted by Colonel Barre.

Mr. Powys spoke in opposition to the bill.

Mr. Powys having spoken, several other Members delivered their opinions pro and con, after whom Mr. Sheridan got up, and spoke with great animation for two hours and a half.

Mr. Dandaz was on his legs above three hours.

Mr. Bastard and Mr. Pulteney both declared they would vote against the Minister, and lamented that he had been so misguided as to bring in a bill utterly subversive of the principles on which he had come into administration.

Mr. Fox made a very fine speech, in which he compared his exploded bill and that now before the House, with great effect.

Mr. Pitt complained, that bodily pain prevented his answering the arguments, but he would take a future opportunity of replying to them.

The House then divided on the question of commitment, Ayes,—182—Noes,—125—Majority—57.

It being then a quarter past seven in the morning, the House adjourned.

MARCH 7.

Sir Gilbert Elliot moved, that the Committee on the Charges against Sir Elijah Impey be postponed till Wednesday the 16th of April, which was agreed to.

In a Committee of the whole House on the Declaratory Bill,

Mr. Pitt entered into a most elaborate and animated defence of the Board of Control, and the purity of his own intentions. He shewed that the power assumed by the Board, was legally vested in it by the act of 1784; and that so far was the present bill from giving new power, or enlarging the old, that it was no otherwise necessary, than for the purpose of removing doubts. Two objections to the bill he wished to obviate; one,

one, that under the authority of it, an army might be kept up in India without the consent of Parliament—the other, that the bill would enable the Board of Controul to obtain all the patronage of the Company by indirect means. He informed the House, that should leave be given to the chairman of the Committee to bring up the report, he would then move, what he could not move, in point of order, until it should have been brought up, that it should be recommitted; and that the Committee should be instructed to receive clauses for enacting that no part of the King's army should be paid in India, that was kept up without the knowledge or consent of Parliament; and for laying such checks upon the Board of Controul in the disposal of patronage, as would prevent any danger of an increase of influence in the Crown from patronage in India.

Mr. Sheridan followed Mr. Pitt, remarking that he had departed from those principles which had given him popularity, and that he now always expected a blind confidence to what he proposed to the House.

This Mr. Pitt rose to deny.

Mr. Dundas disclaimed the idea of standing single in the direction of India affairs; which gave Mr. Burke an opportunity of applauding in a vein of high humour, his humility, and his liberality in suffering his colleagues to share his glories.

Mr. Fox concluded the debate by contrasting his own and Mr. Pitt's bill, and ridiculing all the checks proposed to be instituted, which he declared would be inefficacious. Several other members spoke, and at half past two o'clock, the House divided, Ayes 182, Noes 115, Majority, 67: the bill was then on Mr. Pitt's motion recommitted, and the House adjourned.

MARCH 10.

The House went into a Committee of Supply, for the purpose of taking into consideration the estimates for the household troops, presented by the Secretary at War. Mr. Gilbert having taken the chair of the Committee,

The Secretary at War rose: He said that when he presented the army estimates, he had not included in them those of the King's household troops, because, as he had long since informed the House, his Majesty had at the time under consideration a plan of reform in those corps, by which it was expected a considerable saving might be made to the public. He was sorry that the plan could not be digested so soon as his Majesty could have wished; and that the intended reform could not take place before the 24th of June next. It would therefore be necessary for the Committee to vote the pay of all the

household troops from Christmas day last up to Midsummer. After the latter period the two troops of life-guards would be reduced, and be replaced by the grenadier-guards. To the officers the pay would be continued, until they should be provided for in other corps; and to the private gentlemen, who, instead of receiving enlisting money, had purchased their situations, it would be but just to make compensation. It was his Majesty's intention that the two Colonels of the troops to be reduced, should receive 1200*l.* a year for life; but a vacancy having lately happened in a regiment of dragoons (by the death of General Carpenter) one of the two Colonels would be appointed to fill it up; and thus the 1200*l.* he must otherwise have received, would be saved to the nation. The other Colonel, who was far above all pecuniary consideration, and had nothing so much at heart as the good of the service, had generously refused to accept the 1200*l.* a year, and requested that this sum might make part of the saving which was to arise from the reform. [We understand that this public-spirited Colonel alluded to by the Secretary was his Grace the Duke of Northumberland.]

The Secretary at War said, that the saving to the public by the reform would amount at first to between 11000*l.* and 12000*l.* a year; but when the officers of the corps to be reduced should have been otherwise provided for in the army, or should drop off by death, the saving would then amount to about 24000*l.* per annum. This saving, however, could not be expected this year: on the contrary, this year's expence would be much greater than that of any former year; but then it would be made greater by what would never occur again; and particularly by the sum of 28000*l.* which he should propose it to the Committee to vote, as a compensation to the private gentlemen of the troops that were to be reduced, for the sums with which they had purchased their situations.

He concluded by moving for the full establishment of the 715 men, officers included, of the four troops of horse and grenadier guards up to Midsummer day—after which time he said, one half of their establishment would be reduced. He also moved for the compensations, &c. But before he sat down, he remarked, that much had been said of late on the subject of patronage:—This reduction proposed by his Majesty was a proof that the extension of patronage was not a favourite object with his Government; for his Majesty might have made a considerable saving to the nation, and yet preserved the patronage, by reducing the privates, and keeping up the establishment of the officers. All the sums

moved for by the Secretary at War were voted without any debate, and the House was immediately resumed.

Mr. Alderman Sawbridge presented a petition from the Commissioners for assessing the Shop-Tax in the city of London; stating that from the number of appeals brought before them on the grounds of this tax, they were fully persuaded that it was very burdensome on the Shopkeepers, and exclusively so, as they could not, by any means, levy it upon their customers. Out of above 150 Commissioners, upwards of 120 had agreed to the petition.—It was ordered that the petition should lie upon the table.

Mr. Sheridan said he had some motions to make for the production of papers, which would clearly prove that there was not a pretence for sending out new regiments to India; for though the Board of Control had urged the necessity of sending out reinforcements, they had actually reduced the establishments of the regiments belonging to his Majesty actually serving in India. He moved for several papers relative to five regiments that were sent to India in 1783, and the returns that had been made from them since.

Mr. Pitt said the Board of Control had so little to apprehend from the production of these papers, that he, for one of that Board, was ready to concur in the Hon. Gentleman's motions. They passed without any debate.

The House then resolved itself for the second time (according to the late resolution) upon the India Declaratory Bill. Four clauses were introduced; the object of which was, to make the previous consent of Parliament necessary to the keeping up of any of the King's troops in India; and to oblige the Board of Control to obtain the concurrence of the Court of Directors, and of Parliament too, on some occasions, in the disposal of patronage.

The clauses were received, and after some conversation, the House was resumed, and adjourned.

MARCH II.

Mr. Burgess rose to make his promised motion for leave to bring in a bill to prevent oppressive arrests, to give better security to the creditor, to regulate the gaols of this kingdom, &c. This motion he introduced with some pertinent remarks on the subject. He stated, that so many abuses prevailed with regard to arrests, as to render some new regulations necessary for the benefit of the public. The practice of arresting was now become so general, and was so frequently used as an engine of fraud and oppression, that no Gentleman, he believed, would oppose an at-

tempt to subject it to strict regulations. It had been calculated, that there were about 3,000 persons confined for debt in the gaols of England; and that the number of persons who had taken refuge in foreign countries from the demands of their creditors amounted to about 6000. The improvement of the laws of arrest would not only lessen the number of imprisoned debtors, but would in all probability be the means of preventing so many emigrations on account of debt.—Many abuses also existed in the interior government of the gaols, against which the bill now moved for would provide a remedy. The exorbitance of fees charged to the prisoners had arisen to so alarming a pitch, that a speedy regulation in that particular was very desirable. He made several other observations; and was followed by

Sir William Dolben, who was happy in seconding a motion for the introduction of so beneficial a bill.

Mr. Orde wished to know, whether the Hon. Mover had been favoured with the advice and assistance of any of the heads of the law.

Mr. Burgess replied, that he had received some advice in the formation of his plan from persons of considerable weight and respectability.

His motion was then agreed to; and he and Sir William Dolben were ordered to prepare and bring in the said bill.

Mr. Ladbroke brought in a bill for enabling his Majesty to grant a new license to the proprietors of Sadler's Wells.

This bill was read a first time, and the question being put, that it be read a second time,

Mr. Sheridan rose, and censured the application of the proprietors of Sadler's Wells as improper. For it appeared, he said, that they were soliciting a monopoly, for granting which he saw not the least reasonable ground. They had pretended, that the managers of the winter theatres had threatened to bring actions against them, for several performances which they had exhibited for some time past, and which were illegal in the strict letter of the law. That this matter might be further enquired into, and counsel heard at the bar, he moved that this bill be read a second time on the 4th of April.

Mr. Ladbroke denied that the proprietors aimed at a monopoly. He moved, as an amendment, that for "the 4th of April," there be substituted the words "Tuesday next."

Sir Herbert Mackworth vindicated the proprietors, and opposed Mr. Sheridan's motion.

Mr. Fox approved of the delay proposed by his Hon. Friend.

Mr. J. C. Jervoise said a few words: after which the House divided, and the numbers were, for Mr. Sheridan's motion 48—Against it 39—Majority 9.

A general Committee now took place on the Mutiny bill, Mr. Steele in the chair.

The Hon. Mr. Luttrell moved as an amendment to the clause relating to the artillery, that the new corps of engineers be made subject to military law.

Mr. Sheridan opposed this proposition, as a precedent that might be carried in future to an alarming length.

Mr. Courtney also opposed the amendment.

A division now ensued in the Committee; the numbers being, for Mr. Luttrell's motion 45—Against it 20—Majority 25.

Adjourned.

MARCH 12.

Petitions from the county of Cambridge, and the University of Aberdeen against the Slave Trade, were presented, and ordered to lie on the table.

Two reports from the Committee on the Mutiny and India Declaratory Bills, successively took up the attention of the House till midnight, and the debate on either, if given in detail, would fill more columns than we could possibly spare; we can attempt to give barely an abstract of the proceedings of the House.

Mr. Steele brought up the report of the Mutiny Bill from the Committee of the whole House.

Mr. Sheridan renewed his opposition to the principle of extending Military Law to the Artificers, because if it was once introduced, none could tell where it would stop. He observed that it was rather singular that it should be attempted at the particular time when we were in profound peace, strengthened by alliances on the Continent, and still more so by the inability of our natural enemy to disturb our tranquility.

Mr. Sheridan was supported in his opposition by Sir William Molesworth and Mr. Hufley, who expressed their apprehensions, that if the provisions of the Mutiny Act were once extended to the Artificers in the Ordnance Department, they would by degrees reach other bodies of men, and with them the influence of the Crown would be extended. Sir William said he would guard against such an extension, by opposing the attempt *in limine*; the measure was now on the first round on the ladder, and would in time ascend to the top, if not resisted at the outset.

Mr. Pitt said that the danger so much apprehended did not exist: for what might very well apply to Artificers belonging to the Train of Artillery, might be very inapplicable to workmen in any other department. The ground on which it was proposed that these Artificers should be enlisted was, that the work in which they were to be employed, would be done better and cheaper, than it would be, if the persons engaged in it were not to be under Military Law.

Mr. Pelham thought that economy ought to be no object, in a case in which the constitution might be injured. Nay, this very economy was with him a strong objection to the present measure; for he was afraid that the House might hereafter be deluded to adopt the odious and reprobated plan of fortifications, by having it represented to them, that by means of these artificers, the fortifications could be completed at less expence to the public, than had been stated in former estimates.

Mr. Steele said, that if the Minister had not been scrupulously jealous on this subject, he might have been able to extend the provisions of the bill to these Artificers, under the general description of "persons belonging to the Artillery." He might also have caused persons enlisted in the Train to act as Artificers, and then undoubtedly they would have been, without a question, subject to Military Law.

Capt. Luttrell insisted this corps of Artificers would be very useful; at Gibraltar, where a similar body had been kept up during the siege, they had been of infinite use; when our troops had, *en fortie*, possessed themselves of some of the enemy's works, they could not destroy them, till they had sent back to the garrison for the corps of Artificers, and then the works were soon demolished.

The House at last divided upon the question of agreeing with the Committee in the part of the bill for subjecting the Artificers to Military Law. The question passed in the affirmative, by a majority of 47. Ayes 114. Noes 67.

The rest of the Report was agreed to without a division.

The Report from the Committee on the India Declaratory Bill was brought up, and the House agreed to the amendments that were made in the Committee.

Mr. Powys then moved a clause for the purpose of bringing more immediately under the consideration of the House, whether the Act of 1784, which the present Bill had been brought in to explain, did really, in the opinion of the House, give the Board of Con-

troul all the powers which were claimed under it. The purport of the clause was to declare, "that the Act of 1784 did vest in the Board of Control a right to exercise all powers and privileges, which at and before the passing of that Act, were by Law vested in, and legally exercised by the Court of Directors."

Mr. Flood in a most argumentative speech, contended for the negative of this proposition.

Mr. Hardinge on the other hand, maintained that it spoke the real language of the Act of 1784. He went out of his argument, to animadvert on the conduct of some of the supporters of Opposition, and went too far in speaking of the public character of Mr. Powys, as to say that it was degraded: but on his being called to order by Sir George Cornwall and Mr. Marham, he apologized for the expression as disorderly and improper.

Mr. Adam, Mr. Sheridan, and Mr. Fox contended for the negative of the proposition, as did also Mr. Powys, who had made it, not for the purpose of supporting, but of combating it. Mr. Pitt and others supported the affirmative of it, but they said they would vote against the insertion of the clause as unnecessary.

On the question being put on Mr. Powys's motion, it was negatived without a division.

It was then moved that the bill with its amendments be ingrossed. This motion produced a division, and there appeared for it 210—against it 122—majority for the Bill 88.—The House adjourned at a quarter past twelve.

MARCH 13.

The private business being dispatched,

The question was put, that the Mutiny bill be read a third time.

Mr. Haffey rose, and renewed his objections to the clause which subjects the six new corps of Artificers to military law.

Mr. Courteney expressed his doubts, whether the Artificers thus raised were sworn and attested.

Mr. Sheridan commented on the idea of their not being attested; which, he said, was an extraordinary circumstance in the raising of troops.

The Chancellor of the Exchequer referred to the warrant for the raising of the six corps, in which it was ordered, that as soon as raised, they should be regularly sworn and attested.

The bill was read a third time, and passed.

Mr. Fox, in a short speech, moved for leave to bring in a bill for the repeal of the Shop-tax. He observed, that the arguments which had been urged in its favour, arising from its falling on the consumer, were fallacious and ill-founded. If it had been practi-

cable for the shopkeeper to lay it on the consumer, there would not have been that persevering opposition to it with which it had been attended from its commencement. He had now a new ground of argument against this tax, founded on the petition presented against it by the Commissioners employed in collecting it. This circumstance, he believed, was unprecedented in the history of taxation.—The principle on which it was adopted, that of laying it on the consumer, could not now be maintained; for bankers were acknowledged to be subject to it; and how could they lay it on the consumer?—He denied that it was at all proportionable in its assessment to the custom of the shop; for it frequently happened, that a shop of small business paid much more than one of great custom. In Bath, for instance, he could mention two postleters, one of whom paid 10s. *per annum* towards this tax, and the other 5l. 4s. though the former had by far the greatest business. Upon the whole, he was justified in condemning this impost as a very partial, oppressive, and unjust measure, and earnestly pressed the House to concur with his motion.

Mr. J. C. Jervoise seconded the motion.

Lord Hood conjured the Right Hon. Gentleman to comply with the wishes of so respectable a body of men as those who opposed this tax.

Sir Benjamin Hammett represented the tax as oppressive, and injurious to the constitution. He said, he was ready to propose another tax in the room of this, which would be beneficial to trade, would produce not a single murmur, and would be more productive than the Shop tax.

Sir Gregory Page Turner, in a digressive speech, which strongly excited the risibility of the House, expressed his aversion to this tax, and proposed as a substitute, a tax upon dogs, or on places of public amusement, or on *Squibs in the public papers*.

Sir John Miller, as the reasons no longer existed which had induced him to vote for the tax, now agreed to vote for its repeal.

The Chancellor of the Exchequer did not consider the repeated complaints of the shopkeepers as conclusive evidence of the injurious tendency of the tax in question. They might be prevented, by their dislike to paying a direct sum at once, from coolly considering the circuitous modes they might have of reimbursing themselves. There might, however, be some inconveniences arising from this impost; but he had no reason to think them of sufficient magnitude to induce him to agree to the Right Hon. Gentleman's motion. With regard to the petition of the Commissioners, many of them could not be deemed adequate judges

judges of the injurious effects of the tax, as a part of them had qualified themselves to collect it but very lately. This, therefore, was not conclusive testimony against it. He concluded with asserting this general principle, that the competition among traders would always be such as to insure them a living profit from their articles, notwithstanding the operation of particular taxes.

Mr. Alderman Sawbridge supported the motion, and thought that the petition of the Commissioners ought to have great weight in inducing the House to assent to the repeal of the tax.

Mr. Alderman Watson argued for the repeal: as did also Mr. Alderman Newnham, Sir Watkin Lewes, Mr. H. Thornton, Mr. Mainwaring, Mr. Alderman Le Mesurier, Sir George Howard, and Mr. Martin.

Sir James Johnstone vindicated the tax.

Sir Edward Aftley, Mr. Drake, jun. Mr. Whitbread, and the Master of the Rolls, also spoke; after which the House divided, when there appeared—for the repeal 98—Against it 141—Majority against it 43.

Adjourned.

MARCH 14.

Mr. Pitt moved that the India Declaratory bill should be read the third time.

Often as this bill had been before debated, still this motion produced another debate; so that not a stage did it pass through without difficulty and opposition.

Mr. Anstruther insisted, that it said more than the law which it was framed to explain, and consequently it ought not to be called a *declaratory* but an *enacting* bill. He found, by the present bill, that it was the intention of the Board to increase the number of European forces in India to 20,000, and to keep up that number constantly; were they prepared to say that England could bear to be drained of 8000 men a year to recruit and keep up such a force? Certainly not. The Board boasted much of the retrenchments made in India, and the saving arising from them, to the amount of 1,500,000*l.* The reductions had been made in India by Sir John Macpherson, before the orders of the Board of Control were issued in Europe; so that the merit rested with that Gentleman, and not with the Board.

Major Scott agreed with Mr. Anstruther that the merit of the reductions in India, be-

longed in a great measure to Sir John Macpherson, who had produced a saving of upwards of 600,000*l.* a year. England he believed could bear the drain necessary to keep up an establishment of 20,000 Europeans, because great numbers of soldiers returned home every year; and most of them with from 100*l.* to 300*l.* in their pockets.

Mr. Francis could not believe that so great an establishment as 20,000 Europeans could be necessary, as all the Commanders in Chief we had in India for the last 20 years, had never thought of requiring such a force. The encreasing that force to 20,000, and afterwards keeping up the establishment to that number, appeared a singular measure, and preparatory as it were, to some measure relative to the territorial possessions, after the expiration of the Company's charter.

The question was at last clamorously called for; and the House divided, when there appeared for the third reading 129--Against it 74--Majority for the bill 55.

The bill was then read a third time.

Mr. Sheridan moved for leave to bring up a clause to be tacked to the Bill by way of rider, the purport of which was, to limit the duration of the bill, and of the act of 1784, which it was to expound, to the duration of the Company's charter; so that if the latter should not be renewed, the former should expire. The reason he assigned for this clause was--that as the Board of Control disclaimed all interference in the commercial concerns of the Company, they should have no pretence to exercise any power over them, after the expiration of the charter, and the transfer of the territorial possessions to the Crown.

Mr. Pitt said the clause was nugatory: for if the territorial possessions were left to the Company, there would be as much occasion for the Board of Control hereafter as now. If those possessions should be transferred to the Crown, it must be by the authority of the Parliament, which would take the proper steps that the wisdom of the day should point out. In either case, therefore, such a clause would be unnecessary.

The motion was negatived without a division, as was one made by Mr. Joliffe, viz. that in the title, the word *enacting* should be substituted in the room of *declaratory*.--The House adjourned to Monday.

P O E T R Y.

THE SLAVES.

A N E L E G Y.

I F late I paus'd upon the Twilight Plain
Of Fontenoy, to weep the Free-born
Brave;

* The Atlantic.—Hesperium Mare, so called by the Antients.

Sure Fancy now may cross the * Western
Main,

And melt in sadder pity for the Slave.

Lo! where to yon Plantation drooping goes
The Sable Herd of Human Kind, while
near

Stalks a pale Despot, and around him throws
The scourge that wakes—that punishes the
tear.

O'er the far beach the mournful murmurs run,
And join the rude yell of the tumbling tide,
As faint they ply their labours in the sun,
To feed the luxury of British Pride!

E'en at this moment, on the burning gale
Floats the weak wailing of the female
tongue;
And can that sex's softness nought avail—
Must naked Woman shrike amid the
throng?

O cease to think, my Soul! what thousands die
By suicide, and toil's extreme despair;
Thousands, who never rais'd to Heaven the
eye,
Thousands, who fear'd no punishment but
there.

Are Drops of Blood the Horrible Manure
That fills with luscious juice the teeming
Cane?
And must our Fellow Creatures thus endure,
For traffic vile, th' indignity of pain?

Yes, their keen sorrows are the sweets we
blend
With the green bev'rage of our Morning
Meal,
The while to love *meek Mercy* we pretend,
Or for *fictitious ills* affect to feel.

Yes, 'tis their anguish maniles in the bowl,
Their sighs excite the Briton's drunken joy;
Those Ign'rant Sufferers know not of a SOUL,
That *we enlightened* may its hopes destroy.

And there are Men, who, leaning on the
Laws,
What they have purchas'd, claim a right to
hold—
Curs'd be the tenure, curs'd its cruel cause—
—FREEDOM'S a dearer Property than
Gold!

And there are Men with shameless front have
said,
*That Nature form'd the NEGROES for
disgrace;*
That on their limbs subjection is display'd—
The doom of Slavery stamp'd upon their face.

Send your stern gaze from Lapland to the
Line,
And ev'ry region's natives fairly scan,
Their forms, their force, their faculties, com-
bine,
And own the *vast Variety of Man!*

Then why suppose *Yourself* the chosen few
To deal Oppression's poison'd arrows round,
To gall with iron bonds the weaker crew,
Enforce the labour and inflame the wound?

'Tis *for did int'rest* guides you; bent on gain,
In profit only can ye reason find;
And pleasure too—But urge no more in vain
The selfish subject to the Social Mind.

Ah! how can *be* whose daily lot is grief,
Whose mind is vilified beneath the rod,
Suppose his Maker has for him relief,
Can he believe the tongue that speaks of
God?

For when he sees the female of his heart,
And his lov'd daughters, torn by lust away,
His sons, the poor inheritors of smart—
—*Had he Religion, think ye he could pray?*

Alas! He steals him from the loathsome
shed,
What time moist midnight blows her
venom'd breath,
And musing, how he long has toil'd and bled,
Drinks the dire balsam of consoling death!

Haste, haste, ye winds, on swiftest pinions fly,
Ere from this world of misery he go,
Tell him his wrongs bedew a Nation's Eye,
Tell him, *BRITANNIA blushes for his woe!*

Say, that in future *Negroes shall be blest*
Rank'd e'en as Men, and Men's just rights
enjoy;

Be neither Sold, nor Purchas'd, nor Oppress'd,
No griefs shall wither, and no stripes
destroy!

Say, that Fair Freedom bends her holy sight
To cheer the Infant, and console the Sire;
So shall *be*, wond'ring, prove, at last, delight,
And in a throeb of ecstacy expire.

Then shall proud Albion's Crown, where
laurels twine,

Torn from the bosom of the raging sea,
Boast 'midst the glorious leaves a gem divine,
The radiant gem of Pure Humanity.

DELLA CRUSCA.

ANNA MATILDA to DELLA CRUSCA.

O D E.

O THOU!
Who from "a wilderness of Suns"
Canst stoop to where the low brook runs!
Thro' space with rapid comets glow;—
Or mark where, soft, the snow-drops grow!
O Thou!
Whose burning pen now rapture paints!
Then moralizes, cold, with Saints!
Now trembling ardors can infuse—
Then seems as dipp'd in cloister'd dews—
O say! thy Being quick declare,
Art thou a son of Earth or Air?
Celestial Bard! though thy sweet song
Might to a Seraph's strains belong,
Its wondrous beauty and its art
Can only *touch*, not *change* my heart.

So Heav'n-sent lightning *powerless* plays,
 And wanton throws its purple rays;
 It leaps thro' night's scarce pervious gloom
 Attracted by the rose's bloom,
 Th' illumina'd shrub then quiv'ring round,
 It seems each scented bud to wound;
 Morn shakes her locks, and see the rose
 In renovated beauty blows!
 Smiles at the dart which past away,
 And flings her perfume on the day.

Thy lightning pen 'tis thus I greet,
 Fearless its subtle point I meet;
 Ne'er shall its spells my sad heart move
 From the calm state it vows to love.
 All other bliss I've prov'd is vain—
 All other bliss is dash'd with pain.
 My waist with myrtles has been bound,
 My brow with laurels has been crown'd;
 Love has sigh'd hopelesfs at my feet,
 Love on my couch has pour'd each sweet;
 All these I've known, and now I fly
 With thee, *INDIFFERENCE*, to die!

Nor is thy gift "dull torpid ease,"
 The mind's quick powers thou dost not
 freeze:

No! blest by *Thee*, the soul expands,
 And darts o'er new-created lands;
 Sprigs from the confines of the earth
 To where new systems struggle into birth;
 The germ of future worlds beholds,
 The secrets of dark space unfolds;
 Can watch how far th' Erratic runs,
 And gaze on *DELLA CRUSCA*'s suns;
 In some new orb can meet "his stary mail,"
 And him, on earth unknown, in Heaven
 with transport hail.

ANNA MATILDA.

To ANNA MATILDA.

NOR will I more of Fate complain;
 For I have liv'd to feel thy strain;
 To feel its sun-like force divine,
 Swift darting through the Clouds of Woe,
 Shoot to my soul a fainted glow.
 Yet, yet, MATILDA, spare to shine!
 One moment be the Blaze suppress'd!
 Left from this Clod my Spirit spring,
 And borne by Zephyr's trembling Wing,
 Seek a *new Heaven* upon thy *Braef*.
 But say, does calm *Indifference* dwell
 On the low Mead, or Mountain swell,
 Or at grey Evening's solemn gloom,
 Bend her Bosom to the Tomb?
 Or when the weak Dawn's orient Rose,
 In silv'ry Foliage deck'd, appears;
 Tell me, if perchance *she* goes

To the fresh Garden's proud array,
 Where, doubtful of the coming day,
 Each drooping Flow'ret sheds translucent
 Tears.

Ah! tell me, tell me where,
 For thou shalt find me *there*,
 Like her own Son, in vestment pure,
 With deep disguise, of smile secure:
 So shall I once thy Form descry,
 For once, bold converse with thine Eye,
 Vain is the thought, for at thy sight,
 Soon as thy potent Voice were found,
 Could I conceal the vast delight,
 Could I be tranquil at the sound,
 Could I repress quick Rapture's start,
 Or hide the bursting of my Heart?
 Let but thy Lyre impatient seize
 Departing Twilight's silv'ry Breeze,
 That winds th' enchanting Chords among,
 In *ling'ring labyrinth of Song*:
 Anon, the amorous *Bird of Woe*
 Shall steal the Tones that quiv'ring flow,
 And with them scath the sighing Woods,
 And with them charm the slumb'ring Floods;
 Till, all exhausted by the Lay,
 He lean in silence on the spray,
 Drop to his idol Flow'r beneath,
 And, 'midst her *Blushes*, cease to breathe.

Warn'd by his Fate, 'twere surely well,
 To shun the fascinating Spell;
 Nor still, presumptuous, dare to sing:
 My rude Hand o'er the Sounding String;
 As though I fondly would aspire,
 To match MATILDA's Heavenly Fire.
 Yet may I sometimes, far remote,
 Hear the lov'd pathos of her Note,
 And though *the Laure!* resign,
 O may the bliss of *TASTE* be mine!

DELLA CRUSCA.

To DELLA CRUSCA.

I Hate the Elegiac lay—
 I Chuse me a measure jocund as the day!
 Such days as near the ides of June
 Meet the Lark's elaborate tune,
 When his downy fringed breast
 Ambitious on a cloud to rest
 He soars aloft; and from his gurgling throat
 Darts to the earth the piercing note—
 Which softly falling with the dews of morn
 (That blefs the scented pink, and snowy thorn)
 Expands upon the Zephyr's wing,
 And wakes the burn'd finch, and linnnet
 sweet to sing.

And be thy lines irregular, and free!
 Poetic chains should fall before such bards as
 thee.

Scorn

Scorn the dull laws that pinch thee round,
 Raising about thy verse a mound,
 O'er which thy Muse so lofty! dares not
 bound.
 Bid her in verse meand'ring sport;
 Her footsteps quick, or long, or short,
 Just as her various impulse wills—
 Scorning the frigid square, which her fine
 fervor chills.

And in thy verse meand'ring wild,
 Thou, who art FANCY'S favourite Child,
 May'it sweetly paint the long past hour,
 When, the slave of Cupid's power,
 Thou couldst the tear of rapture weep,
 And feed on agony, and banish sleep.

Ha! and dost thou, favour'd mortal, taste
 All that adorns our life's dull waste?
 Hast thou known Love's enchanting pain—
 Its hopes, its woes, and yet complain?
 Thy senses, at a voice, been lost,
 Thy mad'ning soul in tumult tost?
 Extatic wishes fire thy brain—
 These, hast thou known, and yet complain?
 Thou then deserv'st ne'er more to feel;—
 Thy nerves be rigid, hence, as steel!
 Their fine vibrations all destroy'd,
 Thy future days a tasteless void!
 Ne'er shalt thou know again to sigh,
 Or on a soft idea dye;
 Ne'er on a recollection gasp;
 Thy arms, the air-drawn charmer, never
 grasp.

Vapid content her poppies round thee strew,
 Whilst to the bliss of TASTE thou bidst adieu!
 To vulgar comforts be thou hence confin'd,
 And the frank bays be from thy brow un-
 twin'd.

Thy statue torn from Cupid's hallow'd niche,
 But in return, thou shalt be dull, and rich;
 The Muses hence disown thy rebel Ly—
 But thou in *Adornian* gown, their scorn
 repay;

Crimson'd and furr'd, the highest honours dare,
 And on thy laurels tread—a PLUMP LORD
 MAYOR.

ANNA MATILDA.

From the RUSSIAN.

IF life be doubtful as a dream,
 Amidst th' impenetrable gloom,
 Let Fancy dart her vivid ray;
 Enough of ev'ry mournful theme!
 Tho' sad appear the mortal doom,
 Ah! Real a moment to be gay.

When clustring clouds deform the sky,
 And silence feels th' embrace of night,
 When not a glimmering star is seen,
 If chance the silvery lightnings fly,
 Entranc'd we catch the prospect bright
 Of towns, and streams, and forests
 green.

Lament no more, for nought can change
 Our lot, by Heaven's high will assign'd;
 But smile—for grief cannot endure,
 This active thought that loves to range,
 To-morrow shall be unconfin'd,
 And dwell in endless bliss secure.

DELLA CRUSCA.

IL PENSEROSO.

By Dr. G. P*****.

AH! PENSEROSO, why so sad?—
 Now Winter's gloomy gusts are blown,
 See laughing Spring in verdure clad,
 Joyous mounts her annual throne.

Now April's sunshine soft'ning show'rs
 Call forth the fragrant flow'rs to bloom,
 And laughing Spring's gay festive hours
 Joyous mount her annual throne.

The fragrance-fanning zephyrs play
 All cheer'ly round the flow'r-clad lawn,
 And laughing Spring, with smiling May,
 Joyous mounts her annual throne.

The lawns enrob'd with richest hues,
 And dewy-fringed flow'rs fresh-blown—
 Lo! laughing Spring! exclaims the muse,
 Joyous mounts her annual throne.

Those charms that nature now assumes,
 Cajele each care and brooding moan,
 And laughing Spring in rich perfumes,
 Joyous mounts her annual throne.

The birds resume their melody,
 The lambs now gambol o'er the lawn,
 And laughing Spring to gladden thee,
 Joyous mounts her annual throne.

Sweet Philomela charms at eve,
 The cheerful lark salutes the dawn,
 And laughing Spring, forbidding grief,
 Joyous mounts her annual throne.

The thoughtful melancholy man
 No more is heard to sigh alone;
 From that extreme to this he ran,
 And L'ALLEGRO mounts the throne.
Baltimore.

SONNET.

By the Reverend Mr. B E L O E.

THEY say, no sweet without its sour is
 born;
 Ah! that so cold a thought should prove
 so true;
 Still have the rose and eglantine a thorn,
 Whilst to their fragrance every praise is
 due.

If from this rule could deviate aught below,
 Surely might beauty the distinction find;
 Yet will rank weeds 'midst loveliest flow'rets
 grow,
 And oft will beauty hide a canker'd mind.

But

But thou, whose pride's a feeling, faithful heart,

Be not too soon, or easily alarm'd ;

Thine eye, thy soul, may yet alike be charm'd ;

Beauty may cause, but love may cure thy smart.

Haste, fluttering heart, the obvious truth improve,

Semira comes, with beauty, grace and love.

E L E G Y

On the Death of a Young LADY.

THEN art thou gone ! The Lilly's languid head,

That sick'ning droops, oppress'd with beating rains,

Was ne'er in half such lovely ruin spread,
As meekly slumbers o'er thy dear remains !

And is the conqu'ring softness of that eye,
Which Heav'n and virtue touch'd with spotless fire,

In its cold socket sadly doom'd to lie,

Dead to the purest impulse of desire ?

And is that tongue, which once so sweetly sigh'd

The virtuous dictates of thy virgin heart,

By death's firm hand indissolubly ty'd,

And all thy beauties vanquish'd by his dart ?

O lost too soon ! O blest with every grace

That Heav'n to human weakness can impart !

The sweetest manner, and the fairest face,

The meekest temper, and the truest heart !

Ah ! could not, then, thy beauty's youthful bloom,

A parent's grief, a lover's fondest sigh ;

Preserve that graceful figure from the tomb,
Or keep thee longer from thy native sky ?

Alas ! they could not !—Let the pitying tear
Prompt ev'ry feeling, ev'ry tender breath ;

Let sad remembrance, with a sigh sincere,

Point to thy tomb, and bid thy relics rest !

And, when it reads what this sad verse does tell,

And when it meditates thy form and mind ;

Let sorrowing virtue breathe a long farewell,
While angels hail thy passage from mankind.

J. W. A.

A C R O S T I C.

SUCH sprightly motion with such grace
and air

As Hebe shew'd when she Jove's cup did bear

Round to each God, in his celestial chair ;

All-cheering Nectar every spirit raising,

Hebe's address above their Nectar praising.

Painter, exert thy utmost skill and art,

O paint the charmer of my ravis'd heart !

Raise your ideas Hebe's charms above,

Keep in your mind the goddess fair of love ;

Even Venus to my fair the palm resigns,

Read her name wrote in the initial lines.

J. E.

THEATRICAL JOURNAL.

P R O L O G U E

TO THE FATE OF SPARTA.

Written by Mrs. COWLEY.

Spoken by Mr. WROUGHTON.

TO ask your favour, we're by custom bound—

Thus Prologue bows before you to the ground.

But interchange of favours, we are told,

Is a choice method to make friendship hold.

My gift is this—those chilly winter nights,

Whilst the frost glitters, and the North wind bites,

I'll wait you to the gentlest summer skies,

Where rose-buds swell, and the soft zephyr flies ;

Where the bright sun, with scarce diminish'd ray,

November's month bids charm like florid May ;

Where beneath myrtle shades the lover dies,

Whilst gales, with fragrance fraught, perfume

his sighs—

To Greece I welcome ye from Drury-lane,

Where taste and arts first rear'd th' immortal fame.

You've heard of Spartan boys, who let
young foxes

Feed on their blood, placid as beaux in boxes,
Sans friek, or groan. You've heard of
fable broth

More priz'd than rich ic'd creams, and luscious
froth ;

With many other monstrous—noble things,

At which more *naughty* times have had their
flings ;

But long posterior to that virtuous day,

Th' events were born on which we found
our play.

Sparta conceiv'd a whim to be polite,

Black broth and *bosom'd* foxes took their
flight ;

Then luxury her flood-gates open'd wide,

And fashion onward roll'd its heady tide ;

Plain dress and frugal meals soon dropt their
joke,

And *godlike Spartans*—liv'd like other folks ;

Turn'd fiddlers, brokers, merchants, gamblers
and betted,

This boasting what he *won*—this what he
netted.

Ladies

Ladies their Op'ra—Boxers had their stage,
And *Spartan Humphries'* soon became the
rage;

Their placemen sinecures could ne'er refuse,
And *zeal-infected Lords at times turn'd Jews.*

Their Doctors sage then hit upon a plan,
To mend the weak degen'rate creature Man.
They had two monarchs wear the splendid
crown,

Castor and Pollux like—this up—that down.

[*In another voice.*]

Oh no, they both at once must mount the
throne,

And subject slaves in double slav'ry groan.

'Twas wise, no doubt—yet this too pass'd
away,

But first burst forth the deeds which fill our
play.

The ground-work true—a little fancy grant,
While *FACT* had in its bounties been but
feant.

Poets will fib, all nations have allowed it;
And ours with blushing terror has avow'd it.
Oh pardon where you can, and if you please,
This anxious hour precedes a night of ease.

Feb. 25. Love in the East; or, The Ad-
ventures of Twelve Hours; an opera, by
Mr. Cobb, was acted for the first time at
Drury-lane. The *Dramatis Personæ* were
as follow :

Mushroom,	Mr. King.
Warford,	Mr. Kelly.
Colonel Baton,	Mr. Baddeley.
Twiss,	Mr. Bannister jun.
Colonel Bentley,	Mr. Aikin.
Stanmore,	Mr. Dignum.
Rofario,	Miss Romanzini.
Captain Coromandel,	Mr. Williams.
Ormellina,	Mrs. Crouch.
Mrs. Mushroom,	Miss Pope.
Eliza,	Mrs. Wilson.
Lucy,	Miss Collett.

For the fable and our character of this
piece, we refer our readers to page 190.

March 1. *Tantara Rara Rogues All!* a
Farce, by Mr. O'Keefe, was acted the first
time at Covent Garden. Characters as follow:

Andrew—a <i>flam Duke,</i>	Mr. Quick.
Corporal Toddy,	Mr. Edwin.
O'Fool, (Lord Limberville)	Mr. Macready.
Carty,	Mr. Ryder.
Sap,	Mr. Bernard.
Sir Ulick Liffydale,	Mr. Fearon.
Commiffaire,	Mr. Davis.
Narciffa—or Lady Caroline,	Miss Tweedale.
Blanch,	Miss Platt.

The very little story of this piece stands as
follows :

Andrew, a notorious villain, has rolen in
her infancy, Narciffa, the daughter of Sir
Ulick, an Irish Baronet, and given her a po-

lite education, in order to take in some future
lover. Another of the gang, at Lisle,
having met with a person whom he thinks a
Lord, recommends and introduces him to this
Andrew, who assumes the title of *Duc de*
Poffendorf.—The rest of the gang, after a
wish all to act the master, agree to act the
different servants necessary. The Lord is
introduced, who proves to be nearly as great
a sharper as any of them, and his servant Sap
still greater. Love, however, works in the
master a reformation; and *He* and *Narciffa*
form the only approaches to decent character.
Corporal Toddy, a drunken soldier, who has
embezzled the money of his company, and
drank away “*the shoes of his men,*”—finds
in Andrew a brother, whom he thought was
hanged. He goes to him as a Duke, to beg
his intercession, and there discovers him to be
his long-lost brother. This meeting is in
the most *gibbet-like* style of affection. They
hang about each other's neck, and then re-
solve to cheat each other;—which, with the
different attempts of all parties to do the same,
form the plot of the piece.

Sir Ulick comes from Ireland to recover
his daughter, which he does by the help of
the Commiffary; and she is then *happily*
married to the reformed Sharper.

In the representation of this piece, Mr.
O'Keefe found the audience less favourable
than on former occasions. The knavery of
the characters seemed, however, to be the
principal objection; for the farce possessed
several striking situations, was not deficient
in humour, and had the advantage of admi-
rable acting by the several performers. An
effort was made a second time to produce it
with alterations; but ended only in a second
rejection.

RICHMOND HOUSE.

The Wonder, with *The Guardian.*

Their Majesties, on Saturday evening the
1st instant, honoured this private exhibition
with their presence.

The Queen was habited in a style of simple
elegance, truly beautiful—white satin and
gold, adorned with a most brilliant and fanci-
ful arrangement of diamonds.

The King was dressed in scarlet, and ap-
peared remarkably cheerful. The ladies
were without caps and feathers, and the gen-
tlemen in full-dressed plain suits.

About eighty persons of fashionable dis-
tinction were present; among whom were
the Marquises of Carmarthen and Stafford;
the Dukes of Argyll, Roxburgh, and Mon-
tague; Lord Courtoun, Howard, Sydney,
Harcourt, Waldegrave, Galway, Aylebury,
Hawkesbury, Amherst, George Lennox,
Herbert, Salisbury, Uxbridge; Sir Charles
Thompson,

Thompson, General Conway, Captain Luttrell, Col. Jones, Capt. Phipps; Dutches Dowager of Leinster, Lady Aylebury, Marchioness of Stafford, Dutcheffes of Argyle and Ancafter, &c. &c.

A morning paper celebrated for having given the Rolliad, and other well-known political pieces to the Public, presented their readers in the morning with the following jeu d'esprit, which we deem not unworthy of preservation.

OCCASIONAL PROLOGUE,

To be spoken this evening, before their MAJESTIES, by the Manager.
Written by a FRIEND.

WHAT though the *Commons*, in a testy fit,
To thwart my projects disagreed with PITT,
And bade this fav'rite all his favor see
Lost in the hatred which prevail'd for me;
Tho' booby 'Squires in hostile phalanx form'd,
Urg'd on by BASTARD, my entrenchments
storm'd;

While figures, such as 'Squires not often reach,
Danc'd in Confusion through their Leader's
speech;

Though LANSDOWN censur'd, when from
pow'r remov'd,

The plan which LANSDOWN had, in pow'r,
approv'd;

Though FOX forgot what he to kindred ow'd,
And lask'd the *bobby-horse* an Uncle rode;

Though *data* drawn with Jesuits' crafty lore,
Expos'd by SHERIDAN, could cheat no more:

Though CORNWALL, loth to fight against a
stream,

Damn'd with his negative my darling scheme;
Yet trust me, Friends, renew'd in distant
climes,

That darling scheme but waits for happier
times,

When *Britain's* shores, encompass'd round
about

With breast-work, bastion, rav'lin, and re-
doubt,

No more shall smile on the surrounding flood,
Or trust their safety to her walls of wood:

Mean-while with inoffensive buildings, here,
In my own house, I play the Engineer;

And, doom'd to curb my fortifying rage,
Confine my talents to this narrow stage.

Yet why repine?—our own immortal Bard
The world has aptly to a stage compar'd,

Where all adopt the Actor's mimic arts,
And, *one man in his time plays many parts.*

In this myself may prove the emblem just,
"Can none remember? Yes! I'm sure all
must,—

"When *Opposition*, like a raging storm,
"In my harangues assum'd her bit'rest
form,—

"When pale DUNDAS foreboded NORTH's
defeat,

"And SACKVILLE trembled on the Treas-
ury seat—

"When PITTS and GRENVILLES join'd the
conq'ror's car,

"And SHELburne's *Hessians* shar'd the
spoils of war

"When TOMMY TOWNSHEND in our ranks
look'd big,

"And I myself appear'd—a flaming *Whig.*"
Irreverend once, unaw'd by regal pow'r,
When spleen had turn'd my milky temper
sour,

I dar'd to treat with loose unhallow'd mirth,
The sacred day which gave our Sov'reign
birth;

Blest day!—which never for a song shall lack
While *Maudlin Muscs* love the taste of sack;
Whose praise shall live in many a Laureat lay,
In spite of all ill-manner'd prose may say.

More loyal grown, more loyal strains we sing,
"There is a play to-night before the King,"
Where he who late assum'd these saucy airs,
Is proud to light him up and down the stairs.

O happy change!—as sinners cleans'd in
Heav'n,

Repentant patriots are at Court forgiv'n;
Who see their folly, and no more withstand,
Reveal'd by HAWKESBURY, the King's com-
mand—

Regen'rate now, who, tho' in error born,
Hail him their Leader, who was once his
scorn;

Far happier sure, since sitting by his side,
They trust their conduct to so sure a guide;

Still happier could they, but to veil their
shame,

Conceal—that JENKINSON was once his name.
One serious grievance let me now reveal—
I find these buildings cost a dev'lish deal;
And hence have late conceiv'd a shrew'd de-
vice

T' enjoy my pastime and elude the price.—
A corps complete, of twice three hundred
men,

All well-grown *carpenters* of five foot ten,
At my command, six days shall work their
fill,

And rest the seventh—to attend the drill.—
To this, to vast their confidence in PITT,
The soften'd *Commons* will, I trust, submit;—
So shall these Dupes their dup'd contents
rob,

And *Western-wise-acres* promote the job!
Now far-well all;—for eyes and ears at least,
This night your Manager provides a feast—
But mark me well, *Economy's* the plan;
The frugal feast must end as it began;—
And so, good friends, good night!—we all
sup—where we can!—

And so, good friends, good night!—we all
sup—where we can!—

And so, good friends, good night!—we all
sup—where we can!—

And so, good friends, good night!—we all
sup—where we can!—

And so, good friends, good night!—we all
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And so, good friends, good night!—we all
sup—where we can!—

And so, good friends, good night!—we all
sup—where we can!—

And so, good friends, good night!—we all
sup—where we can!—

The first performance of the Jealous Wife, was on the 11th inst.—The characters were distributed as follows :

Mr. Oakley,	Lord Derby.
Lord Trinket,	Lord H. Fitzgerald,
Charles,	Mr. Fitzgerald.
Sir H. Beagle,	Mr. Goodenough.
Major Oakley,	Col. Fury.
Ruffet,	Capt. Merry.
Capt O'Cutter,	Major Arabin.

Mrs. Oakley,	The Hon. Mrs. Hobart.
Harriet,	Miss Hamilton.

This comedy was got up at the desire of Mrs. Hobart, who drew the character of Mrs. Oakley in a style of superior life, and with a nice discrimination.

After the conclusion of the play, Mrs. Hobart spoke the following

EPILOGUE,

Written by MILES PETER ANDREWS,
Esq.

GREAT things, they say, may be compar'd
with small; [VAST HALL!

This little stage with WESTMINSTER'S
Where high-born culprits, if they've acted ill,
Must dread that Judgment, which they honour
still, [blame,

Where, if the part perform'd stands free from
Impartial Justice will secure their fame.

And many a peer may think, when station'd
there,

His time must pass as pleasantly elsewhere.

Our smile allow'd, nor frown'd upon,
We'll strive to carry the allusion on :—

The *Culprit I*, here take my humble stand,
Tried, by the gallant Nobles of the land ;

DUKES, LORDS, and COMMONS, charm the
word'ring fight,

With Peeresses, not *here in their own right* ;
Still as the flow'r-wreath'd Beiles adorn our
rows,

Some trifling change distinguishes our beaux ;
Our Lords fit here *unrob'd*, but *fix'd* and *rooted*,
And our good *Commons*, powder'd and unbooted.
The Court-Room's neat, nor decorated ill ;
Our *Board of Works* have here display'd their

skill ; [beauty,
And while our Benches boast such sense and
Sare, the GREAT CHAMBERLAIN hath done
his duty. [Say,

“ Like you, our Manager's arrangements ? ”
“ Did they speak well ? has this been a good
day ? ”

“ Did you prefer the *Opening*, or the *Cloze* ? ”
“ Were you attentive all, or did you doze ? ”
“ Can you *not* relish the plain words we bring,
“ No RAM SAM ROW, nor GOBA BOBA SING ! ”
But to myself—whilst awful round you sit,
Judges of taste, and arbiters of wit ;
If in Life's borrow'd scenes, with thankless
art,

And weak essay, I've poorly play'd my part,
Think, human effort, how so'er applied,
Wants the kind bias, and the favouring side ;
But thou'd some little talent grace our toil,
Provoke applause, and raise the genuine smile,
Then if my sportive task, and mimic pow'r,
Have help'd to while away the lessening hour,
Spare the poor Culprit—be not hard upon her,
But rise and say—“ NOT GUILTY, on my
Honour ! ”

FOREIGN INTELLIGENCE.

FORMAL DECLARATION OF WAR.

VIENNA.

An exact Copy of the Declaration of War
against the Porte, as delivered at Vienna
to the Foreign Ambassadors.

ALL Europe have been witness to the
good faith with which the Court of his
Imperial Majesty has for many years cultivated
peace with the Ottoman empire ; the
sincere dispositions it has manifested on every
occasion to preserve their good neighbour-
hood ; its disinterested and indefatigable en-
deavours to avoid any interruption of their
mutual harmony, and its readiness to lend
every office of mediation, to prevent any rup-
ture between the Porte and the neighbour-
ing Courts.

These pacific intentions were lately dis-
played in the differences which arose be-
tween the Porte and the Empress of all the
Russias, when the Emperor, uniting his en-
deavours with those of his ally the King of
France, omitted nothing which was likely
to effect an amicable adjustment of their

disputes. And whereas the grievances and
demands of the Court of Russia did not ex-
ceed a requisition for the just execution of
the existing treaty between them and the
Porte; and whereas the former Court shewed
the most favourable disposition to accommo-
date the differences, his Imperial Majesty
was not without hopes that his endeavours,
joined to those of the Court of Versailles,
would succeed in preventing a rupture, and
the calamitous consequences that must in-
evitably attend it.

But the Porte soon shewed the inefficacy
of this attempt in the united Courts, and
shutting their eyes against their salutary ad-
vice, and pressing exhortations, had the in-
justice to refuse the Russian Envoy the ne-
cessary delay for a courier to return with
fresh instructions from Peterburgh, and re-
quired him to sign a formal deed, revoking,
and declaring void, the Treaty of Commerce
concluded between the Porte and Russia, as
well as every stipulation respecting the Cri-

mea,

trize. And in consequence of his refusal to accede to a proposition, which, independent of its impropriety, exceeded the powers of an Envoy, the Porte did not hesitate to confine this Minister, contrary to the most sacred laws of nations, in the prison of the Seven Towers, and declare War against Russia at the same time.

By so violent a proceeding, things were brought to the most critical extremity; yet the Emperor did not lose hopes, that hostilities might still be prevented. He flattered himself that the Porte, yielding to the representations of all the foreign Ambassadors residing at Constantinople, would be persuaded to release the Envoy, and give her Imperial Majesty a satisfaction proportionate to the violation of the laws of nations, offered to the person of her Minister, and thus a possibility occur of renewing conciliatory negotiations.

But all these hopes were entirely destroyed by the Porte commencing open hostilities against all remonstrances, and obliging Russia to have recourse to arms in her defence.

The Porte were not unacquainted with the strict bands of amity and alliance, which unite the Courts of Vienna and Petersburg. Of this occurrence they were informed as well by verbal insinuations, as by a Memo-

rial presented towards the close of the year 1783. This was accompanied with an energetic representation of the nature of this alliance, and the danger of provoking it.

The Ottoman Court have therefore themselves only to blame, if the Emperor, after so many years employed in the preservation of peace, and in his endeavours to live with them on the best terms; and after having seized upon every opportunity of amicable intervention, finds himself at length obliged by their conduct, to comply with his engagements with the Empress, and take a part in the war which she finds herself forcibly drawn into.

The Emperor by these facts and circumstances conceives himself authorized to rely, with the utmost confidence, on the approbation of all the Courts of Europe, and flatters himself that they will unite their wishes for the success of his arms against the common enemy of Christianity.

At Vienna, 10th of February, 1783.

This Declaration was accompanied by a note from the Prince of Kaunitz Reissberg, Chancellor of State, repeating the same meaning as the Declaration, and adding, that these sentiments were announced at Constantinople by the Imperial Internuncio.

MONTHLY CHRONICLE.

FEBRUARY 5.

THE number of letters nightly dispatched by the mails from London, are calculated as follows:

Monday, 18,000 to 20,000. Tuesday, 16,000 to 18,000. Wednesday, Thursday, and Friday, about 15,000. Saturday, 22,000 to 25,000. Sunday, no mail to or from London. The postages of Bristol are daily about 161.—Bath (in season) 141. to 161.—Ditto (in summer) 81.—Salisbury, 51.

A genteel well-dressed man came to an inn in Salisbury on Wednesday noon, sent a letter to the post-office, and ordering a chaise, proceeded in it to an inn one stage on the Western road; there supped, went to bed, and desired to be called at seven o'clock next morning. When the maid-servant went to call him, she found him in bed, with a discharged pistol in his hand, having shot himself through the head. The unhappy suicide since appears to have been one of the late bidders for the post-horse tax; and that inability to perform his engagement occasioned his committing this rash action.—He had upwards of 91. in his pockets.

8. The late trial between Benjamin Harrison, Esq. Treasurer of Guy's hospital, and the Commissioners of the Land-Tax, decided in favour of the former, decides also in

similar instances—"That buildings now in suite of hospitals, or hereafter raised on ground subsequently added to the limits of them are *Not subject to the Land-Tax.*"

10. The spirit of party is not yet extinguished in the republic of Holland. At Amsterdam they publicly exhibit the picture of an ex-burgomaster, de Hoofd, pending with a blue and white ribbon. At Alkmaar, black cockades are worn in spite of the orders of the States of Holland. At Utrecht every night labels are stuck up in the streets against the Staatholder, ornamented with the *Fleur de Lys*. And even at the Hague they dare to insult, in the open streets, those who adhere to the ancient constitution.

The Dutch patriots who had retired to Orleans, have obtained leave of the French King to buy a spot of ground, with permission to build on, and carry on their trades.

M. de Ryffel, late general in the service of their High Mightinesses, but who in consequence of disobedience was obliged to quit the country, and retire to France, has obtained of his Most Christian Majesty the command of a foreign regiment of infantry, lately raised at Bethune, and his Most Christian Majesty has also conferred on him the order of St. Louis, and the rank of field-marshal.

12. By the national accounts that have been

laid before the Irish Parliament, it appears, that the debt of the nation at Lady-day last amounted to 2,179,235*l.* 1*s.* 2*d.*³/₄.

The horse in Dublin are broke; and what is singular all the men left their horses, and refused to enlist.

The Court of Directors of the East-India Company have agreed to permit Sir John Macpherson to return to his rank as second in the Supreme Council of Bengal; and to be allowed the sum of 50,000 Rupees on his arrival at Calcutta.

The Society for the Abolition of the Slave Trade, have the following device for their seal—A Negroe naked, bound in fetters, and kneeling in a supplicating posture—the motto, *Am I not a man, and a brother!*

The stock purchased by Government, towards reducing the national debt, amounts to 1,119,650*l.* for which 1,456,900*l.* has been paid.

Such is the enormous increase of London, that a collection of taxes from Marybone parish, which some years ago amounted to 900*l.* now reaches 29,000*l.*

15. In the Prerogative Court, Doctors Commons, the cause between Nathaniel Goodridge and Mr. Slack, and others, respecting the long contested will of the late Mr. Sawtoll, underwent a further hearing and final determination.—Doctor Calvert, the Judge, summed up the whole of the voluminous evidence with wonderful accuracy, accompanying every material circumstance with many judicious remarks; after which he pronounced his decree, by which he declared the will framed in favour of the Goodridges, to be a fraud and imposition upon the deceased, and consequently a nullity, and that the will in favour of Mr. Slack, although destroyed before the testator died, was the last and true will of Mr. Sawtoll. In consequence of this decree, the next of kin are totally excluded.

18. The books and prints which belonged to the late Joseph Gullivan, Esq. of Dorsetshire, were sold by auction on Friday. Among the former were four volumes of extracts from old newspapers, which sold for fifteen pounds; among the latter 27 volumes of caricature and other prints, which sold for 200 guineas.

21. The following murder was committed by a common prostitute at the Red Lion, in Nightingale-lane, East Smithfield:—A young man, who had been eleven months at sea, coming into the house where the offender was dancing, and after remaining some time without taking the least notice of her, it seems, she took umbrage at it, as there had been a previous intimacy between them, and went and fetched a large knife, which

she concealed under her apron, till she cut him so deeply across the belly, that he fell without uttering a word. Two of the faculty in the neighbourhood were called in, who gave no hopes of his recovery. The woman attempted to escape, but on being prevented, insisted upon having a coach to the magistrate's with the most horrid imprecations. She was committed to Newgate. The young fellow bore a good character with his captain, and had been on shore but a few hours.

23. Saturday evening a dreadful fire broke out at the oil and flour mills, near Tottenham High Cross, which unfortunately consumed the fame. The damage is estimated at 27,000*l.*

Came on a cause, which comprehends circumstances very interesting to the public. The plaintiff was a dealer in hay, who, by the order of Mr. Andrews' coachman, a man of the name of Crawford, had brought in various loads of hay and straw, which was consumed by Mr. Andrews's horses. This dealer, however, had never seen Mr. Andrews, and trusted him by the order of his coachman alone, because, as he stated, "it was the custom of the trade so to do." It appeared, however, that Mr. Andrews had always given his coachman ready money to buy hay in the Haymarket, which this fellow had put into his own pocket, and then brought to his master forged receipts. Mr. Andrews therefore knew nothing of the debt going on against him. On this dealer coming in with his bill, the coachman, before his master, denied any knowledge of him, and then absconded. On this ground, the plaintiff brought his action, "that having trusted Mr. Andrews, on the order of his servant, and the horses of Mr. Andrews having eaten his hay, he had a right to be paid his bill." Mr. Bearcroft was counsel for the plaintiff. The Hon. Mr. Erskine for the defendant.

The rule of law laid down by Mr. Erskine was that which was adopted by the judge: That unless a general authority could be proved to be given by a master to a servant, to order things in his name, that master was not liable to pay for them: That such authority was implied if he once paid a bill which had been so incurred; but that it would be the most fatal of all precedents, could a general indistinct authority be so implied, merely because the servant chose to order goods without the master even knowing the tradesman.—Nor was even the consumption of the article any ground for the right of payment; for Judge Grose, before whom the cause came, very judiciously remarked, that if a gentleman dealt with A. for certain goods, which the servant might

fell, and order again from B. C. D. and so on, and whose goods he might likewise dispose of, except certain small parcels which the master might consume, he would thus become liable to pay for things a hundred times over.

A special jury was summoned upon this occasion, who without hearing any evidence on the part of Mr. Andrews, and without going out of court, brought in their verdict in his favour.

25. Mr. Keon was executed a few days ago at Dublin, for the murder of Mr. Reynolds, whom he unfairly killed in a duel.—The following are the particulars :

Mr. Robert Keon was employed as an attorney in a suit to which Mr. Reynolds was a party. Mr. Reynolds was a justice of the peace for the county of Leitrim, and a gentleman of independent fortune, much respected for social qualities.—Mr. Reynolds, in a letter to a near relation, a lady, mentioned Mr. Keon, and compared him to Brecknock the attorney who had been executed with Mr. Fitzgerald. The lady incautiously shewed this letter, and the contents was reported to Mr. Keon. In a short time after Mr. Keon and Mr. Reynolds met at the assizes of Carrick on Shannon, where in the presence of a number of persons Mr. Keon struck Mr. Reynolds. Mr. Reynolds, on advising with his friends, resolved upon calling Mr. Keon to the field, and a challenge was delivered by his friend Mr. Plunket. However, a meeting having taken place between the friends of both parties on the evening of the day previous to the appointment for fighting, it was agreed that private apologies for the abusive letter and the blow should be exchanged, and that, to save appearances, the principals should meet the next morning, attended by their seconds, and discharge a brace of pistols loaded with powder. They met accordingly the next morning, Mr. Reynolds attended by his friend Plunket and a servant; Mr. Keon by his two brothers; and as Mr. Reynolds was in the act of taking off his hat to salute Mr. Keon, and was walking up to him, Keon fired a pistol he held in his hand, and shot him dead, threatening to serve Mr. Plunket in the same manner. The three Keons having quitted the field, Mr. Plunket raised the country, and Robert was taken; but the other two have never since been heard of, though bills of indictment have been found against both, and a considerable reward has been offered for apprehending them.

Mr. Keon had his trial put off at three several assizes, but at last was brought to Dublin by a habeas corpus; and having failed in an attempt to put his trial off again, was

tried by a jury of Leitrim, who found him guilty of murder.

MARCH 8.

General Carpenter, who has been some time afflicted with a fever, which left strong impressions on his brain, left his house this morning so early as five o'clock, and at five o'clock in the evening his body was found in the serpentine river in Hyde park.—Gen. Carpenter was Colonel of the 4th regiment of Dragoons, and Clerk Marshal, and First Equerry to the King; and enjoyed, in a particular degree, the favour and confidence of his Sovereign.

10. Last night, after the tragedy of *Macbeth*, at Drury-lane, Mr. Smith spoke an Epilogue on his intention to take leave of the Stage at the conclusion of the season. In this Address, Mr. Smith told his friends, that finding himself grow old, he thought it time to resign the *Sprightly CHARLES* to abler hands and younger heads than his. After that, the Epilogue thus went on :

Full thirty-five campaigns, I've urg'd my way,

Under the ablest Generals of the day;

Full oft have stood by *Barry's*, *Garrick's* side—

With them have conquer'd, and with them have died.

I now, no more o'er *Macbeth's* crimes shall lower—

Nor murder my two nephews in the Tower—

Here, I no more shall rant, "A horse, a horse!"

But mount "White Surry" for the *Bacon Course*!—

No more my hands with tyrant's gore shall stain,

But drag the *felon Fox* from forth his den!

Then take the circuit of my little fields, And taste the comforts that contentment yields.

And as those *little* comforts I review, Reflect with gratitude they came from you!—

13. Thursday a cause was determined before the Lord Chancellor, at Lincoln's-inn-hall, of the utmost importance to the trading part of this kingdom. The assignees of a bankrupt, and the representatives of one deceased, having received several large sums of money, and not paid it in to the banker appointed, but applied it to their own private use and concerns, the creditors preferred a petition to oblige them to pay interest for the said sums, which the Chancellor ordered; and further determined, that if it could be made appear that they had made 8 per cent. of it they should pay it.

P R E F E R M E N T S.

CHICHESTER Fortescue, esq; made Ulster King of Arms and Principal Herald of all Ireland.

Sir Robert Taylor appointed Surveyor of Greenwich Hospital, vacant by the death of Mr. Stuart.

The Rev. Henry Ford, M. A. of Christ-Church, in the University of Oxford, and Lord Almoner's Professor of Arabic, admitted Principal of Magdalen Hall, on the resignation of Dr. Lamb.

The Rev. Dr. Wm. Morgan, to be one of the Regents or Professors of Philosophy in Marischal College, Aberdeen.

Charles Gordon, esq; Writer to the Sig-

net, to be one of the Six Ordinary Clerks of Session in Scotland.

Robert Hodgson Cay, esq; to be one of the four Commissaries of Edinburgh.

Henry Pye Riche, esq; to be his Majesty's Consul at Amsterdam.

Edward Stanley, esq; to be Consul at Trieste and Fiume.

George Rose, esq. of Cuffnells, to be Verdurer of the New Forest, in the room of Sir Philip Jennings Clerke, deceased.

William Stiles and William Roe, esqrs; to be Commissioners of his Majesty's Customs, in the room of Henry Pelham and John Pownall, esqrs.

M A R R I A G E S.

CAPT. Clavering, a member of the Bicefter hunt, to lady Augusta Campbell, daughter of his Grace the Duke of Argyle.

— Dawkins, esq. to the daughter of Sir H. Clinton, K. B.

Claude Alexander, esq. of Hackney, to Miss E. Maxwell, daughter of Sir W. Maxwell, bart.

Richard Croft, jun. esq. of Pall-mall, to Miss Dayrolles, of Great George-street.

At New Carlisle, in Canada, Mr. George Longmore, surgeon to the forces there, to Miss C. L. Cox, daughter of Lieutenant-Governor Cox.

Mr. Thomas Edwards, merchant, of Bristol, to Miss Jane Wathen, daughter of Thomas Wathen esq. of Picked Elm.

Alex. Davison, esq; of Lincoln's-inn, to Miss Gosling, daughter of Robert Gosling, esq. banker.

At Leeds, ——— Grey, esq; of the 28th Regiment of Foot, to Miss Banks, daughter of the late Mr. James Banks of that town.

Matthew Andrew, esq; Lieutenant in the Royal Cheshire Militia, to Miss Royle of Wallgrange, near Leek, Staffordshire.

The Rev. George Barrington, son of the late General Barrington, and nephew to Lord Barrington, to Miss Elizabeth Adair, daughter of Robert Adair, esq; of Stratford-place, and niece to the late Lord Keppel.

Lord Aylesbury to Lady Anne Rawdon, Charles Cotton, esq. eldest son of Sir H. Cotton, bart. a captain in the navy, to Miss Rowley, daughter of Sir Joshua Rowley, bart. admiral of the white.

Curtis Brett, esq. of Stafford-gate, to Miss Maria Johnson, youngest daughter of George Johnson, esq. of James-street.

Martin Morrison, esq. of the Royal Hospital, Greenwich, to Miss Beall, of Lewisham, youngest daughter to Edward Beall, esq.

George Bailey, esq. of Symond's Inn, to Miss Hawes, a widow lady of Suffex.

Mr. S. Francis, banker, of Cambridge, to Miss Carham, of Beaumont-hall, Essex.

At Higham Ferrers, Mr. Mark Noble, aged 60, to Mrs. Prooks, aged 71.

Charles Chadwick, esq. of Mavesyn-Ridware, in Staffordshire, (only son of Colonel Chadwick) to Miss Frances Green, only daughter of Richard Green, esq. and niece to the late Sir Henry Cavendish.

Christopher Baynes, esq. son of William Baynes, esq. of Harefield-place, to Miss Gregory, of the Isle of Wight.

Lord Glasgow, to Lady E. Hay, third daughter of the Countess of Errol.

The Rev. Mr. Griffith, of Brompton-hall, to Miss Harriet Halliday, second daughter of S. Halliday, esq. of Westcomb Park, Kent.

The Rev. Mr. Baker, of Worcester College, Oxford, to Miss Elizabeth Munday, daughter of Mr. Tho. Munday, upholder.

Sir John Sinclair, bart. to the Hon. Miss Macdonald.

The Rev. Mr. Gellibrand, of Ringwood, to Miss Sophia Louisa Hinde, of Hampstead.

The Rev. Mr. Diemer, to Miss Goll, daughter of Mr. John Goll, silversmith, New-street, Covent Garden.

At Totness, the Rev. John Tremlett, of Gloucester, to Miss Pagett, of the same city.

Richard Grosvenor, esq. member for East Looe, in Cornwall, to Miss Drax, the only daughter of Edward Drax, esq. of Melcomb Regis, Dorset.

The Rev. Philip Wroughton, to Miss Musgrave, niece to Bartholomew Tipping, esq. of Woolley-park, Berks.

The Rev. Croxton Johnson, rector of Winstow, in Cheshire, to Miss Peters, only daughter of Ralph Peters, esq. Deputy Recorder of Liverpool.

Samuel Shore, jun. esq. of Norton-hall, in Derbyshire, to Miss Harriet Foy, of Castle-hill, Dorset.

Edward Bouverie, esq. to Miss Castle, with a fortune of 70,000l.

Mr. Aickin, of Covent-garden, to Mrs. Lowe, of Gower-street.

John Philips, esq. of Chulham, Oxfordshire, to Miss Mary Morland, of Ilfley, Berks.

Egerton Cross, esq. major of the Royal Lancashire militia, of Yearfley-hall, to Miss Yates, of Prestolee.

Archibald M'Donald, esq. Lieutenant in

the late 84th regiment, to Miss Eliz. Gilbert, niece to John Ruit, esq. of Upper Grosvenor-street.

Richard Sherlock, esq. of Ireland, to Mrs. Martin, widow of Dr. Martin, of Bristol.

John Clark, esq. of Netherbury, Dorset, to Miss Hooper, of Bowden.

John Law Willis, esq. of Edgeware, to Miss Daberley, daughter of James Daberley, esq. of Enshara-hall, in Oxfordshire.

John Compton, esq. of Bisterne, Hauts, to Miss Catherine Richards, of Longbred, Dorset.

MONTHLY OBITUARY.

FEBRUARY 16.

JOHN Taver, esq. Governor of Portland Castle.

17. The Rev. Samuel Chambers, rector of Higham and Croft, in Leicestershire.

18. At Surfleet, near Spalding, in the 84th year of his age, Mr. Samuel Etdaile, formerly a farmer and grazier.

19. The Rev. Sir Robert Yeamans, bart. rector of Fittleworth and Cold Waltham.

20. George Plomer, esq. in his 27th year.

21. Mr. William Stark, surgeon of the 44th regiment of foot.

Lately at Malpas, in Cheshire, Thomas Roylance, esq.

Lately, the Rev. Philemon Marsh, M. A. rector of St. Martin's, Micklegate, York.

22. At Uxbridge, the Rev. Mr. Lightfoot, F. R. S. and rector of Gotham, in Nottinghamshire.

Samuel Ewer, esq. of Lincoln's Inn Fields.

Lately, at Brighthelmstone, Benjamin Righton, esq. late of Hearnden, in Kent.

Lately, the Rev. Mr. Kitchen, vicar of Kirby-Whart, near Tadcaster.

23. Edward Dawson, esq. of Long Watton, Leicestershire.

Henry Heketh, esq. of Chester.

At Hertford, Mr. Slaines, formerly a ho-fier in London.

Lately, Mr. John Mosley, printer, at Gainborough.

26. At Greenwich, Mrs. Standert, widow of Frederick Standert, esq.

At Dublin, the Rev. Dr. Gaft, archdeacon of Glandelough, in Ireland.

Thomas Powfey, esq. late one of the Band of Pensioners.

Lately, at Galfton, Airshire, Andrew Wilfon, farmer, born in 1664. He remembered the battle of Airmofs.

27. James Augustus Grant, son of Geo. Grant, esq. of Piccadilly.

Joseph Bacon, esq. alderman of Wells.

Mr. G. Clarke, senior alderman of Thetford.

Lately, Captain John Theophilus Corrie, in the Levant trade.

Lately, the Rev. John Southcombe, rector of King's Nyont, in Devonshire.

28. At Sunbury, Thomas Ravenshaw, esq.

29. Mrs. Nichols, wife of Mr. John Nichols, printer.

Mrs. Lowth, widow of Mr. Lowth, formerly of the South-Sea-House.

At Ashburn, Derbyshire, John Taylor, LL.D. chaplain to William, third Duke of Devonshire. In July 1740, he was presented to the living of Bosworth, in Leicestershire, by Sir Wolstan Dixie, bart. on the death of his brother, the Rev. Dr. Beaumont Dixie. In July 1746, he became a prebendary of Westminster; and in April 1784, succeeded Dr. Wilfon, as minister of St. Margaret's, Westminster. In 1787, he published a Letter to the late Dr. Johnson, on the subject of a Future State. He was a Justice of Peace both in Derbyshire and Leicestershire.

MARCH 1.

Mr. William Turner, Duke-street, Portland-place.

Lately, in Catherine-street, Great Tower Hill, Mr. John Webb, many years a corn-factor.

2. Mr. John Greenfield, linen-draper in Newgate-street.

The Hon. Betty Maria Tyler, wife of Henry Tyler, Esq. eldest daughter of the late Lord Teynlham, and sister to the present.

3. At Windfor Castle, Mr. Edward Webb, organist of St. George's Chapel.

At Newton-Ayr, Capt. Robert Hathorn, of the Royal Navy, in the 71st year of his age.

4. Lieutenant-General James Robertson, Colonel of the 16th regiment of foot, and late Governor of New-York.

Gilbert Ross, sen. merchant, in Billiter-lane.

Mr,

- Mr. John Morgan, corn-dealer.
Lately, Lord Rosehill, eldest son to the Earl of Northesk.
5. The Rt. Hon. Lady Viscountess Townsend, aged about 85 years.
Lady Harry Beauclerk.
Colonel Grey Johnson, Superintendent of Indian affairs.
Mrs. Mary King, Housekeeper to the Prince of Wales.
Admiral John Knight, aged 77 years.
Robert Stanforth, Esq. of Norton, in Suffolk.
6. Thomas Skeete, Esq. late of the island of Barbadoes.
Lately, the Rev. William Jennings, Chaplain at Chelsea Hospital, and Prebendary of Worcester.
Lately, the Rev. Mr. Hancock, rector of Bromshall, in Staffordshire.
7. John Pippin, esq. in Queen-street, Moorfields.
Henrietta Long, aged 121 years, at Hexton. She used to sell grey peate about the streets of the city 70 years ago.
Mr. Alexander Pringle, boatswain of the Concord.
Mr. Edmund Hardy, of Ruffel-court, Covent Garden.
William Nourse, esq. a Justice of Peace for the county of Hereford.
Mrs. Judith Wainwright, at Upper Homerton, aged 84.
Lately, Mr. Thomas Chaplin, of the Secretary of State's office.
Lately, at Coombe, near Shaftesbury, the Rev. James Lewis, B. D. of Magdalen College, Oxford.
10. Edward Pollard Stevens, esq. captain of his Majesty's marine forces.
Mr. Cromer, of Watworth, aged 104 years.
The Rev. Mr. Greenhill, rector of East Clandon and East Horsley.
Miss Moore, daughter to the Archbishop of Canterbury, aged 15 years.
11. Edward Burnaby Greene, Esq. translator of Pindar, Apollonius Rhodius, Anacreon, Sappho, and author of several poems.
Mrs. Baillie, wife of William Baillie, Esq. of Chapel-street, Portland Chapel.
Mr. William Brander, gun-maker, in the Minories, aged 58 years.
Matthew Brickdale, jun. esq.
12. Lately, Mr. Joseph Cator, at Coventry, aged 84.
13. The Rev. Edward Bracken, Vicar of Bugthorpe, Curate of Whitgift, and Rector of All Saints, York.
- Mr. William Handley, senior alderman of Newark.
Thomas Cuming, Esq. banker in Edinburgh.
14. Mr. Joseph Grimaldi, aged 72, many years Ballet-master at Drury-lane Theatre.
Mrs. Middleton, wife of Richard Middleton, Esq. of Chirk Castle.
James Dexter, Esq. Marshal of the Four Courts, Dublin.
15. William-Henry Chauncey, Esq. at Edgcot, near Banbury.
Miss Hamilton, daughter of the Hon. and Rev. George Hamilton, and niece to Lord Abercorn.
Mrs. Gaudry, wife of Mr. Gaudry, Comedian.
16. Thomas Maitby, Esq. of Lakenhamgrove.
The Rev. William Ludlam, rector of Cockfield, in Suffolk, and Norton by Galby, in Leicestershire.
Mr. Shaw, banker, at Daventry.
At Hempsted, Hertfordshire, Mrs. Anne Clare, aged 112 years, relict of Col. Clare, who was killed at Blenheim.
Mr. John Bradley, surgeon, at Liverpool.
17. Mr. Hallett of Stoke-Newington.
The Rev. Dr. Smyth, rector of St. Giles's, Prebendary of Norwich, and Curate of Hammer-smith.
The Rev. William Hewit, rector of Baconthorpe and Bodlam, in Norfolk.
18. At Alnwick, Dr. Henry Richardson, the oldest Licentiate of the London College.
Mr. George Burchell, Manchester.
19. Mrs. Richardson, wife of Mr. Richardson, of the East-India House.
Mr. John Kemp, of Stoke Newington.
20. The Rev. Lawrence Maydwell, upwards of 36 years rector of Market-Deeping, in Leicestershire.
21. Lady Armytage, relict of Sir George Armytage, bart.
At Holt-Castle, aged near 100 years, the Countess Dowager of Coventry.
22. Mr. Matthew Atkinson, linen-dra- per, Chelmsford.
23. Thomas Edwards Freeman, jun. Esq. Member for Steyning in Sussex.
25. Mrs. Dorrien, relict of the late Liebert Dorrien, esq.
Mrs. Jackson, wife of Mr. W. Jackson, surgeon, Lower-street, Hingston.
At Watford, Mrs. Clutterbuck, wife of Thomas Clutterbuck, jun. esq.
George Clerke, esq. at his house in Port- man-square.

