

THE EXAMINER.

No. 644. SUNDAY, APRIL 30, 1820.

THE POLITICAL EXAMINER.

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

No. 629.

STATE TRIALS.

THE last act of the Cato-street tragedy is now completed by the conviction or confession of the wretched men on whom the consequences of a corrupt system have fallen. It is a bloody catastrophe, and yet, we are sure, it will be far from answering the expectations of the promoters. The machinery is too apparent: the revolting means taken to aggravate the plot,—the hypocrisy—the lying—the cold-blooded entrapping of human beings—the execrable tearing asunder of the most intimate connections—the base betrayal of the most unbounded confidence—the final hangings and beheadings,—all this *must* create feelings far different from those which the contrivers of the plot wished to produce, and must add to that mass of discontent and disgust, against which the Boroughmongers vainly hoped to be armed by the scheme. In short, the Cato-street plot has turned out to be of the same character as the Derby plot and the Spa-fields plot—with an *Edwards* for the *Spy* instead of an *Oliver* or a *Castles*;—it has shared the fate of its predecessors;—it has added one more to the many proofs that there is not sufficient folly or morbid enthusiasm among the English people to cause any *unprompted* attempt at assassination;—and it has given men further cause at once to fear and despise the system, whose long corruptions compel it to encourage such disgraceful sacrifices of blood, in order to divert the pressure of the popular demands.

We have spoken unreservedly of the principal part played by the spies in this case, because we think no one who reads the trial can have the slightest doubt of the fact. The prosecution found it unavoidable to have *Edwards* often mentioned in the evidence as one of the conspirators. That execrable *Judas* is admitted to have prepared some of the arms, and to have informed them of the Cabinet dinner at Lord HARROWBY'S. Many of the prisoners declared in the most solemn manner, that he inveigled them to Cato-street. It has previously appeared that he used the most violent language at private meetings, and even urged on THISTLEWOOD.* The question remains unanswered,—Who furnished the means by which arms to such an extraordinary amount were put into the possession of men actually in the lowest state of poverty. And

* We allude here to the two examinations at Bow-street given in Mr. COBBETT'S evening paper, which we much regret we have been prevented hitherto from giving. We will print them, however, if any doubt of *Edwards*'s character should be stated. The substance we can here state briefly:—Both the individuals examined knew THISTLEWOOD who frequently came to their houses in company with *Edwards*, on which occasions the latter was most outrageous in his abuse of Government, sometimes brandishing a sword, &c. and appearing to stimulate and direct the operations of THISTLEWOOD. Mr. BIRNIE the Magistrate dismissed both the persons examined without conditions, and it is remarkable, that he always endeavoured to stop their disclosures respecting the spy, though the nature of the examinations unavoidably drew forth some particulars.

“last, but not least,” why has not *Edwards* been brought into Court, if not as a prisoner (we could not expect that), at least as a witness, for the prisoners to cross-examine? *Edwards* may not however be the only actor in the business. The contradictions and outrageous stories of *Adams* make him very suspicious; and *Dwyer* is not only a man of infamous character, but avowedly an informer, and there is a great probability that he might be employed, to second *Edwards* as the catastrophe drew near: in fact his sudden acquaintance with the plot, and his whole conduct, according to his own account, are inexplicable without this supposition. Is not this ample ground-work for our argument?

Such are the witnesses on whose testimony five men are sent to execution by the London Jurymen! We are prepared here for the hacknied argument, that spy evidence is good, if collaterally corroborated by good witnesses,—in other words, such evidence is admissible, if it fills up the outline afforded by proved circumstances. But we protest against this doctrine *in toto*. Not to repeat the obvious reasons which consign such wretches to infamy, we may observe, that in all such cases as the present, nothing could be easier than for a spy to invent circumstances to suit and give a character to notorious facts. For instance, it can be proved that THISTLEWOOD and others assembled frequently at BRUNT'S house: *Adams* relates (*verbatim*!) treasonable conversations: INGS, a very humane looking man, is taken with two bags: these, according to *Adams*, were for the heads of Lords CASTLEREAGH and SIMMOUTH!

We shall here say a word or two of the extent of decent evidence against the prisoners, and the distinctions (not slight ones) between the cases of those convicted. THISTLEWOOD, BRUNT, and TIDD, we do not doubt, are guilty of an intention to effect a Revolution; the arms, the assembling in Cato-street, the private meetings, sufficiently prove that. It should seem, too, by their declarations, when called up for sentence on Friday, that they meant to attempt this object by the assassination of Ministers. Whether this amounts to High Treason we neither know, nor, but for the prisoners, care much. INGS appears also to have acknowledged this intention, but that does not affect the decision of the Jury; and it is on account of the apparent disposition on their part not to attend to proper distinctions that we notice them. The reader will see that INGS accounted for several of the facts proved against him in a way that none of the others could. He was not in the loft in Cato-street; he showed how he might have been in the stable below, and have had the bags found upon him without participation in the plot;—and he accounted for having had the two swords sharpened. We need scarcely remark, that if a prisoner can give a probable solution of suspicious circumstances, it must be taken for granted, unless directly contradicted. Who refutes INGS's account? Chiefly *Adams*, the lying, canting, cold-blooded betrayer of his trusting associates! We would have starved rather than have convicted INGS on such evidence: we could not have sat in the Old Bailey Court;—have compared the humane, firm, and sincere countenance of INGS, with the down-looking face of *Adams*, which is,

emphatically, proportioned to his villainy;—we could not have heard the fluent, undertoned, falsehoods of the one, and the manly, yet pathetic, defence of the other,—and then pronounced him guilty.—The case made out by DAVIDSON is less strong; yet the great probability of his having been confounded with other men of colour is so striking, that we should have at least paused a long time before we sent him to an infamous death. Are the distinctions between the cases of the five convicted men nothing? Let Juries look to these things. Their general reputation has been much injured lately by the evident influence which political opinions as had over them; and we think the conviction of INGS and DAVIDSON will do them further mischief by affording a reasonable ground for an accusation (at the least) of haste and want of discrimination.

We have expressed our opinion that the Borough-mongers will be grievously disappointed as to the effect of the convictions of the State Prisoners upon the country at large. We shall be indeed mistaken and grieved, not only if they produce that inexpressible horror which the hirelings affect, but if they do not excite more sympathy for the unhappy men themselves, than for the objects of their blind schemes—and more indignation against the corruptions which have excited the attempt, and the abhorrent wretches who have stimulated and conducted it than against the deluded victims of wretched misery, a strong sense of oppression, temptation, and perfidy.

In saying this, we do not fear to be confounded by those who know our sentiments, with the defenders of assassination. We have often explained our opinion of the danger of that doctrine, and the necessary removal of those who practise it. It is inconsistent with the existence of society, and inevitably causes the spilling of blood and the confusion of opinions. What we always protest against is the clamour raised by the interested, the bigoted, and the ignorant, against the mistaken persons who are driven by desperation into wrong ideas of the remedies for their grievances. The base tools of power call the motives of all such men “diabolical” and “fiendish.”

“It is a lie, a most notorious lie!”

History and our own experience have stamped it so. A man who will venture his life to destroy the lives of those against whom he can have no private enmity,—against whom he can only lift up his arm as public oppressors,—is mistaken in his mode of acting; but how can he be so low in the scale of humanity as one who murders for gain—as one who betrays his friend—as one who panders to the bad passions of power—as one who, conscious of his wickedness, takes the clothes from the backs and the food from the bellies of hundreds of his fellow-creatures, to decorate his equipages and pamper his depraved appetites?

The addresses delivered by the prisoners on Friday must produce a deep and instructive effect on their wronged countrymen. The corrupt cannot answer the dying words of the victims of a bad system. The prisoners are neither foolish nor uneducated. DAVIDSON studied mathematics at Edinburgh. THISTLEWOOD has filled the station of a gentleman; and BAUNT is evidently a man of strong natural sense. All have read and reflected a good deal. They are prepared to justify their intentions by references to BAUTUS and CASSIUS,—to the compact between King JOHN and his Barons. And they have a right to these comparisons, and a thousand others, to be drawn from his-

tory, both sacred and profane; if others have a right, at any other time, to quote the passages referred to, with gravity and respect.

We do not admire the great men whose examples are quoted, for the particular actions referred to, but the bigoted and the canting do affect to join in their praises, and to see no similarity between them and such men as THISTLEWOOD and BAUNT. This is too gross; and for our parts we shall always lift up our voices against such foul libels on our fellow-creatures, and such base assumptions on the side of corrupt power. We will not hear silently BAUTUS and CASSIUS praised for motives which are denied to men actuated by the identical motives. We will not have the moral effect of the Old Testament always held up to our admiration, and read in it such stories as the clandestine murder of the Egyptian by the meekest of Men, and the hiding of his body in the sands, without demanding that the palliation afforded to him for that action shall be extended to ARTHUR THISTLEWOOD, JOHN BAUNT, and their fellow-sufferers.

Above all, we shall never fail, on occasions like the present, to remind the public, that Corruption must look for such consequences of its own mischief as the stirring-up of violent as well as constant indignation against itself,—that unconstitutional power, in short, must occasionally expect illegal as well as legal opposition, and must be content to take a large share of the public odium at such bloody and revolting occurrences. And we shall always call the attention of the English People to the further evidence such dreadful scenes afford of the necessity of a Reform, and a speedy one, of their ultimate cause.

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CATO-STREET PLOT.

The *Traveller* furnishes us with the following useful and well-timed information:—

“We have received authentic information, for which we can pledge ourselves, that unquestionable evidence is now obtained of Edwards having been the most active instigator of the plot:—that, at least, he attempted to seduce four men to join it, who suspecting him, refused; that he furnished the grenades: that his plan went further—to an attack on the House of Commons, by means of explosive materials in flat boxes, which may be carried under the arm by some of the conspirators going to the gallery, and having phosphorus phials in their pockets. We have received other details, which, we believe, are also made known to the Home Department, but for the present we forbear mentioning them. Let us, however, ask one question. How comes it that this man alone is not to be tried? Why is he not examined as a witness? And, above all, how long has he been in Lord Sidmouth’s employment as a spy? Probably ever since Thistlewood attacked his Lordship and was tried for it. He was, we suspect, then set to watch that person; and, as usually happens in such cases, he set about carving out more work for himself than he found. At all events, if he was in Lord S.’s employ, at the time he was so busy in seducing others, a case of grievous responsibility is made out against that Minister, for his want of penetration in suffering himself a second time to be made the dupe of his own instruments. We give him a date to steer by: Has Edwards been connected above *five months* with the Home Department? for our information reaches back to that period.”

We add the next paragraph from Saturday’s *Chronicle*:

“We understand that *four* persons applied to the Sitting Alderman at Guildhall, on Tuesday last, to make depositions against the man of the name of Edwards, so often mentioned in the late Trials, but who was not brought forward as a witness. These persons were pre-

pared to charge this Edwards with the crime of High Treason, and that he had instigated others to join in the atrocious attack meditated on his Majesty's Ministers. In the proposed depositions they enumerated various facts in corroboration of the charge, but all which had happened in the County of Middlesex, not within the limits of the City, and therefore Alderman Sir William Domville and Mr. Alderman Wood, thought fit to convey the intended depositions to Lord Sidmouth, and desired the persons to go to the office of the Noble Lord. The Noble Lord wrote an answer, saying, that as Edwards was one of the witnesses named in the list, and was liable to be called as a witness for the Crown, it did not appear to him that any sufficient ground was laid for instituting proceedings against him."

FOREIGN INTELLIGENCE.

FRANCE.

PARIS, APRIL 21.—A seditious placard, containing the most heinous outrages against the King and Royal Family, was last night posted on the wall of a house situated in the Place des Victoires. The author of this infamous production (which is not signed) calls himself a friend and admirer of the assassin Louvel.

APRIL 22.—A pamphlet, entitled *Aperçus Historiques*, has been seized, by authority, at the Constitutional Library of Brissot-Thivars.—M. Chevalier, one of the Editors of the *Bibliothèque Historique*, was arrested yesterday.

APRIL 23.—M. Brissot-Thivars, bookseller, was yesterday arrested and examined relative to the seizure of the *Aperçus Historiques*. He was afterwards liberated.

GERMANY.

Letters from Berlin of the 14th inst. state, that on the preceding day a tumult of a very formidable nature occurred in that city. About 300 individuals of the working classes suddenly made an attack on the guard-house, which was occupied at the time by not more than 30 soldiers. It was not till two or three detachments of the military had been brought against them that the insurgents were reduced to submission, when several of the ringleaders were secured and thrown into prison. The same afternoon Baron de Humboldt had an audience of the King, which lasted three hours. By letters of the 16th, from the same place, we learn that M. Jahn has been sentenced to imprisonment for life by the Court appointed to try him; but that the King, in recollection of former services, has remitted the punishment to imprisonment for 10 years, and subsequent banishment from the Prussian territory. M. Jahn is about 50 years of age. Two secretaries of the War-office at Berlin, who had quitted their functions without permission, and had received public notice in the Gazette to resume them, both committed suicide in the neighbourhood of Altona. The reasons for the act are not given.

STUTTGART, APRIL 15.—The marriage of his Majesty the King with her Serene Highness the Princess Paulina of Wurtemberg, daughter of his Highness the late Duke Louis of Wurtemberg, was solemnized to-day in the Royal Palace.

SPAIN.

ROYAL DECREE OF THE 8TH OF APRIL.

"The King has learnt with pain that an individual of his body-guard had been the cause, by propositions which, if not criminal, are at least extremely inconsiderate, of a momentary interruption to the public tranquillity in this capital. In order that false ideas might not give rise in the sequel to more serious consequences, his Majesty wishes it should be universally known to the troops, that, having freely and spontaneously sworn to the Political Constitution, which is the fundamental law of the kingdom, and being resolved to maintain it by every means which the Constitution has put into his hands, &c., he will regard as culpable all who, by their actions or words, deviate from that adhesion which all Spaniards owe to the solemn pact which has fixed for ever the bond of union between his Majesty and his people."

This decree was passed in consequence of a tumult which took place at the Club Lorenzini, where one of the King's body-guard inadvertently protested against his Sovereign's adhesion to the Charter.

The King has given a proof of his fidelity to the oath which he has taken to the Constitution. A monk, who acted doubtlessly in the interest of some discontented persons, made him a propo-

sition, in which he attempted to demonstrate that he ought to annul his oath. It is said that his Majesty gave an order to send the original of this document to the Junta of Government.

A circular of the Minister of the Interior invites Spaniards in all the provinces to open subscriptions for the victims of the disasters at Cadiz.

It is still said that the principal movers of the revolution keep up a regular correspondence together, from Pampeluna to Cadiz, and that they are not altogether in harmony with the Central Junta. Mina, dissatisfied, it appears, with the appointment of M. Escudero as Civil Governor of Navarre, has actually sent a body of troops to prevent his entering Pampeluna.—[This is not confirmed.]

The Bishop of Malaga has taken the oath of fidelity to the Constitution, with the following reservation:—"So far as religion will allow me." This circumstance is much discussed in Madrid.

Letters from Bilbao state, that some agitation existed at Corunna in consequence of the selection made by the King of the persons who were to fill the leading offices of the new magistracy in that city. They were so extremely unpopular with the leading party, that they were refused permission to enter on their official duties.

By letters from Madrid of the 10th inst., it appears that extensive machinations have been discovered, carried on with the view of seducing a portion of the troops in that city from their allegiance to the Constitution. The conspirators are described as possessed of considerable property; the immediate agents believed to be merchants, though suspicions are freely insinuated that the monks and friars are the primary movers in the attempt. The discovery was made by a man who held the rank of sergeant in one of the regiments, and who had the credit of so far yielding to the wishes of the conspirators that they intrusted him with 2,000 dollars, to be employed in the seduction of the soldiers. Notice was given of this to the proper authorities, several of the conspirators were traced and apprehended, and in a room appropriated to their deliberations a sum of money, amounting to 10,000 dollars in specie, was discovered. Among the persons seceded was a M. Gorgoglio, the son of one of the members of the Junta de Reemplazos, (the society of merchants employed in the superintendence of the expedition,) and three others. These arrests took place on the 31st March.

On the 4th instant Cadiz was the scene of one of the most interesting and imposing spectacles that could present itself to the eye or the imagination of those who witnessed it, in the triumphal entry of Quiroga, the great author of their restored liberties, into the city. Early in the morning of that day the whole of the population of Cadiz seemed in motion, who were seen flocking towards the landgate. The space to the Cortadara, which is nearly a league, was covered with carriages of every description, horsemen and pedestrians. From thence Quiroga was drawn, in a kind of open car, into the square of the Constitution, which is in the heart of the city, and there crowned with laurel amidst the shouts and benedictions of his fellow-citizens. The gallant soldier should then have testified his acknowledgments, but his feelings overcame him, and impeded his utterance. He burst into tears, and was unable to proceed. The remainder of the day was spent in festivities, in which almost every inhabitant participated. Riego, who had entered the city with the new Governor, Valdes, on the preceding day, was received in public with similar expressions of joy and attachment.

A new paper has been established at Madrid, entitled the *Aurora of Spain*. The *Aurora* takes upon itself particularly to give an account of the proceedings of the Club or Caffe Lorenzini. This assembly appears to be definitively organized. The tribune is open to every one who feels inspired.

The King has ordered the meeting of the Cortes for the 9th of June, instead of the 9th of July, the epoch formerly fixed.

O'Donnel, the Count de l'Abisbal, in consequence of his equivocal conduct, has been driven from the Club Lorenzini, as unworthy of the confidence of the Patriots; and his gratuitous exposition of his treachery to the King has closed the doors of the Palace against him.

The *rentes reales*, or government securities, are rising in credit; those consolidated are at 60 per cent.

The investigation of the massacre at Cadiz is entrusted to General Salvador, who devotes himself to the inquiry with unwearied zeal. Generals Freyre, Campana, and Rodriguez Valdes, are regarded as being deeply interested in the results.

The expeditionary army assembled in Andalusia are going to return to their homes. General O'Donoghue has ordered the different corps to effect a movement in retreat.

On the 2d of April General Quiroga caused himself to be enrolled as a private soldier in the national militia of Cadiz. In all official letters written or received on this subject, the title *Citizen* precedes all others.

Ferdinand has addressed a Proclamation to the South Americans, calling on them to unite with the mother country under the new order of things.

IONIAN ISLANDS.

CORFU, APRIL 8.—Sir Thomas Maitland, the Lord High Commissioner, has just opened the third session of the Legislature of the Ionian Isles. His Excellency commenced his speech on the occasion by congratulating them upon the perfect tranquillity of the United Isles. Alluding to the cession of Parga, he observed, that it took place by virtue of treaties to which England had been ever faithful—she had indemnified the Parganotes, and granted them the rights of citizenship in the Ionian Isles.

UNITED PARLIAMENT.

HOUSE OF LORDS.

Thursday, April 27.

About two o'clock his Majesty came in state to the House of Peers, and being seated on the throne, the Gentleman Usher of the Black Rod was directed to summon the Commons to attend. The Speaker and several Members of the House of Commons soon appeared; but, notwithstanding precautions had been taken to prevent the promiscuous admission of strangers, it was with difficulty the Members could approach the bar. No person was admitted into the lobbies of the House of Lords without a Peer's order; but the desire to see the new throne, and to be present on the opening of the new Parliament by his Majesty, caused an unusually numerous attendance of Members of Parliament. There was also more than the usual proportion of ladies present at the delivery of the speech. The Speaker and the Members of the Commons, having got to the bar, his Majesty delivered from the throne the following speech:—

"My Lords and Gentlemen,

"I have taken the earliest occasion of assembling you here, after having recurred to the sense of my people.

"In meeting you personally, for the first time since the death of my beloved father, I am anxious to assure you, that I shall always continue to imitate his great example, in unceasing attention to the public interests, and in paternal solicitude for the welfare and happiness of all classes of my subjects.

"I have received from foreign Powers renewed assurances of their friendly disposition, and of their earnest desire to cultivate with me the relations of peace and amity.

"Gentlemen of the House of Commons,

"The estimates for the present year will be laid before you.

"They have been framed upon principles of strict economy; but it is to me matter of the deepest regret that the state of the country has not allowed me to dispense with those additions to our military force which I announced at the commencement of the last session of Parliament.

"The first object to which your attention will be directed is the provision to be made for the support of the Civil Government, and of the honour and dignity of the Crown.

"I leave entirely at your disposal my interest in the hereditary revenues; and I cannot deny myself the gratification of declaring, that so far from desiring any arrangement which might lead to the imposition of new burdens upon my people, or even might diminish, on my account, the amount of the reductions incident to my accession to the throne, I can have no wish, under circumstances like the present, that any addition whatever should be made to the settlement adopted by Parliament in the year 1816.

"My Lords and Gentlemen,

"Deeply as I regret that the machinations and designs of the disaffected should have led in some parts of the country to acts of open violence and insurrection, I cannot but express my satisfaction at the promptitude with which those attempts have been suppressed by the vigilance and activity of the Magistrates, and by the zealous co-operation of all those of my subjects whose exertions have been called forth to support the authority of the laws.

"The wisdom and firmness manifested by the late Parliament, and the due execution of the laws, have greatly contributed to restore confidence throughout the kingdom, and to discontinue those principles of sedition and irreligion which had been disseminated with such malignant perseverance, and had poisoned the minds of the ignorant and unwary.

"I rely upon the continued support of Parliament in my determination to maintain, by all the means entrusted to my hands, the public safety and tranquillity.

"Deploping, as we all must, the distress which still unhappily prevails among many of the labouring classes of the community,

and anxiously looking forward to its removal or mitigation, it is in the mean time our common duty effectually to protect the loyal, the peaceable, and the industrious, against those practices of turbulence and intimidation, by which the period of relief can only be deferred, and by which the pressure of the distress has been incalculably aggravated.

"I trust, that an awakened sense of the dangers which they have incurred, and of the arts which have been employed to seduce them, will bring back by far the greater part of those who have been unhappily led astray, and will revive in them that spirit of loyalty, that due submission to the laws, and that attachment to the Constitution, which subsist unabated in the hearts of the great body of the people, and which, under the blessing of Divine Providence, have secured to the British nation the enjoyment of a larger share of practical freedom, as well as of prosperity and happiness, than have fallen to the lot of any nation in the world."

Their Lordships then adjourned, and re-assembled again soon after five o'clock.

The Royal Speech being then read,—

Lord GRANVILLE rose and moved the Address. His Lordship slightly adverted to the momentous events of the late reign, and took occasion to compliment the new King on the firmness with which he had supported the measures taken to check the seditious and irreligious opinions arising out of the French Revolution. The overthrow of the military power of France had however left us in a most exhausted state, which, combined with the loss of our monopoly of trade, and the disbanding of the army and navy, had created a mass of distress that was open to be worked into discontent and tumult by the incessant inculcation of false and pernicious doctrines respecting the cause of that distress. It was, therefore, matter of compassion rather than of anger that men so situated, and necessarily ignorant with regard to great questions of policy, should be disposed to attribute their sufferings to causes quite foreign to the real ones, and should wish to resort to remedies incapable of affording them any relief. There was another circumstance which distinguished the present from all former periods, and which could not be overlooked in any view of the state of the country—he meant the great diffusion of education. This was regarded as one of the greatest advantages of the present age; but, in making this admission, it must at the same time be allowed that it afforded an opportunity for the dissemination of dangerous doctrines. Their Lordships had no reason to apprehend foreign war; but Europe was far from being in a settled state, and there was a mixture of good and evil in the events which had lately taken place abroad. Their Lordships would no doubt pray that those events might result in a well-ordered system of liberty, but should anarchy arise instead, he hoped it would not extend to this country. In conclusion, the Noble Lord referred to the commercial restrictions consequent on our war-monopoly, observing that it was now our well-understood interest that every nation should have its share in the commerce of the world; and one effect of the peace, he hoped, would be to produce a more equal and liberal reciprocation of commercial advantages.—[The Address moved was the usual echo of the Speech.]

Lord HOWARD seconded the Address.

Earl GROSVENOR, the Marquis of LANSDOWN and Lord HOWLAND, followed with a few observations. They expressed their intention of not opposing the Address on an occasion when unanimity was so desirable, but begged not to be understood as at all concurring on that account in its sentiments. The two first mentioned Noble Lords adverted to Lord Granville's notice of the late events in Spain, and declared their cordial and unqualified approbation of them. Lord Lansdown reminded the Noble Mover that the conflict of good and evil in Spain was occasioned by the long prevalence of evil—(Hear, hear!)—that it was caused by bad government; that the abuses of power led to the necessity of change, and that, if that change was attended with uncertainty and danger, it ought to teach a lesson to sovereigns not to create the necessity, and to subjects not to hazard it unnecessarily. (Hear!)

The Address was of course carried unanimously.—Adjourned.

Friday, April 28.

Nothing particular. The House adjourned to Monday, and went up in state with the Address.

HOUSE OF COMMONS.

The three first days of the week were occupied in swearing in Members.

Thursday, April 27.

At two precisely the Usher of the Black Rod summoned the House to the House of Peers, to hear the speech from the throne.

The Speaker, accompanied by all the Members present, proceeded thither accordingly; but the rush of the Hon. Members in the lobby was so violent, that it was with extreme difficulty the procession could advance at all. The Speaker's state-gown was nearly torn from his shoulders, and the sword of his train-bearer was broken to pieces in its scabbard. Several gentlemen, among whom were Mr. B. Bathurst and Sir Wm. Curtis, were unable to sustain the pressure.

At half-past four, the Speaker told the House what had passed in the Lords, and the usual address was then moved by Sir E. Knatchbull, and seconded by Mr. Wilmot.

Mr. TIERNEY and Sir F. BURDETT signified their willingness to pass the address unanimously, but guarded themselves against the supposition that they concurred in its sentiments. Sir Francis reprobated the present practice of moving an address immediately after the delivery of the speech, before they could possibly have time to consider its contents.

The address passed *nem. con.*—Adjourned.

Friday, April 28.

NOTICES OF MOTIONS.

Mr. M. A. TAYLOR gave notice, that on Tuesday next he should move for leave to bring in a Bill for compelling those who used steam-engines to consume their own smoke; and a Bill to punish furious driving.

Lord JOHN RUSSELL gave notice of a motion for leave to bring in a Bill to disfranchise the borough of Grampound, and to transfer the elective franchise to the borough of Leeds. In the course of the present Session he should submit to the House a motion for shortening the duration of Sir M. M. Lopes's imprisonment. (*Hear, hear!*)

Mr. BROUGHAM gave notice, that, at an early period after the Whitsuntide holidays, he should submit a motion relative to the education of the poor.

Sir H. PARNELL rose to give notice, that on Thursday, the 11th of May, his Hon. Friend, the Member for Dublin (Mr. Grattan), would submit to the House a motion, for the removal of the disabilities which the law at present imposed on his Majesty's Roman Catholic subjects.

Mr. LAMBTON rose to renew the notice which he had given in the last Session of Parliament, of his intention to bring before the House the present state of the representation, for Tuesday the 6th of June.

Lord A. HAMILTON gave notice, that he meant to bring before the House the question of the Scotch representation on the 24th of May.

Lord ALTHORP gave notice, that on Tuesday next he should move for leave to bring in a Bill respecting insolvent debtors.—Adjourned.

TUESDAY'S LONDON GAZETTE.

BANKRUPTS.

C. S. Harvey, Newcastle-upon-Tyne, brush-manufacturer. Attornies, Messrs. Morton and Williamson, Gray's-inn.
R. B. Muchall, Birmingham, merchant. Attornies, Messrs. Clarke, Richards, and Medcalf, Chancery-lane.
J. Swindells, Romley, Cheshire, dealer. Attorney, Mr. Tyler, Pump-court, Temple.
J. Barrow, Mould-green, Yorkshire, clothier. Attorney, Mr. Batty, Chancery-lane.
J. Broughton, Linthwaite, Yorkshire, cloth-merchant. Attornies, Messrs. Willis, Clarke, and Watson, Warrford-court, Throgmorton-street.
T. Palin, Hauley, Staffordshire, butcher. Attornies, Messrs. Price, Williams, and White, Lincoln's-inn.
W. Anderson, Bridgetown, Devonshire, brushmaker. Attornies, Messrs. Sandy and Cox, Crane-court, Fleet-street.
L. Hollis, Birmingham, victualler. Attornies, Messrs. Alexander, and Holme, New-inn.
T. Garbutt, Manchester, woollen-cord-manufacturer. Attornies, Messrs. Wright and Cole, Temple.
S. Minot, Philpot-lane, merchant. Attornies, Messrs. Reardon and Davis, Corbet-court, Gracechurch-street.
W. Wall, Weedon-Beck, Northamptonshire, smith. Attorney, Mr. Taylor, Walbrook.
J. Gardner, Birmingham, victualler. Attornies, Messrs. Beurdillon and Hewitt, Bread-street, Cheapside.
J. Welch, Ainsworth, Lancashire, cotton-cloth-manufacturer. Attorney, Mr. Ellis, Chancery-lane.
W. Stevenson, Sheffield, grocer. Attorney, Mr. Blakelock, Sergeant's-inn, Fleet-street.
I. Parker, Oldbury, Shropshire, victualler. Attorney, Mr. Lowe, Birmingham.
E. Hutchins, Gloucester, cheesefactor. Attornies, Messrs. Frowd and Rose, Serle-street, Lincoln's-inn.
S. Jackson, Remsey, Southampton, bookseller. Attornies, Messrs. Winter and Williams, Bedford-row.

SATURDAY'S LONDON GAZETTE.

BANKRUPTCIES SUPERSEDED.

J. Gundry, Goldsithney, Cornwall, merchant.
T. Gundry, Goldsithney, Cornwall, merchant.

BANKRUPTS.

W. Biggar, Manchester, brazier and brass-founder.
J. Kinder, Manchester, cotton-manufacturer.
W. Holt, jun., Rochdale, Lancashire, woollen-manufacturer.
G. Bate, Bristol, victualler.
W. Burton, Oxford-street, upholsterer.
J. F. Machin and J. S. Gill, Gloucester-street, Queen-square, surgical-instrument-makers.
J. South, Fulham, plumber.
J. Bower and J. Bower, Bradford, Yorkshire, woolstaplers.
M. Edwards and K. Edwards, Newport, Monmouthshire, linen-draper.
J. Newington, Tunbridge, farmer.
T. H. Parker, Bath, wine and brandy-merchant.
M. Cope, Derby, ironmonger.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Red. 68½ | 3 per Cent. Cons. 69½.

We regret that till next week we are prevented by the length of the Trials from inserting our Article on the Fine Arts.

THE EXAMINER.

LONDON, APRIL 30.

THE new Reign may be said to be officially commenced by the KING'S Speech to Parliament, and it would be lucky for the reputation of his Ministers with posterity, if that document were different from what it is. His MAJESTY is made to set out with saying, that he has assembled Parliament after having required to the sense of his people. How can GEORGE the Fourth be said to *require* (to say nothing of the bad grammar) to the sense of the people, because the law provided for the election of a new Parliament on the Demise of the Crown. And in fact, is it not speaking most unconstitutionally to say that any King *requires* (as if it were his own act) to the sense of the people in summoning the people's Representatives, according to the fundamental principles of the Constitution. What do the Speech-makers mean by causing the Sovereign of England to address his Parliament, when advertising to an exercise of popular right, in language which a Despot might be supposed to use, when announcing a *favour* to his passive subjects? This language might be attributed to mere ignorance or carelessness in ordinary times; but we think the reader will agree with us in considering it, when coupled with the late suppression of public meetings and the restrictions of the press, as a sign of the times.

On the rest of the Speech we cannot, if we would, supply long comment. "Of nothing, nothing can be said." The pacific assurances from foreign powers are as (vague as) usual; the "strict economy" of the forthcoming Estimates remains to be proved; his MAJESTY thinks as usual that the late disturbances were occasioned by the principles of sedition and irreligion, and as usual says nothing about hunger having a share in their production; he compliments the Magistracy, as usual; and promises the usual (though not hitherto successful) Ministerial "vigour."

The Court of High Commission has followed up its prohibition of the publication of its proceedings by fining the proprietor of the paper which violated it, to the amount of five hundred pounds. The injustice and injurious effects of these prohibitions we explained last week, and the other journals have taken up the subject in a manner

which leaves nothing further to be said. The power of the Court to execute its threat was much questioned before this decree, and as it did not cite its authority, it is now of course still more doubted. It is well asked, whether, if the Court can fine a man five hundred pounds, it cannot, by the same authority, imprison him for life? "The whole," as the *Times* says, "is in the clouds," but it nevertheless rains very hard on our bare heads.

THE STATE PRISONERS.—On Friday Thistlewood, Brunt, Ings, Davidson, and Tidd, were placed together in the condemned room. Ings, having recovered from his indisposition, has been double-ironed; the moment he got the irons on he began to dance about, and to exhibit a carelessness, which, from the previous conduct he had manifested, it was thought did not belong to his real character. The Rev. Mr. Cotton's efforts were fruitless: they said they wanted not his assistance. "They were Deists." They were yesterday removed to separate cells. "It is expected" says the *Courier*, "that the execution will not long be delayed—and that it will take place in the course of next week, at the usual place for such scenes, in the Old Bailey."

MR. SHERIFF PARKINS.—At a Court of Common Council on Friday, a Committee reported, that Mr. Sheriff Parkins was guilty of the charges brought against him by the Lord Mayor some time back. These were, of not going to Court in a state-coach, and the neglect of some other usual frivolities. Some members wanted to compel Mr. Parkins to pay his share of the cost of these gewgaws, and others spoke of his conduct as a disgrace to the city, but the matter was got rid of by adjournment. Now as these Gentlemen did not specify what they objected to, except as to an alleged roughness of manner (no very grievous charge, however), it is difficult to answer their cavils. But we do know, that Mr. Parkins has opposed himself since his election to a variety of long-standing abuses in the exercise of the office of Sheriff; to shameful extravagance at the expence of the wretched. And in doing this (though at the same time performing his arduous duties with indefatigable industry and zeal) he has necessarily got a pack of corrupt curs yelping at his heels, who vent their spleen at his public spirit by calling his manners "ungentlemanly," &c. Let Mr. Parkins, however, despise such petty revenges. Let him persevere in the correction of the glaring abuses that he necessarily comes in contact with, and he will not need the reputation of being as soft spoken as Court minions.

REPORTERS.—It appears from our Law Report, that on Tuesday some of the Students presented a Memorial to the Court at the Old Bailey, in consequence of which the Reporters were turned out of the box where they are usually accommodated, at a time when there was ample room for the Students themselves to have taken their seats without disturbing a single Reporter. The Reporters ought certainly to have an excellent place of their own in Court; but in default of this, what could be more contemptible and invidious than this petty annoyance on the part of the Students. They have since quietly allowed the Reporters their usual seats; but if they should again disgrace themselves, we shall, if possible, expose their names.

The Editor has not room, nor indeed health at this moment, to indulge himself in some Literary Notices which he intended to make; but he cannot, in the mean time, help recommending his readers to the *Life of Mr. Edgeworth*, father of the celebrated authoress; and to the *Retrospective Review*, a new and most refreshing publication, which is absolutely critical, and at the same time deep and well-natured. The *Cenci*, we understand, had nearly gone through the first edition some weeks ago.

The toast of "The Queen" was not down in the Stewards' list at a charitable dinner, as a Correspondent stated last week.

The Electors of Westminster intend, it is said, presenting a superb silver vase, sufficient to contain six quarts wine measure, to Sir Francis Burdett.

THEATRICAL EXAMINER.

No. 396.

DRURY-LANE.

THE Editor has been so unwell, that it is advisable just now he should not write more than he can possibly help. His readers therefore, from whom he is so little in the habit of taking leave of absence, or of wishing to do so, will, he is sure, excuse him for sparing himself a little for a week or two longer. We must confess indeed (to resume the style royal of criticism) that since we have witnessed Mr. KEAN's performance of *Lear*, we are the less unwilling to cut short the theatrical part of our subjects; for we are unfortunate enough to differ with our brother-critics upon its scale of merit. We say unfortunate, not because it is our business to lament a mere difference of opinion in general or upon all points; but because there are some writers with whom we like to agree as we do with pleasant company; and because we would rather fall in at all times with the general opinion, where it is on the side of approbation and enthusiasm. Mr. KEAN's performance of *Lear* is undoubtedly better than any other actor's is likely to be, with whom we are acquainted. There are even some touches in it, in the more familiar and domestic parts at the end, which are masterly and complete. It is consequently worth going to see by all who are not frightened away by the visible anatomizing of a tortured old heart, or by Mr. TATE's endeavours to patch it up again, and make it "live happy after." But we are exceedingly sceptical as to the power of any actor to represent such a mind as *Lear's*, just as we are in the case of *Hamlet*. The acting faculty is a thing not intellectual or sensitive enough; and if it were, it would defeat itself; it would sink under such a wear and tear of the union of thought and passion with the physical representation of it. Still, to confess the truth, we had higher expectations of Mr. KEAN's *Lear* than we found realized. We were afraid, that though not good enough, he would be too good a representative of the maddened old father. The obstinacy of the character, we thought, would be a suitable substratum for him to work on; and we knew he could be pathetic, for he is highly so in *Othello*. But *Othello* is a common every-day person to *Lear*;—we mean in the cast of his intellect. The latter is all imagination as well as passion; and here it was, we think, that Mr. KEAN found himself baffled; for however appearances may have been since, we shrewdly suspect that on the first night, neither he nor his audience well knew what to make of the business. All the imaginative parts,—the whole scene of the storm for instance,—fell as flat as the actor's voice. His favourite piece of abruptness,—the one sudden drop of his voice, would not do here. It was not enough by a hundred. *Lear* should have been all abruptness and distraction,—a mind torn a hundred ways; not one, nor fifty. Mr. KEAN fairly seemed to read most of the passages. His best touches consisted in looking stedfastly, and moving his hands about. But he should have looked a hundred ways and things; he should have varied his voice as often; he should have been loud, and low, and monotonous, and tossing about, and loud again, "like the vexed sea," and quiet, and fantastic, and full of a sort of mockery of his own dignity without altogether losing it, and silent by fits, and shifting from place to place, and making fantastic postures on the ground, and even hanging his hands idly, and running helplessly about, shaking his old impotent gray locks. But then how could all this have been borne? An actor who performs *Lear* truly, should so terrify and shake the town, as to be requested never to perform the part again. If he does this, he does it well. If not, he does not do it at all. There is no medium, in a scene which we are to witness with our eyes, between an

unbearable *Lear*, and no *Lear*. In SHAKESPEARE'S time, the scenery, dresses, &c. were so unlike any thing real, and the public came so much more to hear the *writing* of the thing than to see the acting of it, that it was comparatively another matter; but now that the real bodily old man is before us, with his white beard, and the storm howling about him, we ought not to be able to endure the sight any more than that of a mad old father in the public street. And indeed we are little able to do so, as it is. "We want," as Mr. LAMB says, "to take him in and relieve him." That is all the feeling," continues this excellent critic, in a passage which will say all and much more than we have just been saying, "which the acting of *Lear* ever produced in me. But the *Lear* of SHAKESPEARE cannot be acted. The contemptible machinery by which they mimic the storm which he goes out in, is not more inadequate to represent the horrors of the real elements, than any actor can be to represent *Lear*: they might more easily propose to personate the Satan of MILTON upon a stage, or one of MICHAEL ANGELO'S terrible figures. The greatness of *Lear* is not in corporal dimension, but in intellectual: the explosions of his passion are terrible as a volcano: they are storms turning up and disclosing to the bottom that sea, his mind, with all its vast riches. It is his mind which is laid bare. This case of flesh and blood seems too insignificant to be thought on; even as he himself neglects it. On the stage we see nothing but corporal infirmities and weakness, the impotence of rage; while we read it, we see not *Lear*, but we are *Lear*—we are in his mind, we are sustained by a grandeur which baffles the malice of daughters and storms; in the aberrations of his reason, we discover a mighty irregular power of reasoning, immethodized from the ordinary purposes of life, but exerting its powers, as the wind blows where it listeth, at will upon the corruptions and abuses of mankind. What have looks, or tones, to do with that sublime identification of his age with that of the heavens themselves, when in his reproaches to them for conniving at the injustice of his children, he reminds them that "they themselves are old." What gesture shall we appropriate to this? What has the voice or the eye to do with such things? But the play is beyond all art, as the tamperings with it shew: it is too hard and stony; it must have love-scenes, and a happy ending. It is not enough that *Cordelia* is a daughter, she must shine as a lover too. TATE has put his hook in the nostrils of this Leviathan, for Garrick and his followers, the showmen of the scene, to draw the mighty beast about more easily. A happy ending!—as if the living martyrdom that *Lear* had gone through,—the flaying of his feelings alive, did not make a fair dismissal from the stage of life the only decorous thing for him. If he is to live and be happy after, if he could sustain this world's burden after, why all this pudder and preparation,—why torment us with all this unnecessary sympathy? As if the childish pleasure of getting his gilt robes and sceptre again could tempt him to act over again his misused station,—as if at his years, and with his experience, any thing was left but to die."

COVENT-GARDEN.

The new piece at this house, *Henri Quatre*, is worth little in its dialogue or song, as the author modestly insinuates in an advertisement; but the spirit that helped him to discover this, has thrown a general feeling over the play, the result of which is, somehow or other, very pleasant. The secret is, we believe, that he evidently relishes the gallant and good-humoured character of his hero; and it is difficult for an author to have a perception of this sort, abstracted from the sense of his own merits as a writer, and not do something with it. The scenery, and the nation concerned, are also helps. The former reminded us of the favourite republican song,

O'er the vine-covered hills and gay regions of France,
See the day-star of Liberty rise.

There is a scene of a French village, snug in a corner, with its thatched cottages, and its clump of trees for dancing under, which is alone a cordial to the eye;—and then the

country festival and the dance,—the social royalty of *Henry*, contrasted with the more prudent though inferior greatness of his minister *Sully*,—the young French officers, enamoured equally with their swords and mistresses,—the gay coquetry of the village bride, young *Madame Jocrisse*,—the aspiring content of the jealous bridegroom, when he hears that it is the king who has been kissing his wife's lips,—after which, he says, "there is no knowing what may happen,"—all this is as pleasant and refreshing, as looking on a fine day in summer time. It gave a filip to our pen-and-ink veins to see it.

We must not forget, that there is an excellent situation towards the end of the piece, where a lover, who has been imprisoned and sentenced to death without the knowledge of his mistress, gets out of jail on his parole to go and sign the contract of marriage between her brother and his own sister, on condition of returning before morning to be shot. He goes to the wedding-party accordingly, amid the lights and smiles, and the presence of his mistress! But it all ends well at last.—CHARLES KEMBLE, in this character, gives us an excellent piece of acting, in a scene where he is wrapt up in a state of despondency. Mr. ABBOTT, in his brother-officer, behaves also much to the purpose. He has got rid, we see, of a good deal of his frowning; which, in a French drama in particular, is a happy improvement. Mr. LISTON carries us away with him as usual, in the aspiring *Mr. Jocrisse*. Miss TATE makes as pleasant a mixture of the singer, dancer, and good-natured coquet, as *Henry* himself could desire; and *Henry* himself is represented with good picturesque gallantry by Mr. MACREADY, whose voice alone seems to bring to one's mind that most unusual kingly compound of elevation and gentleness of character, full of vigour, and grace, and harmonious tendencies.



SPANISH LIBERTY.

On Wednesday, a magnificent dinner was given at the Albion tavern, in honour of the restoration of Spanish liberty. The room was superbly decorated. In the centre hung a large transparency, containing three ovals, surrounded with laurel. On the top of the middle one was the word Constitution, from which rays of light were seen descending on the Spanish arms, and underneath, Ferdinand. On the two side ones were inscribed the names of Quiroga and Riego, surrounded with rays of light. The transparency was supported by two beautiful Spanish flags, and opposite was a flag bearing the Arms of the City of London and the Union Jack. In the four corners of the room were flags bearing the names of Arco-Aguero, Mina, Acevedo, and Agar, each surrounded with a wreath of laurel. The tables were decorated with garlands of flowers and appropriate emblems, surmounted by small Spanish banners, on which were the names of the chief battles fought in Spain during the late war. The Duke of Gloucester's band played Boleros and other Spanish national airs during the repast. M. Bernales, an eminent Spanish merchant, was in the chair, supported by the patriot exiles—Correa, Robles, and Gallardo.

After a dinner, which exceeded both in comfort and splendour all the customary fetes of the metropolis, M. Bernales rose, and, in an animated speech, full of liberal sentiments, proposed as a toast, "The Spanish nation." This was drunk with immense applause; and a song, composed for the occasion, to a national tune, was sung amidst the acclamations of the company. Several other appropriate toasts were given, and received with considerable applause; but it is not in the power of language to describe the enthusiasm with which the healths of Quiroga and Riego were received. The shouts of "Viva!" the waving of handkerchiefs, in short, every expression of joy and satisfaction, lasted for at least a quarter of an hour: indeed, rapturous as is the usual declaration of an Englishman's sympathy with his favourite political sentiments, yet it is impossible for him to conceive the tumultuous excitement which the mention of these illustrious names produced, unless he could put himself back to the age of William III., and suppose for a moment how the healths of Sidney and Russell would have been received, had they been alive, at the first public dinner in that reign.—After several other toasts, the health of the Spanish refugees was given, and drunk with applause that lasted for several minutes. M. Gallardo rose to return thanks; and in a speech that lasted for 20 minutes, by turns delighted, astonished, and excited his

audience with the most liberal sentiments, expressed in the most beautiful, glowing, and sublime language.

After the health of this distinguished patriot, the Chairman gave "The health of the Duke of San Carlos." His Excellency returned thanks, and in the warmest terms recommended oblivion of the past, and union among all the friends of Spain.

The next toast was the health of Sir Thomas Dyer, who returned thanks in a speech full of energy and simplicity.

The Chairman, accompanied by some of the principal persons, left the chair, at twelve o'clock.

All the speeches were in Spanish, except that of Sir Thomas Dyer.

LAW.

COURT OF KING'S BENCH.

Monday, April 24.

THE KING v. SIR FRANCIS BURDETT, BART.

The Court was extremely crowded to hear the proceedings on this motion. Sir F. Burdett, Mr. Hobbhouse, &c. were in Court.

Mr. DENMAN moved for a rule to shew cause why the verdict obtained for the Crown in this case, at the last assizes for the county of Leicester, before Mr. Justice Best, should not be set aside, and a new trial granted. The Learned Counsel stated three grounds for this motion. The first was,—That there was no evidence of the publication of the alleged libel in Leicestershire. A witness was called to prove that Sir F. Burdett was seen in that county on the 22d of August, the day on which the Letter was written, and other evidence shewed that it was published in London by the persons to whom it was directed. Now, admitting the Letter to have been written in Leicestershire, that was not criminal by itself; however mischievous when published it might be calculated to be, yet, as long as the author did nothing more than commit his thoughts to writing, he was under no legal responsibility. There was an Act of Parliament which must be familiar to all who were versed in the history of our constitution; he alluded to the Act which reversed the attainder of Algernon Sydney, by which it was declared, that mere writing was not a sufficient proof of an intention to publish.

The CHIEF-JUSTICE asked whether Mr. Denman had the Act.

Mr. DENMAN said, No; it was a private Act.

Mr. Justice BEST.—I stated to the Jury, that as far as Sir Francis Burdett was connected with this paper, the only material evidence was as to what took place in Leicestershire. The very first time that the letter is seen, it is found open in the county of Middlesex. It had no seal upon it, and might have been delivered open in Leicestershire, which open delivery would have amounted to a publication. The Jury expressly found that it was published in the county of Leicester; inferring, I suppose, that the Letter was delivered to Mr. Bickersteth, who was not called, and that this delivery took place in Leicestershire.

Mr. DENMAN intimated, that he should advert to his first proposition, which was, that the writing a libel was no offence unless publication followed by the act of the writer himself.

Mr. Justice BEST.—I said at the time that I could not go the length of my brother Vaughan, that the mere writing was sufficient to constitute an offence upon this information; but there was evidence here that the paper in question had been forwarded to London for the purpose of publication.

Mr. DENMAN.—A publication in Middlesex was not a publication in any other county. Neither in law, nor in common sense, could any address or communication to the minds of others be said to be published, except where its contents were made known. He was sure that he spoke the sense of the whole profession when he stated, that no distinction could be maintained between publishing and causing to be published. Whether the libel was or was not published in Westminster formed no question in the present case; and the only point to which the Jury had to apply their attention was, whether a publication had taken place in Leicestershire. Now, if the evidence stopped short at the mere writing within that county, the Jury were not warranted in presuming any thing farther. There was a *locus penitentiae* (or opportunity for repentance), to the advantage of which every individual had a claim; and it was for the other side to prove that an intended offence had been brought to a completion. The Learned Counsel remarked on the extraordinary omission on the part of the prosecution in not calling Mr. Bickersteth, to whom the Letter of Sir Francis was addressed. But instead of taking that course, which would have set at rest the question of the place of publication, they had chosen to call upon the Jury to declare on their oaths what no man of honour could dare to assert, viz. that Sir Francis published the Letter in Leicestershire, though only one presumption out of many led to that conclusion.

Mr. Justice BEST.—It did not appear that they knew where Mr. Bickersteth was to be found.

Mr. DENMAN.—My Lord, it was their duty to have inquired. It is possible that Sir Francis Burdett, who appeared to have been riding about the country, might have himself put this Letter into a post-office in Rutlandshire, Northamptonshire, or any other adjoining county; not, however, admitting that his so doing would have been evidence of publication in any one of them. All the proof, however, was confined to the writing, and, as the mere writing was no offence—

Here Mr. Denman was interrupted by the Chief-Justice, who requested him to argue that point before he proceeded any further,—observing, that in the case of the "King v. Vere," Lord Holt had laid down that writing was a substantive offence.—Mr. Denman said he thought that case had been long considered as bad in law.—The Judge asked on what account.—The Learned Counsel could not then name any particular deciding case, but appealed to the general understanding.—The whole Court, however, seemed to think the case referred to was still good law, on which,—

Mr. DENMAN said he felt much obliged to their Lordships for mentioning these cases; but, as they appeared to him to involve a most important and most appalling doctrine, he would abstain at present from all argument upon it. The question had gone to the Jury upon a point altogether different from this.

Mr. Justice BEST admitted there was no distinct evidence of publication in Leicestershire; and it was therefore for the Jury to infer, or not, from the circumstance of the Letter being found open, that it was delivered open originally to some person.

Mr. DENMAN said, he should not now argue the question of writing alone being criminal, lest he might injure the cause of a free press; but as to the other new point, that of causing, in Leicestershire, a publication elsewhere, he had always understood, that publishing and causing to be published meant the same thing. A hundred different and trivial circumstances might be said to cause publication. If a man drew out his ink-stand, or took paper to write, those acts were necessary before a libel could exist; but they were not causes of publication. Writing and composing were the only causes of publication inasmuch as they preceded and gave birth to the thing published. As there was an utter defect in evidence as to the publishing in the county of Leicester, it could not be said that publication had been caused in that county. The Learned Counsel cited the case of the Seven Bishops, in which in default of the Crown proving the publication of the letter having been procured in Surrey, the prosecution was obliged to be carried on in Middlesex. He also cited other cases, in which libellous letters had been put into the post, and showed, that there had always been a distinction between offences which were completed by the act of the first party, as in the instance of putting a challenge into the post, and those which were only completed by the concurrence of a second party, as putting a libel in the post in one county which was made an offence by its reception by the party to whom it was addressed. The Learned Gentleman then came to his second point. The Letter of Sir Francis Burdett spoke of the Manchester military having killed and maimed unresisting people; and he (Mr. Denman) had offered to call evidence to prove that accusation. Mr. Sergeant Vaughan had contended, that, supposing every thing to be true in the defendant's letter, still it was improper so to speak of persons who might afterwards be called to account. But the charge in the indictment was not of any intention to defame their persons, but the government. In the case of the "King v. Horne," the defendant was prosecuted for having charged the King's troops with committing murder at Leington; and evidence was gone into as to the truth of the facts. He (Mr. Denman) felt it his duty to submit, that in all cases of this description, where no charge was brought against any one individual, but where the whole resolved itself into an assertion of, or animadversion upon, facts of a public nature, the truth of the facts or their falsehood made every imaginable difference. If they were fabricated, it could only be for some evil purpose, and a great offence was unquestionably committed; but, if true, the only question would be—had they been properly discussed or commented upon in a manner suitable to their importance? He apprehended that the old principle, as to truth being no justification, must be confined to cases of libel upon individuals in which the ends of justice could hardly be obtained by means of defamatory attacks upon character. But how could malice be inferred from a commentary on the proceedings of multitudes, or, as in the present case, on the conduct of the King's troops? It would have been for the Jury to have considered, whether the comments of Sir Francis were born out or not, but the facts alleged in the Letter should have been certainly first settled.

Mr. Justice BAYLEY here asked the Counsel, whether, in that case, he should conceive his client entitled to an acquittal?

Mr. DENMAN.—That was a point upon which neither he, nor

with great deference, their Lordships, could exercise any judgment. It was a question for the Jury alone.—He now came to his third point. The Learned Judge (Best) had told the Jury, that he was bound to direct them, as a matter of law that the publication was a libel. Now by the Libel Act, the Judge was to give the Jury the law on the subject, and to give his opinion on the guilt or innocence of the defendant. If the Learned Judge's was a proper direction, there would have been no occasion for the Libel Act, because the Jury were bound to take the law from the Judge.

Some conversation followed.—Mr. Justice Best admitted he had felt it his duty to state the law to the Jury, but had left open the question of intention. In reply, Mr. DENMAN quoted another extract from the Judge's charge, in which he told the Jury, that they would take the law from him, if they thought him right, and then they must judge of the evidence.

The Chief-Justice said, that, as at present advised, the Court did not think there was sufficient ground for granting the rule. They would, however, consider further before they either granted or refused it; and the motion might therefore stand over to a future day.

Wednesday, April 26.

EARL OF DARNLEY v. BLIGH.

This case, which has been argued several times, was now finally settled. The facts are these:—Mr. Bligh, as our readers doubtless remember, has been before compelled to give recognizances to keep the peace towards the Earl of Darnley and his family. Last summer, Mr. Bligh was under recognizances to the amount of 10,000*l.* and two sureties for 500*l.* each, to keep the peace; but on representing to Lord Darnley, that he had been compelled to deposit a sum of money, in order to obtain those sureties, which he then wanted to go to the Continent, his Lordship consented to rescind the two sureties, and accept, in lieu of them, Mr. Bligh's written promise. This was done, but Mr. Bligh, instead of performing his engagement, followed Lord Darnley to Sandgate, (a watering place) where he took lodgings opposite him, and subsequently to Berkeley-square, where he also lodged, always following and haunting the Noble Earl, and lately on one occasion having used threatening language to him in the square. Lord Darnley consequently exhibited articles of the peace against the defendant, who was committed to the Marshalsea in default of producing securities. He was this day brought up, on a rule to show cause why his own recognizance for 2000*l.* should not be accepted.

The amount of security was therefore the question discussed. For the plaintiff, it was argued, that Mr. Bligh had never paid the least attention to his engagements, when only bound by his own responsibility, though he always had, when others were concerned for him; and therefore that the plaintiff was entitled to the latter security.—For the defendant, it was urged, that by ordering him to give securities which he could not procure, he was punished as much as for a crime which he had not committed.

The Court decided that Mr. Bligh must now enter into recognizances to keep the peace towards the Earl and family for four years, himself in the sum of 2,000*l.*; and either two sureties of 500*l.* each, or four of 250*l.* each, as he should find most convenient.—Mr. Bligh was then removed out of Court in the custody of the tipstaff.

THE KING v. HENRY HUNT AND OTHERS.

Mr. Hunt entered the Court, accompanied by Joseph Johnson, John Haaly, and Samuel Bamford; and on being named by the Chief-Justice, requested that the case might stand over for a short time, on account of the engagement of Mr. Pearson his attorney at the Old Bailey. The Chief-Justice asked Mr. Hunt various questions respecting the grounds of his application for a new trial, in reply to which Mr. Hunt stated them to be as follows:—

1. That the Learned Judge on the trial prevented the reception of evidence respecting the acts of aggression committed by the Manchester Yeomanry, as well as all cross-examinations to elicit such facts.
2. That the Judge admitted evidence which ought not to have been received, viz. evidence of the Smithfield Resolutions and the trainings at White Moss.
4. That the Jury decided contrary to evidence.
5. That the verdict was opposed to the direction of the Learned Judge.

The case was appointed for Monday.

WRIGHT v. CLEMENT.

The plaintiff had obtained 500*l.* damages from the defendant for a libel in *Cobbett's Register*. Judgment was arrested this day, after some argument, on the ground of a defect in the plaintiff's declaration, which only professed to give the substance and not the words or tenor of the libel!!

OLD BAILEY.

HIGH TREASON.—TRIAL OF THISTLEWOOD.

[We now proceed to give an extract of the evidence, &c. on the State Trials which the Court would not allow to be published while they were pending. We have not thought it worth while to go into the details of the arrest of the conspirators in Cato-street, with which every body must be familiar, and respecting which there was no question on the trial.]

The ATTORNEY-GENERAL stated the case for the Crown. He gave a history of the plot as proved in evidence and then proceeded to impress upon the Jury the force of the undoubted circumstances against the prisoners, such as the quantity of arms they had prepared, both in the stable in Cato-street, and the houses of Brunt and Tidd. Against the prisoner at the bar he particularly urged, as proofs of guilt, his ferocious resistance to the peace-officers, and his flight to an obscure lodging in Whitecross-street, where he concealed himself.

The first Crown witness was Robert Adams, formerly a soldier in the Life Guards, who had been connected with the conspirators, though he had (according to the Attorney-General) repented and betrayed their designs on the 23d February. He stated, that he knew the prisoner Brunt, having met him at Cambray, in France, in 1816. Brunt and Ings introduced him to Thistlewood on the 13th January last. Thistlewood asked him if he was a good swordsman? Witness replied, he could use a sword to defend himself, though want of practice had made him less expert. On this Thistlewood said,—"There was no person that was worth 10*l.* that was worth anything for the good of his country. As for the shopkeepers of London, they were a set of aristocrats together, and were all working under one system of government; he should glory to see the day that all the shops were shut up and well plundered." His discourse then turned to Mr. Hunt—he said that "Mr. Hunt was a coward and no friend to the people, and he had no doubt if he (Thistlewood) was to get into Whitehall, he would find his name on the books as a spy to Government." He then turned to Mr. Cobbett, and said "that he and his writings were no good to the country, and he had no doubt he was a spy, as well as Hunt." Witness went to Whitecross-street prison for debt on the 17th January; he remained there 14 days; he came out on Sunday, the day after the death of the King. After he came out, he saw Thistlewood on the next evening in a back room on the same floor of a house in which Brunt lived, in Fox-court, Gray's-inn-lane. Brunt, Ings, Hall, and Davidson, were present; nothing particular took place on that night. He met them again on the Wednesday evening—Thistlewood, Brunt, Davidson, Harrison, and Edward-Y were present. Thistlewood expressed his surprise that the prisoner Bradburn had not got ferrules put upon a number of fresh-cut pike-staves, which were in the room. These meetings were held twice a day from that time to the 23d February. Witness heard Brunt say he had hired the room in which they met, for Ings. One day, Harrison and Thistlewood proposed a plan for rising while the soldiers were at Windsor attending the King's funeral, seizing the artillery in Gray's-inn-lane and the Artillery-ground, and getting masters of the metropolis before next morning! A part of this plan was, that they were to go to Hyde-park, and prevent any orderly from going to Windsor; and to take possession of the telegraph over the water, to prevent a communication being made to Woolwich! Brunt and Ings then came in, and on being told of the plan, Brunt declared he would never be satisfied with any thing short of the assassination of Ministers. On the 19th, Thistlewood, Harrison, Davidson, Brunt, Ings, and Hall, met in Fox-court. When witness entered, they told him it was all settled; that they were all so poor they could wait no longer. It was settled that a committee should draw out a plan. Witness went again next morning, which was Sunday the 20th. Thistlewood, Davidson, Tidd, Cook, Hall, Bradburn, Edwards, Harrison, and Wilson, were present. Tidd took the chair, and Thistlewood told the meeting, that they were tired of waiting longer, and if they could not find the Ministers together before Wednesday, they should take them separately at their respective houses. "I suppose," continued he, "we can take as much as 40 or 50 men to do the west end job—and I propose at the same time, that the two pieces of cannon in Gray's-inn-lane, and the six pieces of cannon in the Artillery-ground shall be taken." He then called upon Cook to take the lead and command at the taking of the six pieces of cannon at the Artillery-ground. After these were taken, he proposed that the Mansion-house should be taken, as a seat for the provisional government; then they were to make a descent on the Bank of England—and he proposed that Palen should be the man to set fire to the different buildings in the different parts of London. Brunt then proposed that the men should be looted, and that one man out of each party should be chosen to assassi-

nate, and he should be run through the body if he failed to do it. Palen, Potter, and Strange, came in: they were told what the plan was, and agreed to it. Mr. Palen asked if he was to tell the men whom he was to speak to what was going to be done. Mr. Thistlewood replied that he was to act according to his own discretion. Brunt and Palen then went out to see if Furnival's Inn was a good place to set fire to, and on returning reported that it was. There was a meeting again on Monday, and another on Tuesday morning. At the latter, Brunt, Ings, Hall, Davidson, Harrison, Wilson, Palen, Potter, and Bradburn, were present. *Edwards came in, went up to Thistlewood, and told him there was to be a Cabinet dinner next night.* Thistlewood sent for a paper to ascertain the fact: it contained an account that there was to be a Cabinet dinner at Lord Harrowby's, in Grosvenor-square, on Wednesday evening. On this Brunt walked towards the window and said, "I'll be hanged if I don't believe now that there is a God; I have often prayed that these thieves might be brought together, in order that they might be destroyed together; and now God has answered my prayer." Witness was then put in the chair, but in some confusion which followed, he was put out, and Tidd took it. Thistlewood said it would be a rare haul to murder all the Ministers together, and proposed, that one should go with a note to present to the Earl of Harrowby, and when the door was open, the other men to rush in and seize the servants, and threaten them with death if they stirred. At the same time men were to rush into the room in which the Cabinet Ministers were, and to murder them all, good and bad. Ings offered to enter the room first with a brace of pistols, a cutlass, and a knife in his pocket, and with a determination to cut off every head there, and to bring away Lord Castlereagh's and Lord Sidmouth's heads in a bag which he was to have for the purpose. He said he would say on entering the room, "Well, my Lords, I have got as good men here as the Manchester Yeomanry! enter citizens, and do your duty!" Harrison (who had been in the Life Guards) and witness, were selected by Thistlewood as the swordsmen. After the murder Harrison was to go to the King-street cavalry barracks, and set fire to them by throwing an illumination-ball into the straw-shed. The cannon in the city, the Bank and Mansion-house, were then to be taken possession of, as before described. Harrison proposed as a watch-word, that they should hail one another by saying *but*, and if the party hailed answered *ton* (making *but-ton*), he would be known as a friend. On Tuesday, afternoon, witness went to the room, and found *Edwards* making fuse for the grenades, and Ings and Hall making illumination balls. For the sake of providing against betrayal, Davidson was sent on watch at Lord Harrowby's at six o'clock. Brunt and witness went to relieve him, but first had refreshment in a public-house, where Brunt played at dominoes. The next (Wednesday) morning, witness went to Fox-court, and found Brunt, Strange, and two strangers, who were arming themselves (there were swords and fire-arms in the back-room) and putting flints in the pistols. Thistlewood, Ings, and Hall, came in; and the former, having sent for paper, wrote three placards in the following words:—

"Your tyrants are destroyed. The friends of liberty are called upon to come forward. The provisional government is now sitting."

"February, 22, 1820."

Thistlewood's hand trembled, and he got a strange man to write to his dictation; but witness did not know what became of the papers subsequently written. Ings was preparing himself. He put on a black belt round his waist, and another on his shoulder, with pistols in them. He also put on two bags or haversacks, and taking a large knife in his hand, brandished it, and swore he would bring away two heads in his bags, with Lord Castlereagh's head, which he would pickle, and it might become a curiosity. The knife-handle was covered with wax-end, to prevent it slipping. Palen then came in, and after seriously reminding them of the business they were engaged in, and the necessity of avoiding half-measures, they set out for Cato-street, two and two, with arms under their coats. Some of the men previously wished to know what they were going about, but Brunt said they should be told in Cato-street. Witness went to the stable, and found in the loft, Thistlewood, Harrison, Brunt, Davidson, Wilson, Hall, Bradburn, Strange, Cooper, and others, in all 18. Two were down stairs; and Tidd soon after arrived. They were talking about the assassination, when a noise below was heard; and the officers came up stairs. Two stood in front: one with a pistol and said, "Here's a pretty nest of it." We have got a warrant to apprehend you all, and hope you'll go peaceably." At this instant, one of the officers behind said, "Make way," and came forward. At that moment a group that had got into a little room of the loft, advanced, when he saw an arm come forward, and another arm follow it with a pistol. He saw the officer fall, and heard a pistol discharged, upon

which the candle was put out. He went down the ladder, and went home, and was apprehended on the Friday following. The witness now identified several of the prisoners at the bar. He did not know Strange, Bradburn, or Gilchrist. [It should be observed, that this witness narrated almost all the conversations, propositions, &c. at the numerous private meetings in the very words which he alleged were used; and he also stated, in the course of his evidence, that he had given the conspirators cautious hints on various occasions, which created some suspicion among them against him.]

Cross-examined.—He did not go with the intention of assassinating Ministers: his real intention was entirely opposite. He was only induced to attend the meetings by Brunt's threats. His reason for telling all he knew was, that his conscience reproached him, and because he had vowed to God, if he was spared, to tell all. He had not seen *Edwards* since Feb. 22. *Edwards* seemed to be in close connection with Thistlewood and Brunt.

Mary Rogers, the daughter of the landlord of the house in Fox-court, and *Eleanor Walker*, his servant, proved, that a room had been let to a man for 3s. a week whom they did not know. Mary Rogers had heard he was a butcher out of work. One evening three men went up to his room, one was a black. Brunt lodged in the house.

Joseph Hall, apprentice to Mr. Brunt, swore positively that the prisoner Ings was the man whom his master brought to lodge there. Every evening, a number of visitors came, who sat in Ings' room. Among them were, constantly, Thistlewood, Tidd, Bradburn, *Edwards*, Hall, Potter, Strange, Adams, Davidson, and others. One day he saw twenty long poles in the room, and often heard hammering, &c. There were meetings in the mornings of Sunday the 20th February, Monday, Tuesday, and Wednesday. On the latter day, witness described the putting of flints into pistols, &c. as stated by Adams. All the persons went out about five, and his master returned about nine at night: his clothes were very dirty, and he seemed much confused; he said to his wife, "All is up! Where I have been a great many officers entered, and I have saved my life, that is all." A man came in, and his master went out with him. While they were absent, witness and Mrs. Brunt found some rolls of paper, tar, and hand-grenades, in a cupboard. Next morning, his master got up, and was packing these things in baskets, to send away, when the officers entered and seized him.

A watchman of St. George's, Hanover-square, proved having seen four men prowling about Grosvenor-square at half-past eight on the 22d February: one was a very dark or black man.—The servant of an apothecary proved having played at dominoes with Brunt in a public-house near Lord Harrowby's, on the same night.—A journeyman cutter, employed by Mr. Underwood, stated, that a man dressed like a butcher had come to their shop and had two swords made particularly sharp, at two different times: he said his name was Ings.—*James Aldous*, a pawnbroker, knew the prisoner Davidson, who came to his shop on the morning of the 23d of February, and took a brass barrel blunderbuss out of pawn.

Thomas Hidon, cow-keeper and milk-man, was formerly a member of the shoemaker's club, by which means he knew the prisoner Wilson. Some days before the 23d February, Wilson met him at the club, explained the plot to assassinate Ministers, and requested him to join. The witness then gave an account of his having informed Lord Harrowby of the conspiracy by his giving him a note in the Park. Witness went to meet Wilson and Davidson on the 23d February, and the latter complained he was after his time.

The Earl of Harrowby corroborated the statement of the last witness. On cross-examination, he said,—"I had general information respecting some plot, before I saw the man in the Park. I don't know one *Edwards*. We had had, for a considerable time, reason to expect that some attack of this nature was intended. I believe we heard of it a month or two before."

John Monument (brought in custody from the Tower) was a shoemaker and lived near Brook's market. He knew Thistlewood, who, as well as Brunt, called on him several times, talked to him about a great change, and asked him how many men he could muster. He was to go to Tyburn turnpike, to speak to some men who would assemble there. Brunt called on him at five o'clock on the afternoon of Wednesday the 23d February; but not having done his work, he did not go to Tidd's till half-past six. He found Tidd armed, and saw pikes and staves in his room. He went with Tidd to Cato-street, where there were 24 or 25 men in the loft, who were debating about attacking Ministers at Lord Harrowby's. Arms were on the table. [The witness only mentioned Thistlewood and Davidson as speakers in the loft. He denied any knowledge of the spy *Edwards*.]

Thomas Monument corroborated his brother's account of the visits made them by Thistlewood and Brunt, and their talking about a plan.

Thomas Dwyer, an Irish bricklayer's labourer, living in Gee's-court, Oxford-street, became acquainted with Davidson before the 23d of February, and through him with Thistlewood. On the Wednesday morning, he went with Harrison to a room in Fox-court, Gray's-inn-lane, and there he saw also Thistlewood, Davidson, and Brunt, secreting arms about their persons. He was told they were going to blow up Ministers at Lord Harrowby's, and it was arranged that he was to assemble some Irishmen at the Pomfret Castle public-house, Wigmore-street, at six o'clock, and thence to lead them to attack the Foundling. Witness however went home. He had that day told Major James of the plot, who sent him to the Home Department.

George Caylock, of Cato-street, proved having seen Harrison at the stable on the fatal afternoon.—Richard Munday, of ditto, deposed, that he had seen Davidson go in and out of the stable on the 23d Feb. About half-past five, he saw Davidson go and get a light from a woman at No. 1; he then went into the stable; he stooped for something, and showed that he had two belts on, two pistols, and a sword; Harrison opened the door and let him in.—Elizabeth Weston gave Davidson the candles, as mentioned by the last witness.

A number of police-officers proved the well-known particulars of the seizure of the party assembled in the Cato-street loft, and swore to Thistlewood, Tidd, Bradburn, Shaw, Strange, Cooper, Monument, Gilchrist, and Wilson, being there, and to Ings and Davidson being in the stable below. Ings they described as making great resistance, being armed with a sword and a butcher's knife, the handle of the latter tied round with wax-end. The seizure of some ammunition at Brunt's, and of an immense quantity of fire-arms, grenades, ball-cartridges, &c. at Tidd's, in the Hole-in-the-wall passage, Fleet-street, was also proved.

Mr. CURWOOD spoke in defence of the prisoner at the bar. The Learned Gentleman argued generally that the evidence did not make out levying war against the prisoner, and attacked the testimony of the accomplice Adams, as incredible and inconsistent.

Mary Parker, the daughter of the prisoner Tidd, proved, that the things seized at her father's house were brought there by two strangers, only a quarter of an hour before the officers came. Edwards used often to come to the house. Adams brought a large grenade.

Edward Hucklestone was called to prove that the informer Dwyer was not to be believed on his oath. He gave an account of a proposition that Dwyer made him of extorting money by charging gentlemen with an unnatural offence. Witness was shocked and left him; and Dwyer afterwards told him in a public-house that he had got 10l. that way.

Mr. ADOLPHUS defended the prisoner at great length. He admitted at the outset great guilt on the part of the prisoner, and spoke of the hardship of having to defend a man who would be most likely convicted of murder if he escaped the present charge. The Learned Counsel chiefly contended, that the intention of assassinating the Ministers did not amount to high treason.

Thistlewood left his defence to his Counsel.—The Solicitor-General replied.—The Chief Justice summed up. Verdict (as we gave it last week)—*Guilty* on the Third and Fourth Counts of the Indictment. That is to say, on those counts which charged the prisoner with conspiring to levy war, and with the actual levying of war against the King.

TRIAL OF INGS.

The SOLICITOR-GENERAL stated the case for the prosecution.

Robert Adams, the accomplice, was first called by the Crown. His testimony was almost in all respects similar to that already given. He added, that there was a conversation about the illness of the present King; Thistlewood said he would rather the new King lived a little while longer, but it was not their intention he should ever wear the crown. Ings upon this said, that the very day the Prince Regent last went to Parliament, he himself went to the Park for the purpose of shooting him; and as a test of his sincerity, he said, "There's the pistol I took with me." He regretted he had not done it, and if he had he should not have cared a farthing for his own life. He saw Ings at all the subsequent meetings. He also said, that when the six pieces of cannon were taken from the Artillery-ground, (after the murder of Ministers) they were to be well loaded, and if any body grumbled, they were to be fired among the crowd. In his cross-examination, nothing of any importance was divulged. It principally tended to prove the alteration in his religion. (Mr. Adolphus here reminded the witness, that his evidence this day was materially different, in many circumstances, from that given on the former trial; the alterations made were then referred to by the Learned Counsel, and the witness acknowledged that the former evidence alluded to was a mistake.) His memory was considerably improved since he returned to Christianity. There were a great many things

which had occurred, that he had not stated; and he would state many things when he came up again, if he thought it necessary so to do.

The other witnesses deposed as on Monday, with the exception of Dwyer, who was not called.

Mr. CURWOOD then addressed the Court at considerable length; he commented on the evidence, and explained the law of the case, as referable to the overt acts charged, and in which evidence had been given. After the evidence for the prisoner was called,

Mr. ADOLPHUS rose and addressed the Jury. In the course of his speech he called their attention to some observations made by the Solicitor-General. He (the Solicitor-General) had asked, "Has the accomplice any interest in giving a deeper dye, in making a stronger point, in carrying conviction?" He answered, yes. His impunity is conditional. He comes before the court in chains and in custody. He wished to know whether a man who could be yet prosecuted, had no interest in giving not true, but acceptable evidence. He earnestly requested the Jury not to give credence to the evidence of the witness, Adams. If upon such infamous testimony men were to be sacrificed, he contended that they would soon see another Judge Jeffreys on the bench, and another Titus Oates in the witness-box! He concluded an animated address of nearly two hours and an half.

Ings, turning towards the Jury, spoke in these terms:—Gentlemen of the Jury—I am a man of no education, and I hope you will excuse my humble ability. I left Portsea on the 8th of May, 1819. My reason was that I could get nothing to do, in order to support my family. (Here the prisoner was strongly affected.) I had no prospect for myself or my family. I thought I could get employment in London, but I was sadly disappointed. I had some money when I came, and I lost a considerable deal of money, neither by drinking, nor gambling, nor any thing of the sort, Gentlemen. I took a house in Baker-street, and carried on business as a butcher, from Midsummer to Michaelmas. The summer was very hot, and that was against me. I removed to Mount-acre, and kept a sort of coffee-house and eating-house. I persuaded my wife to return to Portsmouth. Men used to come to my house to take a cup of coffee and talk of politics, and of the Manchester massacre. I paid no attention. I one day met with this man. He said I did not stand drink. I said I had no money. I mentioned that I had a bedstead and various articles of furniture to sell. He proposed to get them bought, but did not. This was on the 20th of January. I met him again in Fleet-market. He talked of getting my sofa bought by a friend of his. He said, "There is something to be done, come and take some cheese and beer." He took me to the White Hart. He said his name was Williams, but Edwards is his real name, as I found since. I left the sword, for him, to be sharpened. Is it supposed that I would have left any thing of this sort in my own name, if I did not do it for him? I got meat and drink whenever I went to the White Hart. I met him again in Bishopsgate-street; he said there was something to be done, and desired me to come to the alley opposite Mrs. Carlile's. I understand, by the list of witnesses, that he lives at a side-door up that alley. I went. He gave me bags, and said there was some gin to be put in them, and it was for that reason I carried them under my coat so sly for fear that they should be seen and suspected. We went up Oxford-street. He told me to wait there, and I waited an hour. He brought me then to a place, I forget the name of the street—John-street, the place where the arms were taken. I never saw the place before. I saw Davidson at the door. There was great confusion above. I declare, before you and God, I never was on the loft at all. I was not two minutes there. Officers entered. You, I think, Mr. Ruthven, entered first. The third collared me, and said, "You are my prisoner." I said, "Very well." He began by beating me with his staff till my head was swollen. I heard a pistol fired. I got out. I was struck by a man. I was stopped by a watchman, and taken into custody. This man was at all the meetings, I am sold like a bullock in Smithfield Market. The Attorney-General knows the man. He knew the plans and every thing two months before. I consider myself murdered, if he is not brought forward. I would be very unwilling to die, if he were to die on the same scaffold with me. He has been guilty of every thing. He has contrived the plot, if there has been a plot. I don't value my life, if I cannot support my wife and children. (Here he raised his voice to a vehement tone, and wept bitterly. He continued to speak in the same weeping tone to the end of his address.) I have a wife and four little children. I was driven to every distress. I hope, Gentlemen, before you find a verdict, this man will be brought forward, because I consider myself a murdered man. Edwards came to me. I did not go to him. I was once at a public-house in Brooks-court; but I never was at any meeting at all. I was at no radical meeting. I was not at any Smithfield meeting. That man, Adams, who has got out of the halter himself by accusing others falsely, would hang his God. I would sooner die, if I had 500 lives, than be the means of hanging other men.

THE ATTORNEY-GENERAL replied for the Crown.—Chief-Justice DALLAS summed up.—Verdict—Guilty.

Monday, April 24.

HIGH TREASON.—TRIAL OF BRUNT.

At nine o'clock the Chief-Baron, Mr. Baron Garrow, and Mr. Justice Richardson, took their seats. They were dressed in their scarlet robes, in honour of the King's birth-day. At ten o'clock the prisoner, John Thomas Brunt, was put to the bar. He seemed quite composed and firm. He had several sheets of paper before him, with pen and ink.—After some challenges the following Jurymen were sworn:—

Alexander Barclay, Esq., Teddington.
Thomas Goodchild, Esq., North-end, Hendon, on the former Jury.

Thomas Suffield Aldersey, Esq., Lisson-grove North, ditto.
James Herbert, Isleworth, ditto.
John Shooter, North-end, Hendon, ditto.
James Wilmot, Smallborough-green.
John Edward Shepherd, Esq., Eden-grove, Holloway.
John Fowler, St. John-street, iron-plate-worker, on the former Jury.

William Gibbs Roberts, Ropemakers-fields, Limehouse, cooper, ditto.

John Dickenson.
John Smith.
John Woodward.

When each in his turn was desired to look upon the prisoner, and the oath was administered to him, the prisoner steadily fixed his eyes on his face, and at the conclusion gave an emphatic nod.

CONTEMPT OF THE ORDER OF THE COURT IN PUBLISHING THE TRIALS OF THISTLEWOOD AND INGS.

The ATTORNEY-GENERAL rose at the conclusion of the reading of the indictment, and, addressing the Court, spoke as follows:—“My Lords, I think it my duty to bring before your Lordships a circumstance which has occurred since our last meeting under this Commission. It is, I am sure, within your Lordship's recollection, that before these trials commenced the Court desired that nothing which occurred, either in part or in the whole of any one trial, should be published, until the whole of the trials were terminated. The Court stated as the reason of this prohibition, that it was intended to prevent any thing going forth which might have a tendency to prejudice any of the parties on trial, or any person liable to be called on their Jury, in a case where men were on trial for their lives. With that injunction I think it right to state the whole of the daily press, I may say, most properly complied. But yesterday, in a paper called the *Observer*, which I hold in my hand, the whole of the trial of Arthur Thistlewood is published, and a short account of the trial of Ings. This has been done too by the publisher with a full knowledge of your Lordships' prohibitory injunction, for he actually publishes what fell from the Court on that occasion in the very paper in which he has violated your Lordships' order. It is not my intention to interrupt the proceedings of the trials at the present moment by submitting any motion on this most daring and flagrant contempt of the order of this Court; but, my Lords, I think I owe it to the dignity of this Court, as well as to the situation which I hold, not to suffer the publication of these proceedings to pass unnoticed. Undoubtedly, some proceeding will be taken, when the means are furnished for bringing the matter forward in a proper shape, and when the mode of proceeding shall be determined upon.

The Learned Judge bowed.

The ATTORNEY-GENERAL stated the case.

Brunt entreated permission to have the occasional indulgence of a chair, which the Court granted without hesitation.

Robert Adams was now called. His evidence, with some little additions, was in substance the same as that given on the two former trials. In detailing some particular observations which he said fell from the prisoner,

Brunt rose hastily from his seat, and said—“My Lord, can the witness look into my face, and into the faces of those gentlemen, (pointing to the Jury), and say that I have said so?”

Adams (turning towards the prisoner, and laying his hand on his breast).—I can declare it with a safe and clear conscience.

Brunt.—Then you are a bigger villain than ever I thought you to be.

The Court interfered.

Other witnesses were examined, among whom was Thomas Hyden, who repeated the evidence which he had given on former trials. After his examination had closed, he evinced a disposition to stay in Court; on which the prisoner Brunt observed, “My Lord, the witness stays in Court.” Wilson, another of the prisoners, then rose, and said, with great indignation, “My Lord, let that perfidious villain be turned out of Court.” Hyden immediately withdrew from Court.

During the whole of the day Brunt was engaged in taking notes of what occurred; so also were two of the other prisoners—Harrison and Wilson.

Tuesday, April 25.

HIGH TREASON.—TRIAL OF BRUNT CONTINUED.

At nine o'clock, the Lord Chief Baron, Mr. Baron Garrow, and Mr. Justice Richardson, entered the Court, which was but thinly attended. Immediately afterwards John Thomas Brunt was put to the bar, and accommodated with a chair. He looked rather pale, but was quite firm and composed in his demeanour.

The witnesses examined to-day were the officers and soldiers.

ACCOMMODATION OF THE STUDENTS AT LAW.

The SOLICITOR-GENERAL stood up in his seat, and, addressing himself to the Lord Chief Baron, presented a written paper, understood to be a protest, on the part of certain students of Gray's-inn, against the occupation of the Students' box by gentlemen who were not, in point of fact, entitled to that indulgence.

The CHIEF-BARON said, upon conference with his brother Judges (Mr. Justice Richardson and Mr. Baron Garrow,) that he should take care and represent the circumstance to the High Sheriff. The students were entitled to be admitted into the box in question. It was so laid down by Mr. Justice Foster, and also by other high legal authorities.

Mr. Sheriff PARKINS.—My Lord, it is not my fault. I have done all that I could to prevent the box from being improperly occupied.

The CHIEF-BARON.—I do not know, Sir, that it has been any body's fault; but it is clear that students at law are entitled to accommodation in that box, in preference to all other persons.

Mr. Sheriff PARKINS.—It is a fault, my Lord; it is a fault of somebody's; orders have been issued in which I did not concur. [In a lower tone of voice.] It's an insult to the whole profession.*

Mr. Baron GARROW said, that he recollected on a former occasion, when a similar complaint was made to the Court, and where an intimation like that which now fell from the Chief Baron was given, it was ordered, that all students coming to the Court in their gowns, and presenting their certificates from the stewards of their Inns to the door-keeper, should be admitted into the Student's box. No person had a right to be there, even when there was plenty of room, except with their permission.

Mr. Sheriff Parkins immediately directed his Under-Sheriff, Mr. Pullen, to provide accommodation for the Students in their box.—All the Reporters, except two, who were Students, then quitted the box: upon which a simple Student, followed shortly afterwards by three others, dressed in their gowns, entered it. They might have all found accommodation in it, without making any application to the Court, or causing the exclusion of a single Reporter.—The number of Students in the box being so small, several of the gentlemen connected with the press resumed their seats, whilst others of them got accommodations in the adjoining box. The Under Sheriff, Mr. Turner, and Mr. Brown, the keeper of Newgate, expressed their wishes to afford every facility in their power to such gentlemen as were in attendance to give an account of the proceedings: but several of them, disgusted with the manner in which they had been publicly excluded from their seats, left the Court. The excluded Reporters were no sooner seated in the box which had been assigned them, than some person rudely told them that they must quit it, as it belonged exclusively to the Grand Jury; at the same time several ladies were introduced. On being informed that the Reporters were there by the appointment of the Judges, the person hastily quitted the box. It is remarkable that while these proceedings took place the Court was not half filled, and the Grand Jury might have had ample accommodation in another part of it.

As soon as the conversation respecting the Students had terminated,

Mr. COTWOOD rose to address the Jury on the part of the prisoner, and was followed by Mr. ADOLPHUS.

CHIEF-BARON.—John Thomas Brunt, your Learned Counsel have concluded their very able defence; but if you wish to say any thing on your own behalf, this is the time.

Brunt then rose, and with a firm voice said, that a written defence had just been put into his hands; but, as he had not had time to read it, he would make a few observations on the evidence. He then stated the origin of his acquaintance with the witness, Adams, and attempted to impeach the whole of the witnesses, who had appeared against him. He alluded to a person, (Edwards) in the list of witnesses on the part of the Crown, whose name has often been mentioned in the course of these

* We are informed that this conversation, taken from the *Times*, is incorrectly reported, and that Mr. Sheriff Parkins merely signified that he was not to blame, and that he would attend to the suggestion of the Court.

proceedings, but who has not been called upon. He declared that he had been seduced by this man, and had often received refreshment of meat and drink at his expense. He concluded an address of half an hour by appealing solemnly to God for the truth of his assertions; and declared that, whatever might be his fate, he would not die unworthy a descendant of the Ancient Britons.

The SOLICITOR-GENERAL replied.

The CHIEF-BARON summed up. As soon as his Lordship concluded, and before the Jury retired, one of them addressed the Court:—"My Lord, I hope your Lordship will allow me to ask a question as to a point of law."

The CHIEF-BARON.—Certainly, Sir, any thing you please.

Juror.—My Lord, we are bound to take the law from your Lordship, and no doubt you will give it to us most correctly. I wish to know whether, if the evidence bore out that an armament had taken place, and that there was a resistance to the civil power, would that, in the law, be a levying of war?

The CHIEF-BARON.—Undoubtedly.—After a short pause his Lordship said,—"Gentlemen, do I understand the question rightly? Please to repeat it again."

The Juror repeated the question, and his Lordship replied, that a resistance to the civil authority would not constitute a levying of war.

The Juror.—My Lord, if there was an armament for the purpose of inducing his Majesty to change his measures, would that be a levying of war?

The CHIEF-BARON.—That, gentlemen, would constitute a levying of war; and if you believe that it was proved in evidence, it would support the indictment under the act of his late Majesty. I put only the first and third counts to you, gentlemen, not to embarrass the case.

The same Juror.—I would wish to consider the whole of the indictment. I hope your Lordship will excuse my asking these questions.

The CHIEF-BARON.—Certainly, gentlemen, it is your province to consider the whole of the case before you. You have also an undoubted right to ask any questions you may think necessary.

The Jury then retired, and in about ten minutes returned with a verdict of *Guilty* on the third and fourth counts.

The prisoner's appearance was in no degree altered by the announcement of the verdict. He bowed slightly to the Court, and was removed in the care of two of the gaoler's assistants.

THE ATTORNEY-GENERAL V. THE PROPRIETOR OF THE OBSERVER NEWSPAPER.

Before their Lordships left the bench,

The ATTORNEY-GENERAL called their attention to this subject. He had now an affidavit, which set forth the purchase of the *Observer* newspaper from the servant of the proprietor, Mr. Clement, on the 24th instant, at his shop in the Strand. Under these circumstances he felt it his duty to bring the matter to their notice, as he considered it a most wilful and daring violation of the order which their Lordships had, with the most humane view, issued on the first day of the trials. [The affidavit was then read.]

CHIEF-BARON (after consulting with Baron Garrow and Justice Richardson).—"The Court think that nothing can be more prejudicial than the publication of any part of those trials before the whole are finished, and it is highly improper that this should be the case after the order of the Court. Mr. Attorney-General, take an order to have the publisher appear here on Friday morning, at the sitting of the Court, to answer for this conduct."

Wednesday, April 26.

TRIALS OF TIDD AND DAVIDSON.

The Court was very thinly attended. Some delay took place after the Court had met, owing to a conference between the opposing Counsel, in consequence of which Mr. Harmer left the Court to go to the prisoners in Newgate, but soon afterwards returned to announce, that William Davidson (the man of colour) and Richard Tidd, who were the two next indicted, had agreed to take their trials together. They were then introduced, and allowed chairs. The Jurymen were called over, the prisoners agreeing in their challenges. The following gentlemen were impanelled:—

* William Percy, Cleveland-street, Marylebone, plasterer.

J. G. Holmden, St. James's-walk, Clerkenwell, fusée-cutter.

J. King, Islington-road, Gent.

C. E. Prescott, Colney-batch, Esq.

* Benjamin Rogers, Lampton, farmer.

Charles Golding, Jamaica-place, Limehouse, surveyor.

Charles Page, Crouch-End, Esq. and merchant.

* J. Young, Frederick-place, St. Pancras, Gent. and scale-maker.

William Butler, Hounslow, baker.

Joseph Sheffield.

William Churchill.

* Samuel Grainger.

The Jurors thus marked * had served on some of the previous trials.

Mr. GURNEY spoke for the prosecution; he evinced his wanted ability, and used nearly the same arguments as on former trials.

Robert Adams was called. Nothing new transpired during this witness's direct evidence; in his cross-examination, however, he admitted that the fear of the halter about his neck, made him change his religion. He never called upon Chambers and asked his assistance in the assassination of the Ministers, saying they would have blood and wine for supper. He stated that his only motive for joining in the conspiracy was, from a curious and foolish idea he had conceived respecting Brunt's principles; he thought him mad. [Here the prisoner, Tidd, requested that the witness might be asked, whether he did not express himself dissatisfied with the plot; that he had been deceived; and that he would not have any thing to do with it?] He expressed himself dissatisfied; he did not recollect any thing further. He did not recollect whether Davidson was armed or not; he then said if he was, he must have observed it. The other witnesses were examined in nearly the same order as on the trial of Thistlewood; and as nothing fresh was elicited by their evidence, we beg to refer our readers to the account of the former trial.

Davidson took notes during the day, and frequently sent communications to his Counsel. He conducts himself altogether with great composure and propriety. He pays close attention, and writes and speaks without effort or confusion. Tidd seems to have perfect self-possession, but a flush that occasionally animates his face indicates some hurry and eagerness of mind. Both are well dressed, Davidson rather genteelly. Tidd is a short, stout, elderly man; Davidson tall and well made.

Thursday, April 27.

CONCLUSION OF THE STATE TRIALS.

The usual evidence was proceeded in.

Mr. CURWOOD addressed the Court for the defence, after which the following persons came forward and gave evidence as to the general good characters of the prisoners at the bar:—

Isaac Cook, cabinet-maker (Davidson).

Stephen Hall, shoemaker (Tidd).

William French, shoemaker (Tidd).

Samuel Lands, shoemaker (Tidd).

Robert Wood, tinman, Elliott's-road (Davidson).

Mr. ADOLPHUS then proceeded to speak on the part of the prisoners; it did not differ on any material points from his former addresses.

WILLIAM DAVIDSON, on being asked if he wished to say any thing in his defence, said he had a few observations to offer. He stated, that he had a numerous family looking to him for support. He then (laying his hand upon his heart) declared his entire innocence of the crime imputed to him. He next entered into a narrative, explaining how the blunderbuss, found upon his person, came into his possession. He said that a person of the name of Goldworthy called upon him with a brass-barrelled gun, which he (Davidson) offered to get cleaned for him; after which it was decided that it should be put up and raffled for. He met Edwards soon after this at a procession of Mr. Hunt's (the only one of any kind he ever attended). He then communicated to him the intention of raffling for the gun, when Edwards promised to procure one hundred persons who would contribute one shilling each. When he was in the room provided for the purpose, he observed that the persons did not pay the money for their tickets, he consequently quitted it. Edwards called upon him shortly after, and offered to purchase the blunderbuss; and it was agreed that he should meet Edwards for that purpose in Fox-court; when he got there, he wished him to go into his house, on the pretence of a countryman of his (Davidson's) being there; this the prisoner declined. Edwards did not decide upon buying the gun at that time. He was to call upon Edwards the following night (the Wednesday night on which the plot was discovered). He heard the firing of pistols and clashing of swords, when walking near Cato-street, and curiosity attracted him to the spot from whence it proceeded. He then described his being shot at as he was going away, and subsequently taken into custody. He had nothing about him when taken, excepting a flint and part of the lock of the before-mentioned blunderbuss. If he had had two belts about him, as was asserted, he contended that that could not have escaped observation. He here stated, that because he was a man of colour, it did not follow that he was a monster in the creation, void of feeling and understanding; he could assure them he was not. He then related an anecdote of his having before been taken for another black man; tending to shew the liability of his being confounded with a person of similar appearance in the present instance. [Here the prisoner requested that he might be allowed the indulgence of some water, which was immediately procured him]. The Court took this opportunity of assuring the prisoner,

that his colour would not, in any way, be prejudicial to him; but he would receive the same impartial justice as the fairest face that ever entered a Court of Justice.—**DAVIDSON**, in continuation, considered it his duty as the father of a numerous family of small children to say any thing that might appear to him to be for their benefit. He had never seen Thistlewood before he was taken into custody. He would not detain them much longer, as his learned counsel had done him justice, he had no doubt, on all points of law; they had, however, admitted those things which he was sure they would not have done had they been better acquainted with his character. He had always sustained an honest one, by which he had hoped to thrive. He then quoted from Pope's *Universal Prayer*, and also referred to the passage concerning false witnesses, which he delivered from the Bible. He had known Lord Harrowby for many years; and should have shuddered at the idea of joining in any plot in which his life was concerned. He concluded by requesting the Jury to weigh well in their minds the facts before them, and if it was their opinion that he was guilty of the crime laid to his charge, he should most willingly submit to their decree.

RICHARD TIDD now entered into a detail respecting his having been brought into his awful situation by the machinations of Edwards. He stated that he had known Brunt for a very few months; he had introduced him to Edwards, who had persuaded him to attend a meeting for the purpose, he said, of obtaining a Reform in Parliament. When he discovered however, that the real intention of the persons to whom he had been introduced, was not what he had been led to understand it was, he declared he would not have anything more to do with them. Edwards asked him, in Thistlewood's name, for leave to send some arms to his house; this he peremptorily refused. He was again called upon by this person, on the Tuesday, who wished to know if he still remained in the same mind; he answered, he did; upon this Edwards told him that the former plans had all been frustrated. He requested his attendance at another meeting, called the Marylebone Union; he told him he must go armed, at the same time presenting him with a pistol. He also gave him a written direction to the place of meeting, [it was produced in Court] which was the Horse and Groom. He also put a brown paper parcel into his hand. Edwards conducted him to Cato-street, and in about a quarter of an hour the officers entered. He finished by a declaration of his total ignorance of the plot, and therefore of his consequent innocence.

The **ATTORNEY-GENERAL** replied, and Mr. **BARON GARROW** summed up the evidence. The Jury retired at 8 o'clock for more than half an hour; and on their return pronounced against both prisoners—*Guilty* upon the Third Count (levying war against the King).

Mr. **CURWOOD** then addressed the Bench on the part of the prisoner Wilson. His application was, that he might be allowed to withdraw his former plea of misnomer.

The **ATTORNEY-GENERAL** assented.

James William Wilson was then called to the bar and stated, that he wished to withdraw his former plea and plead guilty to the indictment. This was granted. The other prisoners then obtained permission to withdraw their former pleas, and pleas of *Guilty* were recorded.

Friday, April 28.

SENTENCES ON THE STATE PRISONERS.

The prisoners were all put in double irons after being taken from the Bar last, with the exception of Ings, who appeared indisposed.

At twenty minutes after nine o'clock, the Judges took their seats on the Bench, and in ten minutes afterwards the prisoners were brought to the Bar. Mr. Shelton, Clerk of Arraignment, called upon Arthur Thistlewood and asked him, in the usual terms, what he had to say—

Thistlewood said he had been asked what he had to say why judgment should not be passed upon him. To this he would answer, that if he had been prepared with evidence, however pure, and that that evidence had been enforced by the eloquence of a Cicero, he was still satisfied that he could not escape the vengeance of Lord Sidmouth and Lord Castlereagh. The prisoner then inveighed in strong terms against the manner in which his trial had been conducted. He had been precluded from examining witnesses to prove the infamy of Adams, Hiden, and Dwyer. He had applied to have them called before the Solicitor-General rose to make his reply; but the Court had inhumanly refused his request; this, he contended, was inconsistent with that spirit of British justice, which, on all other occasions, except the present, he had no doubt would have prevailed. He challenged the Learned Judges on the Bench to say, whether he had been fairly tried; and if not, whether, if execution should take place, he was not cruelly murdered. He could have called witnesses to prove that Dwyer had been guilty of the most atrocious

offences. He could have proved that Adams was a swindler and the blackest of characters; and of Hiden, he could have produced persons who would have spoken in terms of equal reprobation. These were the persons upon whose testimony alone was he sacrificed to the vengeance of the Ministers. He denied, that in what he had done he had been actuated by any personal motives against Lord Sidmouth. He disclaimed every selfish feeling. His object was to avenge the death of those unhappy people who had been inhumanly cut down and massacred at Manchester; and by sacrificing the lives of the guilty, as it were, chant a *requiem* over the souls of murdered innocence. He next proceeded to advert to Edwards, and to urge a variety of circumstances, which, in his estimation, placed that individual in a more criminal point of view, than those who, with him, stood there to receive judgment. He afterwards entered into a justification of assassination, and instanced Brutus and Cassius, who had been lauded to the skies for the assassination of Caesar.

Chief Justice **ABBOTT** told him, that the Court could not hear him justify assassination.

Thistlewood said that he had nearly done. He contended that High Treason had been committed against the people at Manchester, and that Ministers were the cause of it. Soon indeed would his body be mingled with the earth from which he sprang; but his only grief was, that the soil under which his ashes lay should be trampled on by the traitors and murderers of his country. Since his trial, a companion of Dwyer's had been found guilty of an infamous charge; and he must say, that if on the present indictment he should suffer death, then he should consider himself a murdered man. "I have not had," said he, "a fair trial at all; and I conclude by most strongly protesting against all the proceedings which have taken place."

The prisoner then stood back. His hand seemed much to shake, and indeed his whole frame was agitated.

William Davidson was next called. He entered into a long defence of his conduct, and most strongly inveighed against the charge of Mr. Baron Garrow. He said that he never had formed any intention to murder the Ministers, or to lay his hand on his Sovereign. When Magna Charta was exacted from King John, twenty-five Barons were appointed to see that the Charter was enforced. If it were infringed, four Barons were to protest against it to the King, and if they did not succeed in obtaining redress, then they were to join with the other Barons, and with arms in their hands demand that redress at the point of the sword which their King had refused, and tell him, that if he did not yield it, they would levy war against him. This was the language of Magna Charta, but yet he (Davidson) and his associates had never used such language. He could die but once, and he did not fear death: his only grief was for the large family he would leave behind him: when he thought of this it unmanned him.

Ings said, that he had not much to say, but that he certainly had been entrapped into the perpetration of this scheme by Edwards, who became acquainted with him while he kept a coffee-shop. He protested solemnly, that he had not the least fear of dying, provided that Edwards was only to die with him. Ministers met to consult and conspire to starve the people, and surely, when a man saw his family starving, it was not half so bad to assassinate Ministers as to endure starvation—for where was the man who could bear to see his family starving, while others were living in luxury? The Meeting at Manchester was by the people, and the people surely had a right to petition, as our forefathers had bled and died for it. He trusted his children would yet live to see the day when ample justice would be done to their country, and Englishmen no longer should be doomed to live as they now did. His life could only be sacrificed once; but he declared, as a Briton, that he would rather die like a man than live like a slave.

John Thomas Brunt, in a particularly bold and unembarrassed manner, said he would repeat what he had before stated to the Jury on his trial which had been so ably knocked down by the Solicitor-General, whose sophisticated eloquence would make even crime a virtue. He then proceeded to recapitulate the circumstances already stated by him in his defence. He protested against the verdict, not that he valued his life; no man valued it less when it was to be sacrificed in liberty's cause. Looking around him in this Court, and seeing the sword of justice and the inscriptions which were placed on the walls above the Learned Judges, he could only say, that he felt his blood boil in his veins when he thought how justice was perverted, and her sacred name prostituted to the basest and vilest purposes. He was a man of his word, and not a shuttlecock, as some might suppose. If he pledged himself once to destroy a tyrant, he would do it. Edwards, that infamous villain whom the Solicitor-General had not dared to bring forward, had preyed on his credulity, and Adams had betrayed him. Where was the benefit which would result to Christianity from the able defence made

of it by the Solicitor-General? What was Christianity? Why, did its doctrines promulgate so horrid an idea, as that supposing a man to have been a Deist, and all at once to have been converted by seeing, the halter staring him in the face, he would therefore be strengthened by Almighty God to become a villain and a perjured betrayer of his associates? That this was the case with Adams was evident from his own confession. Was this then Christianity? If it was, he prayed God he might die without it; for very different, indeed, were the ideas he had formed of religion. The prisoner then attacked the character of Hale; he was interrupted by

The Lord Chief Justice, who said he would not allow persons and witnesses not before the Court to be vilified in that manner.

Brant proceeded—He had antipathy against none, but the enemies of his country. He was a friend to the lower orders, and, as an honest man, had a fellow feeling for his countrymen, who were starving through the conduct of Ministers. Lord Castle-reagh and Lord Sidmouth had an antipathy against the people, and if he did conspire to murder them, was that high treason? He readily acknowledged that he had agreed to assassinate Ministers, but he denied having ever conspired to dethrone or injure the Monarch. But if resisting the Civil Power, or opposing wicked Ministers was treason, then he confessed he was guilty. He was no traitor to his country—he was no traitor to his King; but he was an enemy to a Boroughmongering faction, which equally enslaved both the King and the people. The happiness, the glory, and the safety of the King, depended on his being free as well as his people, but this was not the case now. A faction ruled both King and people with lawless sway. He had, by his industry, been able to earn about £1 or £1 a week, and while this was the case, he never meddled with politics, but when he found his income reduced to 10s. a week, he began to look about him, and to ask to what that could be owing? And what did he find? Why men in power, who met to deliberate how they might starve and plunder the country. He looked on the Manchester transactions as most dreadful, and thought that nothing was too severe for men who had not only caused, but even applauded the dreadful scenes which occurred there. With pleasure he would die as a martyr in liberty's cause for the good of his country, and to have been avenged on her tyrants, would have given him pleasure to have died on the spot. He was not a traitor, nor the friend of a traitor, and it was only a villain who could call him so. While a nerve of his body could move, that should and would be exerted against the enemies of the people. He had joined the conspiracy for the public good. He was not the man who would have stooped. O no; he would have gone through with it to the very bottom, or else have perished in the attempt. Their death was necessary for the public good. They might quarter his body, they might inflict on him every species of torture, but they could not shake his resolution nor subdue his spirit. He would mount the scaffold with the same firm intrepidity he now evinced, and, if his life was called for, if his wife was to be made a widow and his child an orphan, in this mighty cause he would cheerfully sacrifice it. He would die as the descendant of an ancient Briton.

Richard Tidd said, he had been convicted so late last night, that he had no time to prepare a written address, as he could have wished. He denied that the evidence against him was true, with the exception of that of the Gentleman on the Bench (Capt. Fitzclarence); and, as for shooting him, why he would as soon have thought of shooting his own father.

James William Wilson declared, that he had been drawn into the plot by one of the witnesses who appeared against him.

John Harrison, on being called upon, said, "My Lord, they were all false witnesses."

Richard Bradburn—"The evidence of Adams was false."

John Shaw Strange—"I have only this much to say, my Lords, that the evidence of Adams and Hale was false, and that they are perjured villains."

James Gilchrist was much affected, and some time elapsed before he could speak: he said—"My Lords, what I say, I shall say and think as in the presence of my God. I knew nothing of the business until four o'clock on the day on which it took place. I then had not tasted a morsel of food the whole day—(here the prisoner burst into tears).—I then went to a place where a person appointed to meet me at six o'clock, where I saw four or five men, not one of whom I knew except Cooper—of him I borrowed a halfpenny, to buy a bit of bread! I appeal to God, who now hears me (casting up his eyes), and knows that this is true. I went into the room at Cato-street, where I found a number of men eating bread and cheese, which they cut with a sword. I cut some for myself. Seeing so many men and arms, I was anxious to get away, but Adams stopped me, and brandishing a sword, said, 'If any man attempts to go from

here, I will run him through.' An officer then came in, and I surrendered without opposition. This was all I knew of the business, and yet I stand here convicted of high treason. I have served my King and my country faithfully for twelve years, and this is my recompense—this is my recompense, O God!"—[Here the prisoner again burst into tears, and could proceed no further.]

Charles Cooper said—"My Lords, there is no evidence to convict me of high treason."

The Crier having made the usual proclamation,—

Chief-Justice ABBOTT, having put on the black velvet cap, addressed the prisoners thus:—"You, Arthur Thistlewood, James Ings, John Thomas Brunt, William Davidson, and Richard Tidd, have been severally tried and convicted of high treason, in compassing and levying war against his Majesty.

"You, James Wilson, John Harrison, Richard Bradburn, John Shaw Strange, James Gilchrist, and Charles Cooper, did originally plead Not Guilty to the same indictment; but, after the trial and conviction of the preceding prisoners, you desired to withdraw your plea, and plead Guilty. You have cast yourselves on the mercy of your Sovereign; and if any of you have your lives spared, which I trust will be the case with some of you, I hope you will bear in mind that you owe it to the benignity and mercy of your Sovereign, and to some of those public officers whom you had devoted to a cruel and sudden death."

His Lordship then proceeded to notice the complaints of the prisoners respecting the evidence, and to show them that the Court was unjustly accused, since it could only take cognizance of the evidence produced before it. He then remarked on the enormity and anti-national character of the offence, of which the prisoners had been convicted. The Learned Judge exhorted them to spend the short time they had left in this world in praying to the Almighty for mercy through their Redeemer, and concluded by pronouncing the sentence of the law, which was,— "That you, and each of you, be taken from hence to the gaol from whence you came, and from thence that you be drawn upon a hurdle to a place of execution, and be there hanged by the neck until you be dead; and that afterwards your heads shall be severed from your bodies, and your bodies be divided into four quarters, to be disposed of as his Majesty shall think fit. And may God of his infinite goodness have mercy upon your souls!"

The Crier said aloud, "Amen!" in which he was joined by many in the Court, who were deeply affected by his Lordship's address.

The prisoners were then removed from the bar; some of them, particularly Davidson, Thistlewood, and Brunt, appearing to be wholly unconcerned. They were conveyed to separate cells.

BRUNT.—The expression of this man's countenance is by no means of an ordinary cast. His eyes though small, are piercing and intelligent, shaded by long dark hair combed on one side; the nose aquiline, between which and the mouth there is an uncommon interval; his lips are thin, and the mouth small. The upper part of the face certainly denotes firmness and intrepidity; though from the nose downwards, meanness and precision are strongly marked. He appears to be about 30 years of age; and was dressed in a brown great coat with striped waistcoat.

ADAMS.—A certain cold-blooded, unfeeling, and down-looking physiognomy strongly contrasts this with the preceding; and most properly fits him for that detestable office for which he has been selected, though at the same time there exists a look indicating an inward agitation from some unexpected discovery. That passage in which Othello says—

—"I'd rather have thee live;

For, in my sense, 'tis happiness to die"—seems applicable to his situation. He was dressed in a slouch great coat, and is 45 years of age.

TIDD.—Nothing particular characterises this person. His appearance is that of a respectable, good-natured, elderly man; his head is partly bald, and he occasionally wears spectacles. He was dressed in a blue coat and buff waistcoat.

DAVIDSON, the Mulatto, differs little from persons of that class in general. He is a tall, athletic man, and the under-part of his face considerably projects. His dress was similar to that of the foregoing prisoner.

CONTEMPT OF COURT.

The Attorney-General brought this subject before the Court, on which Mr. Clement, the Proprietor of the *Observer*, was called, and not appearing, was sentenced by Chief-Justice Abbott to pay 500*l.* to the King for contempt of Court in publishing the evidence. His Lordship chiefly grounded his observations on the injurious effect of publication, on the circumstance of its enabling the witnesses to know each other's evidence in Court.

THEATRE ROYAL, DRURY-LANE.

TO-MORROW will be performed the Tragedy of KING LEAR: King Lear, Mr. KEAN; Earl of Kent, Mr. DOWTON; Edgar, Mr. RAE; Cordelia, Mrs. W. WEST. With SHAKESPEARE versus HARLEQUIN. On TUESDAY, KING LEAR. With SHAKESPEARE versus HARLEQUIN. On WEDNESDAY, KING LEAR. After which will be produced, a New Musical Drama, in two Acts, called The LADY and the DEVIL. And KING LEAR every Evening until further notice.

ROYAL COBURG THEATRE.

TO-MORROW, and during the Week, will be presented, for the 7th time, a Domestic Melo-Drama, in Three Acts, founded on Mrs. Opie's popular and pathetic Story of Father and Daughter, called The LEAR of PRIVATE LIFE! After which, 1st time, a New Theatrical Interlude, called THE ACTOR IN DISTRESS. The whole to conclude with a Melo-dramatic Spectacle, called ZOMAI, the CAFFRE CHIEF.

Boxes, 4s. and 5s.—Pit, 2s.—Gallery, 1s. Doors open at Half-past Five, to commence at Half-past Six. Second Price Half-past Eight.

NEW ARGYLE ROOMS, REGENT-STREET.

MISS SHARP most respectfully informs the Nobility, Gentry, and her Friends in general, that her CONCERT will be held at the above Rooms, on TUESDAY, MAY 2nd, 1820.

Leader of the Band (which will be numerous), Mr. T. COOKE.

Conductor, Sir G. SMART.

ACT I.—Overture—Mozart. Glee, "Rose of the Valley," Messrs. Vaughan, Hawes, Marshall, and Sale—Knyvett. Rec. ed Aria, "Ah se perdo," Miss Goodall—Naumann. Grand Military Concerto (Harp), Miss Sharp—Bochsa. Duet, "The Butterfly," Messrs. Vaughan and Sale—Sale. Pot Pourri (Flute), Mr. Nicholson—Nicholson. Aria, Mrs. Salmon, "O dolce concerto," Flute Obligato, Mr. Nicholson—Mozart.

ACT II.—Concerto Violin, Mr. T. Cooke—Cooke. Ballad (MS.), Mrs. Salmon—C. Smith. Song, Mr. Bellamy, "Sailor's Adieu,"—Horseley. Grand Trio (by desire), Two Performers on One Pianoforte, and Harp, Mrs. Nicholson, Sir G. Smart, and Miss Sharp—Bishop. Cantata, Miss Goodall, "Mad Joss"—Parcell. Glee, "If this delicious, grateful flower," Miss Goodall, Messrs. Terrail, Marshall, and Bellamy—Hawes. Finale—Mozart.

Tickets, 10s. 6d. each, to be had of Miss Sharp, 43, Berners-street, Oxford-street. The Concert to begin precisely at Eight o'clock. Parties of Six or Eight may be accommodated with Boxes, by applying to Miss Sharp.

MR. HAYDON'S PICTURE OF CHRIST'S TRIUMPHANT ENTRY INTO JERUSALEM, which has been nearly Six Years on the Easel, is now OPEN for EXHIBITION, every day from nine to six o'clock, with all his other Pictures, and Studies in Chalk from the Elgin Marbles and Nature, at BULLOCK'S GREAT ROOM (UP STAIRS TO THE RIGHT) EGYPTIAN HALL, PICCADILLY.

Admittance 1s.—Catalogue 6d.

36. And as he went they spread their clothes in the way.
37. And when he was come nigh even now unto the descent of the Mount of Olives, the whole multitude of the Disciples began to rejoice, and to praise God with a loud voice for all the mighty works that they had seen.

38. Saying, "Blessed be the King that cometh in the name of the Lord, Peace in Heaven and glory in the Highest!"—St. Luke, Chap. xix.

THE SIXTEENTH ANNUAL EXHIBITION of the SOCIETY of PAINTERS in OIL and WATER COLOURS is NOW OPEN, at the GREAT ROOM, SPRING GARDENS.

Admittance 1s.—Catalogues 6d.

COPLEY FIELDING, Secretary.

BENEVOLENT FUND FOR RELIEVING THE WIDOWS AND ORPHANS OF ARTISTS.

The FRIENDS and PATRONS of the ARTS are respectfully informed, that the ELEVENTH ANNIVERSARY of the INSTITUTION will be celebrated at THREE-MASONS' HALL, TO-MORROW, the 1st of May, being the Day the Royal Academy Exhibition opens to the Public.

The Most Noble the MARQUIS of LANSDOWNE in the CHAIR.

STEWARDS.

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On the 8th inst., at Pau, in the South of France, the Right Hon. Thomas, Earl of Selkirk.

On Monday, at Twickenham, in his 90th year, Mr. Thomas Willis, an eminent practical chemist in London for 58 years.

On the 23d inst., at Blackheath, Peter Lawrie, Esq. of Ernespie, Scotland, aged 58.

On Monday, Anna, the wife of Mr. John Metcalfe, of Newman-street, Oxford-street, youngest daughter of the late Christopher Arden, Esq.

Compagnon Decatur, in consequence of a wound received in a duel with Commodore Barrow, at New York.

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