OLD BAILEY, LONDON.

SATURDAY, JANUARY 18.

TRAUD UPON SIR THOMAS PLOMER, KNT. Saturday Benjamin Walsh, Esq. M. P. was in dicted for feloniously stealing, on the 5th of Deof £1000 each, and another note of the same Bank, for the payment of £200, the property of Sir Thos. Plomer, Knt. There were six other counts in the indictment, alleging the offence in different ways, but without any very material alteration; in some of exchange.

Few trials have excited so much public interest as the one which is the subject of the subsequent detail. So early as eight o'clock, the avenues and vicinity of the Sessions House were thronged with people of the most respectable appearance, eager to gain admission to the Court. The judicious arrangements, however, of the Sheriff, tended very much to remedy the inconvenience which an indiscriminate Falmouth, and confessed that he intended to go to admission of every one who claimed that right to an | Portugal, and actually delivered to the prosecutor's open Court would produce, and materially to pre-

At a little after ten o'clock, the Judges, Lord Chief Baron Macdonald, Sir Simon Le Blanc, and Sir Alan Chambre, took their seats on the Beuch, and immediately afterwards the prisoner was called

The prisoner walked into the dock with a steady pace, arm in arm with a friend, apparently, however, considerably dejected, and labouring under the painful consideration of his unfortunate situation. He was dressed in deep mourning, his hair disherelled and unpowdered, and his appearance every thing but the unhappy circumstances under which his conduct became the subject of so grave an investigation. The melancholy appearance of the prisoner, the consideration of his situation and rank in society, the solemn gravity of the Bench, on which sat the Learned Judges abovementioned, the Chief Magistrate of the City, a considerable number of Aldermen, all attired in their scarlet robes, the crowded but respectable auditory which filled every part of the Court, were all circumstances which imposed upon feeling minds sensations that could only be justly appreciated by those who were present on this solemn occasion. As soon as the Jury of a chair, with which the Court immediately com-

plied, and of this convenience he availed himself during the whole trial. Mr. Garrow stated the case to the Jury, and began by observing, that if, upon a subject like this, it would have been possible for feelings of a private nature-of commiseration for the situation of persons who, though perfectly innocent, must be involved in the same ruin with the prisoner if he should the very honourable person whose painful duty it was to be this day the prosecutor. But he could not have given way to such motives without a very culpable neglect of his public duty. He (Mr. Gnrrow) would not be discharging the duty cast upon him, with satisfaction to himself, if he were to enter into a statement of any thing that was not indispensably necessary to the elucidation of the case-he was quite sure, however, that If the Jury had read any thing upon this subject in the variety of articles with which the public papers had been filled, they a nature, and attend coolly and dispassionately to such evidence only as should be now faid before them on the subject of the prisoner's guilt or innoa detail of the case, but as the evidence given by the witnesses may be deemed of more importance, we shall abstain from following him in his detail. Upon the law of the case, he begged to state his opinion of It to the Jury, subject, however, to the better Judgment of the Learned Judges. He took it from the oldest authorities in the law, that the crime of larceny, as it was imputed to the prisoner (without any of the considerations, of whether it was larceny in stealing privately from the person, or highway, but simply larceny as it was defined in and without the consent of the proprietor. Had we in this case a chattel of which the owner could be robbed, in the legal acceptation of the word ?---No one could doubt the fact. He should, however, cite one case, which was one of the first, precisely like the present; and, indeed, if there was any thing of difference between them, it was what pressed harder on the prisoner. He meant the case of the King v. Hervey Eccles, a money-lender, who proposed to raise money for a person, named Edwards, who applied to him to discount a bill. He took Mr. Edwards's bill from him, stating, that he was going into the next street, and would immediately bring him back either the bill or the money, but neither of these engagements did he comply with. On that occasion the present Recorder and Mr. Fielding were Counsel for the prisoner, and they contended, that the offence imputed to him was no felony, but merely a breach of trust. The real question, however, to be taken into consideration was, with what intention did the prisomer receive the bill into his possession?—It was manifest that he had at the time in his own mind the felonious purpose of converting it to his own use; and frequently burst into tears. that the law held to be felony. In that case, as in | The next part of the evidence went to prove the | his Learned Friend, Mr. Garrow, was materially

no settled plan of operations by which the prisoner hoped to escape with impunity -there was no purof doubloons to fly with to a foreign country, and the 5th December to Mr. Walsh, and £1600 Inthere were none of those other strong circumstances; dia bonds, which were paid for in ten bank-notes which characterised the case of Mr. Walsh. Eccles of Cicoc, tallying with those paid by Messrs. simply possessed himself of the bill and converted it | Gosling to his own use. There was some difference of opi-West, 22 Bank of England notes, for the payment nion as to the law of the case, but it was afterwards Deaman and Co. proved that the prisoner applied solemnly argued before the twelve Judges, who projounced Mr. Eccles's offence to be felony, and he was accordingly banished the country. The crime, however, now under consideration, did not involve December, paying him in bank-notes, the numbers the life of the prisoner, it was but a transportable places calling the Bank-notes warrants, and bills offence. The question in this case, if it was a question at all, was, whether, at the time Mr. Walsh received the prosecutor's bank-notes, he intended, i

ttorney the American debentures and the doub-

the language of the law, feloniously to take them against the will and without the consent of the proprietor, and convert them to his own use? Had the Jury any doubt that he so intended? Had they any doubt, when he purchased the doubloons and

oons which he had purchased; and still less could serve the good order and decorum of the trial. they have any doubt when he candidly, in his letters to his brother (which would be produced in evidence), developed the whole of his plan, and confessed that he designed to run away with the prosecuto the bar, and the indictment being read to him by tor's property, that his intention was felonious? Mr. Sheldon, he joined issue, by pleading Not | It would be said, that his intention was not felonious, because he did not convert the whole of the Guilty, and putting himself upon the country.

accounted to him for the £6000. That very circumstance, in his (Mr. Garrow's) mind, only showed that his plan was more cunning and subtle. The accounting honestly for the £6000 to the Solicitor-General, was only intended to full all suspicious of altogether betraying a carelessness and negligence of the intended robbery; and so high an idea had the prosecutor of the prisoner's honour, that the detection of the offender was to be attribued to the merest accident. The simple addition of one or two words to the answer of the banker's clerk, when the prosecutor had asked whether Mr. Walsh had left may money along with the Bills of Exchequer, caused the detection of the offender, and prevented the successful completion of his intended robbery. The Learned Gentleman concluded by anticipating such a verdict from the Jury, as would completely answer the object of this prosecution. Sir Thomas Plomer was then examined. He stated, that, for many years past, he had employed the were charged, the prisoner requested the indulgence

prisoner as his stock-broker. In the course of last summer, he made a contract for the purchase of a considerable estate, and informed Mr. Walsh of the circumstance, and that he should be obliged to complete the purchase by Michaelmas-in consequeuce of which, he consulted with Mr. Walsh upon the propriety of selling a large quantity of stock in the funds, for the purpose of meeting the occasion. Mr. Walsh, however, advised him not to sell so soon, as there was a prospect of a considerable be found guilty-there was no one with whom such rise in the funds, and the later the sale was postponconsiderations could operate so powerfully as with ed the better. As the title to the estate which he intended to purchase was not made out, he was not in such a hurry, and therefore waited until Mr. Walsh himself, about the middle of November, urged him strongly to sell out his stock, giving him as a reason, that the funds would fall. He complied with his suggestions; but as the contract for the estate was not sufficiently forward for completion, he suggested the idea of laying out the money, which would otherwise lie idle, in the purchase of Exchequer Bills. He had given a written permission to the prisoner, on the 28th of Novemwould dismiss from their minds every thing of such | ber, to sell out his stock, and a subsequent day was fixed by Mr. Walsh for him to attend at his office. for the purpose of transferring the stock. He should not have sold out so soon, but for the repeated soli- which it was given, so far as obtaining for it the paycitations of Mr. Walsh. When the stock was sold | ment at the banker's, and applying a considerable out, he received an account of the produce from the prisoner, which he left him to pay into Messrs. Gosling and Co.'s (the witness's bankers), and which he said he would do. It was the 4th of December that he went into the city to transfer the stock. The prisoner said that he would call next morning at his chambers in Lincoln's-inn-square. to receive a check for the money, which he did, and witness gave him a check on Messrs. Gosling for 222,000. It was given for no other purpose than stealing in the dwelling-house, or larceny on the to purchase Exchequer bills, which prisoner promised to bring to him at four o'clock on the 5th of the oldest law-books), was the felonious taking of December. The prisoner accordingly called next the personal chattel of another man, against the will day, about half past four, and produced Messrs, Gosling's receipt for £6000 worth of Exchequer bills, stating, that he had contracted for the rest, but that they could not be got that day, as they were locked up by the teller, Mr. Trotter, in a drawer at Messis. Coutts's, bankers, to which house he was agent : but adding, that he had paid the remainder of the money back to Messra, Gosling, for Sir Thomas's ecount. Sir Thomas, on his way home, called at Messrs. Gosling's, and, on enquiry, found the Exchequer bills had been there deposited, but no money. This excited his surprise, and induced some enquiry, but he saw Mr. Walsh no more until he was in custody at Bow-street. There were now several letters from the prisoner produced, in which he acknowledged the whole transaction. These letters were proved by George

Thomas to be in the prisoner's hand-writing. During the reading of them by the Clerk of the Court, particularly where they mentioned the distress of his wife and children, and the manner in which he was forced to abandon them and a country where he could no longer bear to live in disgrace, the prisoner

appeared to be convulsed with the deepest anguish,

the present, there were no previous preparations — payment of the check at Messrs. Gosling's, to Mr. different from this; for there it appeared, that it a Walsh himself, with the numbers of the bank-notes. ---It was next proved by Mr. W. Hannan, that he sold the (2000) Exchequer bills on the morning of

Mr. Dennis De Berdt, partner in the house o chase of American Stock to the amount of £11,000, and of course completed the bargain on the 5th of which corresponded with those paid at Messts.

Mr. Joseph Walsh, the prisoner's brother, provs ed that his brother, after repeated application, had paid him a debt of L'1199, on the 5th of December, and a £1000 note of the sum appeared to be one of those paid by Messrs, Gosling.

Mr. Fearn proved that the prisoner applied to him on the 2d of December for the purchase of £500 in the American Stock, when he was overtaken at Portuguese doubloons, but afterwards, on the 5th, diminished his order to \$200, which he then took and paid for in notes, which were proved to have been paid at a banker's in change for one of the P1000 notes before mentioned. The whole of the notes received by the prisoner

for Sir Thomas Plomer's check at Messrs, Gosling's, having been proved to be thus disposed of by him for his own purposes, the remainder of the evidence traced him to Falmouth, where he was found by Mr. Jenkins, Sir T. Plomer's solicitor, and where he surrendered to him the American debentures, and prosecutor's money to his own use; that he honestly the bag of doublooons, acknowledging his intention to abscond from the country.

The evidence for the Crown being closed, Mr. Scarlett now rose, and was proceeding to address the Court upon some points of law in this

are on behalf of the prisoner; when Mr. Garrow said, that although he was ready now to argue any points that his Learned Friend might offer, yet exhausted as the Court was, after so many hours of attention, and as it was probable, that if the arguments of his Learned Friend should go to any length, it might lead of course to a long reply. he thought it would be better, as most probably the arguments on both sides would ultimately lead to a ore extended discussion next term, or be referred to the epinion of the twelve Judges, it might equally well answer the purposes of his Learned Friend o state shortly to the Court the leading points of his

by the evidence for it appeared, that the check it-

elf was freely and voluntarily given to the prisoner

by Sir Thomas, and applied in part to the uses for

sum to purchase Exchequer Bills and other stock,

ie was directed, which were duly deposited for Sir

Thomas's account. By the Act of the 2d of George

the 11, cap. 25, which defines the crime of larceny.

it was necessary to show, that the party charged

with the offence had, by some contrivance or cir-

convention, obtained the property from the own-

r; whereas it was here in proof, that Sir Thomas

had given the check to the prisoner of his own ac-

ord, and confidentially, in the way of his profes-

ion as a stock-broker; and consequently that how-

ever the prisoner might be afterwards tempted to ap-

ply the check to other purposes, his mode of obtain-

ing the possession could not be considered as a theft,

however it might be as a debt. And as to the se-

ond point, that of stealing from Sir Thomas the

bank-netes obtained from the banker for this check,

it could by no means be considered as stealing from

Sir Thomas Plomer, for he had no property or con-

troul whatever in these identical bank-notes, for he

never had any possession in them; any other notes

might have been given for this check by the Bank,

or the prisoner might have changed the check with

his own broker, or parted with it for any other pro-

perty, in which case it would not be maintained that

he had stolen such property from Sir Thomas Plo-

mer. The fact was, that the check could not be

available to Sir Thomas so long as it remained in his

own hand, and must lapse to the possession of ano-

ther before it could be of value. The moment he

gave it in trust to the prisoner it became a debt of ci-

vil contract, for which he intended to receive in re-

turn, not Bank-notes, but Exchequer Bills, to be

purchased for his account by the prisoner in a pro-

fessional way. The prisoner, therefore, became

responsible to him for the check in part; and, if he

swerable only as for a debt. Eccles's case, cited by

failed to perform his instruction, he became an-

His Lordship then recounted the circumstance of the prisoner having bargained for the purchased To this the Court also acceded, and Mr. Scarlett P11,000 in American stock, so for back as the proceeded. He said, that, in looking to the objec-20th of November, and his having agreed for the tions he was about to offer on behalf of the Prisonpurchase of £300 of Portuguese coin on the 2d of er, no man who knew him could suppose he enter-December-and this while he was a ruined man. tained an opinion different from that of every honest and, as he afterwards acknowledged, wholly destiman as to the moral turpitude of the prisoner's contute of property, and while he had in contempladuct. Indeed, the prisoner himself had in his lettion the obtaining of Sir Thomas Plomer's money. ters acknowledged that torpitude to its fullest ex-His having acknowledged in his letters the intention tent, and, he was convinced, must feel with the uto defraud somebody - first, a Mr. V-, And aftermost compunction the full depth of the disgrace in wards Sir T. Plomer; his having come from his house which an act so fraudulent had involved him. But it n the country on the very morning of the fifth vas not the criminality of his moral conduct that December, with baggage for a long voyage; his remained at this moment to be discussed, but the subsequent purchase of stockings and nightcaps, ler construction of law upon the fact as it stood, and he purpose, before he obtained the possession of the question, whether the eridence this day adduced Thomas Plomer's money; and his afterward was sufficient to sustain the charge of felony, as set acknowledging his settled intention for the purpose out in the indictment? The indictment consisted to have been fixed; taken together, could leave w of seven counts, which, however, resolved into two loubt that the frauduleut project had been formedia charges; the one for stealing the check of Sir T. his intention long before he actually received the Plomer upon his banker, and the other for stealing check. The Jury would, therefore, consider their the bank notes afterwards, and it was stated in the rerdict. Without any hesitation, they returnedindictment as the property of Sir T. Plomer. With espect to the former, he should maintain, that no The point of Law, as to whether the offence is such charge as that of larceny could be sustained

Felony, or only a Fraud, will be solemnly argued next Term before the Judges-on whose decision rests the fate of Mr. Walsh.

vant to watch him, and virtually never quitted the

possession of the Phil. Here the contrary was the

case; for the che k was actually turned over to the

prisoner in trust for an express purpose. If Sir T

Plomer had sent his servant to the Bank, expressiv

for Bank-note, and that he had embezzled them to

his own use, the case would then be quite different.

But the prisoner was not the servant of Sir Thomas,

but morely empowered by him, in the way of an agent, and responsible to him only in the war

of civil compact debt, for the performance of his

commission. For these reasons he contended, that

Mr. Alley was about to follow on the same side

mt the Lord Chief Baron was quite satisfied that

there were serious and sober doubts as to this point of

law, and was not for stretching farther the doctrine

of constructive larceny. All that the prisoner could

he convicted of now was, of what he confessed in

Mr. Alley was auxious that the rendict of Guilty

should not go against him, since then he would be a

seconded felou, and the attaint could only be remor-

ed by the Royal pardon. If this were in arrest of

indement upon the record, he would not press it

but where it was one of fact for the Jury, he was

After some further observations, it was agreed to

ccept a special verdict from the Jury, subject to fu-

are argument, or the opinion of the twelve Judges

Baron Macdonald then shortly addressed the Ju

his case upon a question of law, whether the crime

charged against the prisoner was a larceny or only

a civil contract? To settle this point ultimatele

two modes had been proposed. The one, of special

orgument in a future Term, which would be attend-

ed with much greater suspense and embarrassment

to the prisoner. The other, to reserve the question

for the decision of the twelve Judges, if the Jury

should consict the prisoner. The fact then for them

to decide was, whether the prisoner, previously to

his obtaining possession of the check from Sir Tho-

mas Plomer, for the professed purpose of purchasing

Exchequer Pills, had formed in his own mind the

fraudulent project of emberring the money to his

own account. The better to enable the Jury to make

up their minds on this question, he would recani-

tulate the parts of the evider ce that bore immediate-

ly on the point, if they did not wish to hear the

whole summed up .- The Jury agreed.

, and told them, that strong doubts had arisen in

pressed to save the conviction of felony.

his letters, and the point of law would be reserved

the charge of larcens was not sustained.

The Court was very much crowded, not withstandng that the seats in the galleries were disposed of a alf a guinea each.

The Lord Mayor, in his robes and collar, took he centre seat on the beach; and on entering pa a his hat of ceremony, which he subsequent took off. Chief Baron Macdonald, Sir Alan Chim ore, and Sir Simon Le Blanc, sat on the bench. The demean our of the prisoner was suitable to is distressing situation; he appeared much emfated, and the workings of his mind seemed to ave settled into a quiet and resigned melancholy-

We have the pleasure to inform our renders, the he following persons, belonging to his Majesty ate ships St. George and Hero, were not on board hose ships at the time they were unfortunately lost Mr. John O'Hea, midshipman; John Halts, ordi

ary : Charles Miller, able : Robert Allen, ordinary John Parks, ordinary; Miles Bacon, able; Jer. Seach rdinary : Win. Gardner, able : belonging to the 8 Scorge, lent to the Earnest gun-brig in May last, and received on board the Woodlark, at Matwyk, the of December bust, on board which ship they now are Mr. John Seagrove, midshipman; David Johnson able; Jas. Davey, able; James Scott, ordinary; Lanes Swaine, ordinary; James Mucilwain, Quarter Ja er; Robert Howard, able; John Power, ordimit John Thomson, alias Thomas Thomas, ordinary: Morris, able: Benjamin Shillingford, ordinary; ke longing to the Hero. Mr. Seagrove and the add ought a prize from Gottenburgh to Spithead! remaining four, who were lent to the Karnestger orig, were brought to Portamouth in the Pyram and the whole are now on board the Royal Willia

Mr. Sengrove states, that Mr. Rice, midshipm of the Hero, was cast away in a prize on the Scu and is a prisoner; and that Mr. Parker and ! Shepherd, midshipmen, were taken prisoners in Belt, in November last-

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Kamsey's Waterford Chronicle.

No. 11,243.

THURSDAY, JANUARY 30, 1812.

PRICE FIFE PENCE.

TO BE LET. FOR SIX MONTHS

From the Eighteenth Day of December Instant, ***THE DWELLING-HOUSE, SHOP, &c. in which Jons Dirros, Silver-Smith, lately resided, si Runted on the Quay, in the City of Waterford. To Particulars, apply to Hixay Ivin, Attorney.

Waterford, December 19, 1811.

BARRACK OFFICE, DUBLIN, JANUARY 17, 1812.

TATOTICE is hereby given, that Proposals will b Treceived for supplying certain quantities of FIRING and CANDLES for the use of his Majesty's Forces in the several Barracks and Quarters through out Ireland, for one year, from the 16th of Apri next; the said Proposals to be sealed, and endorsed Proposals for Firing, &c." to be sent under cover to Major General Freeman, at this Office, on or be fore the 19th day of February next, after which da no Proposal will be received; and the Proposers are to observe, that the Eucl of each description m ist be of the best quality, and delivered at the place contracted for, by Dublin measure: viz .- sea Coal of four bushels to the barrel, and eight barrels to the ton-Stone Coal must be delivered by weight, and proposed for by the hundred weight the Furf by how of four feet long, two feet bload, and two and a but feet deep. The quantity of Firing and Candles required will be specified in each Contract, and mus delivered, or clamped by the Contractors, in the Birrick Mister's Stores, where there are such. Oneto irth of the amount of the Contract will be paid to Contractors upon their entering into Security, and further soms from time to time andt exceeding the orger two-fourths, will be advanced proportionably to the equatity delivered and youched by the aces estable re-cipts thereof, being produced from the Birtick Mister: and the balance will be discharged day examined at this Office, and found correct -The westen consent of two responsible persons mus Dometosed with each Proposal, resident, if possible in Dirbbing and no Proposal will be attended to where this shad not have been complied with, as well as the residence of the Proposer.

Inconvenience having arisen to the Service from the too general and extensive Undertakings of former Costructors; it is bereby notified, that local Preposes from eligible Persons will be preferably con adered. By order, JOHN HUGHES, Sec.

TO BE LET FOR SUCH TERM AS MAY BE AGREED UPON,

With or without a Fine,

TRANC. HOUSE, OFFICES, and DEMESNE LAND et BAYVIEW, in the County of Waterford cost uning about fifty Acres, opposite to and within of Youghal: upwards of Twents Thousand TREES have been planted, and all well paled in Tea Thousand of which are of Eight Years growth Kowards of Two Phousand Pounds have been laid on all kinds of Minure, and its Situation near the Binks of the Rinck Witter, together with a commanding and Bleasin - view of the Cown and Harbour of Youghal. render it an object to any Gentleman; its local adtradages need not be expatiated on, as they are well known and exident.

The House and Ground will be shown by Danier Sween, who lives on the Land, and any Proposal in writing, addressed (post-paid) to Mr. Williams Barry, Abbey Lodge, near Duhraryan, who is the Proprietor, will be duly attended to.

TO BE SOLD,

WELL-SECURED YEARLY PROFIT-RENT A of £100, arising out of the Lands of Ballymacart. in the County of Witerford, subject to an annuity of + 13. during the life of a Person very infirm . For faction perioculars apply to Thomas Stwann. Attornosed Youshil, during Vacation -- and at No. 8, Great Ship Steect, Dublin, during Term,

BUTTERFORD MARKET PRICES-JAN. 29.

Youghal, January 11, 1812.

Butter, first Quality, - - - - £6 104, Od. ----- voco al - - - - - - 6 54 0d ----- toud - - - - - - - 6 004, 0d. Taller (readered) - - - about 90s, od, Land marker - - - - Os. Od. - Os. Od. --- casks, rendered) - 6'is. Od. - 66s. Od. >per Cest Burnt Pigs, - - - - 36s, 0d. - 38s, 0d. Pock, - - - - - - - - - - - 33s. Od. 34s. 6d Perf. 04, 0d, . 04, od Flour, first Quality, - -- a. -d. - -- a. d. ---- third, - ---- 40s, od - 48s, od per Bag. -- - fourth, - - - - 30s, 0d, - 30s, 0d, Wheat, 500, od, . 500 od Barley, - - - - - - 244, 04, - 258, 0d. Ous (common) - - - 10s od. - 16s, 6d. --- potatoe) - - - - 17s. 04. - 17s. 6d Mill. - - - - - - 124, 01, - 418, 0d. Coals, - - - - - - 55, Od. - 58, 54. 99. Od. - 109 od i Polatoes . Beef | Sequarters 314. . 4d. 1 coolinter, a series and disaste - - - 1 d - 5d - - - 14d, - nd. Oden Returns for the Week ending on Saturday To Corress Wheat, Y.

-- burles

onto,

FROM THE CORRESPONDENT. DUBLIN-MONDAY, JANUARY 27.

We have carried down the proceedings in the ourt of King's Bench to the latest moment we ereable, having a vast impression of our Paper o work off. The Court was employed in trying challenge to the array of the Jury for favour -which greatly heightens the unfortunate interest of the impending prosecution. When our Paper went to Press, the proceedings on the challenge were not

KING'S BENCH-JANUARY 27. TRIAL OF THOMAS KIRWAN.

Robert Hall

Peter Roe.

M. J. Plunkett.

George Palmer,

James Donovan

W. Colville, jun

Thomas Jameson.

Samuel Gordon

Jos. Chambers

F. Magrath,

James Councils

Samuel Tyndalt

A. Ruchannan

. Smith.

J. L. Armstrong.

. Rosborough

Richard Darling.

J. Murphy,

J. Moore.

A. Bates,

Wm. Eaglish.

Isane Stewart,

E. Swanwick.

P. Brophy,

J. Pepper.

Jos. Hone.

W. Murphy.

George Ness,

Thomas Hunt.

Scorge Knox.

John Dickson,

H. Lyons.

Edward Clibborn,

Thomas Prentice.

JURY PAYNET. Hon, P. Blackwood, Frederick Geale. John Rutherford John Rothe. Robert Turbett. James Earrell James Hamilton Benjamin Ball. E. Butler. Edward Hendrick P. Dovne, iun Richard Cooke J. Alkinson. Robert Ashworth,

R. M.Donnell Richard Pim George Thompson, Ben. Geale, Richard Cane Thomas Reid J. Verschoyle, C. Haskins, Thomas Howie, Charles Pentland L. Crosthwaite. R. H. French. B. Maziere,

J. Jackson, J. Duncan, M. M. Cormick Peter D. Latouche. J. Armit,

Richard Verschoyle, Edward Croker. N. Callwell. T. W. Briscoe F. T. Brady,

A. Jaffray. B. Reed. J. Stanley.

After the Pannel had been called over, Mr. Goold requested the Jury would not be sworn for

The CHIEF JUSTICE .- Can Mr. Burrowes have any thing to state before the Jury is sworn? Mr. Buren ...-Yes, my Lord, he has.

Hon. P. Black wood took the book.

Mr. Bunnowes, - I am sorry to have caused any lelay -- it is my duty, however, to interpose for some further delay before the Jury are sworn-I wish to have a previous inquiry to examine into the fairness of the pannel, which is as important as the trial itself. We challenge the array, as made between Government and John Kingston James, the Sheriff, and by the nomination of Thos. Kemmis, the Attorney for the prosecution.

The ATTORNEY-GENERAL .- The only object in this application is to bring disgrace upon the administration of justice-it can be intended for no other purpose; it is grievously false and unfounded, and I am sure my learned friend does not mean to feed the spirit of discontent and opposition to the laws of the country. Mr. BURROWES .- The learned Attorney-Gene-

ral cannot deny the charge, of his own knowledge, but we have grounds for the proceeding. I deny that the object of it is to undervalue the character of the justice of the country, or to throw unnecessarily any imputation upon any person whatever. The challenge was then read to the following ef-

And the said Thomas Kirwan comes and chalouges this array, and says the said pannel was made by John King ton James, one of the High Sheriffs,

upon the nomination, and at the instance and request of Thomas Kemmis, then and now the Attorney for the prosecution. This prosecution he denies, and this you are to try.

Robert Hamilton and R. Heyland, Esqrs. Officers of the Court, were sworn Tryers.

Wm. Kemmis, Esq. sworn. Is Thomas Kemmis Crown Solicitor? A. He is,

Do you know John K. James, one of the High Sheriffs? Yes; I have known him since the trial of the Prizage case with Lord Ormonde, in which be was defendant

When did you see him last? Yesterday, Did you see him before, about a week ago? Yes.

at his own house. Did you see him at any other house? I saw him at the Corporation-house, in William-street,

on Friday se'onight. I went there and had him Did you see him at his own house since that day

Did you see him any where else? I do not re-

Would you have forgotten it if you had? If I had any conversation with him I would have cer-

tainly recollected it. Will you undertake to swear you saw him no where else? Wednesday last, at his own house.

I do not recollect I saw him any where else ;-- I waited at his house upon that day, until he came

You had a conversation with him at the Corporation-house? I had: I sent in my name, and he came out to me.

You had a conversation with him then? I had, about three words. Were they relative to the Pannel of the Jury ?-

I gave him the Fenire into his own hands, What did you say to him-did it relate to the

Fenire and the Pannel? It did. Have you seen him since? Yes, as I have told

you, at his own house When you saw him at his own house, had you

any conversation about the pannel? I had, You had delivered to him the Fennic before ?-

What was the purport of your conversation?-I asked him to give me a copy of the pannel, which he refused: I asked him to return it to Court, or ive me a convofit, but he would do neither.

Did you ask him farther? Yes, but he said ie would keep it in his pocket until he came to Court, and would not show it to either party without the direction of the Court.

On the first day what did you say to him? But a very few words. I told him, the time was very short, and to return the Venire and pannel as soon as he could-and he said he would.

When you asked him at his house for the pannel, what did you further say? I told him I did not care if he also gave a copy of it to the other party; and I said, if he refused it, the Court would grant it.

When you desired him to return the pannel and Fenire, did you mean to be returned to you? No. Did you intimate to him that it was the wish of any person that he should give you the pannel?-No-I claimed it as a right.

Did you say any thing more? No. Do you positively state that nothing further pass-

ed? I recollect nothing else. When you asked the Sheriff the first day at the

Corporation-house for the pannel, what did he say? Nothing. But when I asked him for it at | White's name is also upon it. his own house, he said he was an Officer betw he had something very important to state to the | the Crown and the public, and could not give it to ei-

When you went to him a second time, did you not think he had consented to gire it to you upon the first application? I did not.

Did you ever ask him for a copy of the pan nel but on two occasions? Not that I recollect when he refused me so positively, I did not think it of any use to ask farther.

Did you not send since for a copy of the pannel? The very day he refused me, I sent Mr. Carmichael to him for it, but he refused him also, I did not know Mr. Carmichael had been refused, or I would not have called for it. Do you know of any other person applying to the

Sheriff for the pannel? I do not know of any ap-

Did you, since Wednesday last, become acquainted with the pannel or any part of it? Yes; I met Jurymen who told me they had been sum-

What are their names?-The Attorney-General here interposed, and said it was quite irrelevant what persons, who met in the streets in this way, had said upon the subject.

Some discussion arose upon the question. The Court said it was a departure from the issue. The witness withdrew, by order of the Court, while the point was debating, and the question was overruled.

Cross-examined by the Attorney-General. On Friday you delivered the Venure to the She-

Was it not your duty to do so? Yes. When was it returnable? The first day of the

The direct examination was here resumed by Mr.

Did you hear what names were on the pannel, in

any other was but from persons who told you they

The Attorney-General objected to the question, but, after some argument, it was allowed to be put;

and the witness said, " partly, I did." In what other way? I got a list of names, which I understood were to be upon the pannel, and some

of them are mon it. From whom did you get it? Here the witness

nade a long pause, and asked, "Am I to answer that question?"-Certainly. The Att.-General objected to the question. He

said the conduct of any other individual could not affect the issue-but the Court ordered the witness to answer the question, who said-" I got it from OR CHARLES SATTON

Have you that list here? No

Where is it? It may be at Kildare-street. Where did you see it last? At Kildare-street. Are you sure it is not in Court? I cannot tell. When did you get it? [Friday evening last. Where? At the Castle.

Sir Charles Saxton holds his office there? Yes. ie is Under Secretary.

Do you recollect what number of names the list contained? I do not.

Were there one hundred? No, nor near it. Were there fifty? About fifty. Were there more? There might be more

Was any person present when you received it Did you go to Sir Charles for it? No: I was at the Castle upon some other business, and he

handed it to me. Did he hear the Sheriff had refused to give it to iou? Ida not know.

Was the list marked when you got it? No: there were wither marks or numbers to it. When did you see it last? Yesterday, at Kildare-

Look at your Papers, and see if it be in Court. The witness examined his papers, and said he had

Q. Do you know if you made any copy of it? was copying it.

Did you show it to any person? I made several oquiries about the names. From whom? The question was objected to,

ut allowed to be asked. The witness said he made some inquiry about the

names, of Alderman Carleton and Mr. Hall, formerly Law Agent to the Police.

Are all the names in that list in the present pannel? I believe they are,

(Here the List was much pressed for, and the Chief Justice intimated his wish that it should be produced.-Here Mr. Thomas Kemmis produced the last, and he was sworn.)

Where did that List come from? From my pocket. Why did you search your desk when you knew

it was in your pocket? I have had it there some days-I did not recollect it. The Examination of W. Kemmis resumed. Are all the names upon the pannel which has

been called this morning, upon the list? No: the first name is Sir Thomas Newcomen, and Lake Mr. Burrowes requested the Officer of the Court o examine the names, and see had they differed, and if some names were not put at the bottom. instead of being permitted to remain upon the top of the list. The list was examined accordingly—the names of T. T. Frank and P. Wilkinson appeared

nel which did not appear upon Sir Charles Saxton's Do you know the hand-writing of the numbers put to the list? No; there are numbers put to it

not upon the pannel. There were twelve others

also omitted; and there were some upon the pan-

Did you put any of these numbers to it? I did me, and my father did others. Mention how many different kinds of marks are o it? All the writing in ink annexed to the names

For what purpose did you annex numbers to it? To mark that they were loyal men.

Is the cross the mark of loyalty? Judge Day .- We are wandering from the subject. Why did you put numbers to the list? To mable my father to make inquiries.

Here is 1, 2 and 3-how comes it that instead of , the next should be a jump to 27? I do not know—the numbers were made at different times.

When did you make the first? The day I got it. Q. When did you make the last? A. Yester-Q. Why did you go from 3 to 27-what does

27 refer to? A. It might have been that my father had another list .- Why does 4 follow 27, and why did you put it there? I put them in the order in which my father was making them out, and those numbers referred to a list he and I were making. Where is the other list? My father has it.

Mr. Thomas Kemmis was here asked, where the other list was? He asked, "am I bound to answer) the question ?"

Early in the night, Brigadier Winkleman, with I prior to my march to Samarang to attack the enemy, | Father and Family. Mr. Plunket's reasons for this | which (although the report of this Deponent, of the some officers, came into my quarters with a flag of truce from General Jansens, who was stated to be fifteen miles in advance of my position, Solatigo, on the road to Solo-the Brigadier was charged to request an armistice, that the Governor-General might communicate with your Lordship, on terms of capitulation. He was informed, by my direction, that he must treat with me, and that without delay I however consented, in consideration of the distance of his position, to grant, for the express purpose of capitulation, an armistice of 24 hours, to commence from six o'clock on the following morning, and limited in its effect to the forces present with this answer Brigadier Winkleman returned, accepting the armistice proposed.

I was perfectly aware of the general sentiments o Rear-Admiral Stopford, regarding the object or which our joint services were employed, from the unreserved communication I had held with him. He had sailed for Sourabaya with the declared intention of attacking Fort Louis, and of returning to his station when the service was accomplished; and he was most anxious for its speedy termination, as he had informed me, he did not think ships would be safe on the northern coast of Java after the 4th Oc tober, unless Soursbaya was in our possession.

All these considerations were strong in my mind against the delay of a reference to him, and confident that the important object of obtaining for Great Britain an immediate surrender of the island ought not to be impeded or delayed by any point merely of form, I did not hesitate to act individually and on my sole responsibility, for the interests of the state. I had also cause to fear, if the favourable moment was allowed to pass, that the allies of the enemy might recover from their panic, that Geperal Jansens might learn the small amount of our force, that he might again collect his troops and retire on Solo, where, profiting by the period of the approaching raim; he might prolong the contest, and though I could not doubt its ultimate success, a war in the interior would have embarrassed our arrangements, and have involved the affairs of the colony in inextricable confusion.

On the forenoon of the 17th September, the Commandeur De Kock, Brigadier and Chief of the Staff of the French army in Java, arrived at Oonarang, with powers from General Jansens to treat of a capitulation, which I authorised Colonel Agnew, the Adjutant-General of the Forces, to discuss with him on my part: the result was the signature by them of the articles I have the honour to enclose, with which General De Kock returned in the lifternoon to obtain General Jansens' approval.

At three o'clock in the morning of the 18th, Brigadier Winkleman arrived at my quarters from General Jansens, who declined to sign the articles that had been agreed upon, adverting particularly to those which concerned the debts of the Government to individuals. He requested that I would meet the General half way, or stated that he would, if preferred, come to my quarters at Oonarang, for the purpose of discussion or explanation of those ar-

As the situation in which it is evident he stood deprived him of all claim to those terms of capitulation which, had he profited by the former invitations made while he still possessed the means of defence, he might perhaps have obtained, and as my situation, with a force unequal to prosecute operations further in the interior would not admit of delay, I assumed a firm tone; and desiring General Winkleman to be informed that personal respect for the character of General Jansens had alone induced me to grant any terms to his army_nnounced to him that the armistice would cease at the appointed hour, and the troops march forward at the same time.

Colonel Agnew gave orders for this purpose in his presence; and informed him, that if General Jansens allowed the opportunity of capitulating now offered to escape, by not accepting the terms already prepared, no other could be offered. Brigadier Winkleman returned with all speed to General Jan- | Cheribon. seus, and Colonel Gibbs marched with his detachment at six o'clock on the road to Soligata, where, after advancing about five miles, he was met by Brigadier Winkleman, bearing the capitulation confirmed by the signature of General Jansens, and accompanied by a letter, which strongly marked the acuteness of his feelings at being compelled by the desertion of his allies, and the destruction of his army, to adopt this measure.

The detachment counter-marched immediately, and after sending a company (at the request of Brigadier Winkleman) to secure the guns in the post of Soligata, moved back to Oonarang, whence, in the evening, I returned to Samarang, just before Gen. Janseng had announced his intention of joining me at the former place. The General, with great part of his officers, also reached Samarang that night.-I visited him on the following day, and arranged for the equipment of a transport to convey him to Batavia with his suite, in which they embarked this

I have dispatched Colonel Gibbs to assume the command of the division of Sourabaya, to which I have allotted his Majesty's 78th regiment, the 4th volunteer battalion, the Light Infantry battalion, and the Royal Artillery.

I have sent a small detachment, under Major Yule, have much reliance, to accompany the Prince of Sa-I have directed the Major to assume the command, subject to the general controut of Colonel Gibbs: he from Cheribon. In mentioning the Prince of Sama- rancour and virulence which shocked and surprised

visited me on my return to Samarang, and expressed an earnest wish for the protection and friendship of the British nation.

As Colonel Wood requested permission to relin quish the command of Samarang, and return to Bengal, I appointed Lieut.-Colonel Watson, of his Majesty's 14th regiment, to relieve him in the comartillery, and part of the 3d volunteer battalion, have been stationed at Samarang, and will shortly, ments of the horse artillery, cavalry, and 89th re-

I have detached Captain Robinson, your Lordhip's Aid-de-Camp, with a small escort to the courts f Solo and D'Jogocarta, to deliver a letter from me to the Emperor and Sultan, and announce the change that has taken place; I have also called upon the residents at these courts. Van Braam and Englehard, to continue, agreeably to the capitulation, the exercise of their functions in behalf of the British Government, and to secure carefully the public property of the late government, placed in the rritories of the respective Princes at whose courts

I have also required the other public functionaes of the late government to continue in the temporary exercise of their functions, which hitherto I have found no instance of their declining to perform.

It will be necessary soon to arrange for the guard of honour attached to the Emperor and Sultan of the troops of the European Government of Java, and for the occupation of the forts at their capital, and on the lines of communication to and between these; but this will be easily arranged when the troops ordered to Samarang shall have arrived, and the report of Captain Robinson shall have warranted a judgment of the strength of these detachments.

I embarked this morning in his Majesty's ship Modeste for Batavia, and shall have the honour of ecciving your Lordship's personal commands, and discussing with you the several military arrangements which it may be necessary to make for the security of the island of Java and its dependencies, previous to my return to Madras, which it is my wish o do without delay.

Here follow the Articles of Capitulation. They are highly favourable to this Country; and, at the same time, reflect great honour on the British character. The European troops, under General Jansen, surrendered at discretion. The Native Princes. and their troops, who fought under him, are treated with great humanity and respect.

The details from Admiral Stopford, respecting the naval part of the expedition, next follow. They state the surrender of Cheribon, Hamonap, Fort Ludowick, &c. &c. to detachments of British Seamen and Marines. The conduct of Capt. Harris, of the Phosbe, was uncommonly spirited and judiclous. The booty acquired is immense, and the loss on our side trifling in the extreme.

Return of killed and wounded of the detachments commanded by Colonel Gibbs, in the attack on the enemy's position at Jatice Alles, September 16, 1811. 14th Foot—1 serjeant, 2 rank and file, wounded. 18th Foot—2 rank and file killed; 7 rank and file

wounded. Total—9 rank and file killed; I serjeant, 9 rank and file, wounded. P. A. AGNEW, Adjt. Gen. (Signed) (A true conv.)

(Signed) J. CRAWFURD, Acting Sec. to Gov. (Signed) A. BARRY, Chief Secretary.

[Returns have also been transmitted of ordnance tken in the fort of Oonarang and in the batteries between Samarang and Oonarang, amounting to fifty-six pieces of cannon; also of a large amount of ammunition, stores, &c. found at Oonarang and all the Counsel concerned; and this Deponent post-

List of troops who surrendered at Fort Cheribon on t 4th September, 1811. Lieutenant-Commandant, 1 Bombardier, 2 Corporals, 33 Artillerymon, 96 Infantry.

Prisoners made in Cheribon an hour after its ourrende to the British Squadron.

Total-133.

Jamelle, General do Brigade, Commandant' Troupes.

COURT OF KING'S BENCH-DUBLIN, JAN. 23 The King, at the prosecution of Wm. Conyngham Plunket, late Attorney-General, v. Messrs.

Gilbert and Hodges. Mr. Burnowis moved in this case for a condiional Order for a criminal Information against the Defendants, for a libel published by them, and contained in a work entitled, " Sketches of History, Politics, and Manners, taken in Dublin and the North of Ireland in the autumn of 1810."-He then stated the affidavit of Mr. Plunket as follows:

AFFIDAVIT. The Right Hon. Wm. Conyngham Plunket, of Stephen's-green, in the City of Dublin, maketh Oath. and saith, that he hath read in a Book, entitled, Sketches of History, Politics and Manners, taken of the 20th Bengal regiment, an officer on whom I in Dublin and the North of Ireland, in 1810," the following passage, "Mr. Plunket, the late Attorneymanap and his force to the island of Madura, where General of Ireland, is an admirable public Speaker, either at the Bar, or in Parliament. This Gentleman, however, was severely reprobated for his conhas been instructed to occupy the small forts of Jo- duct on the trial of Mr. Emmett, for High Treaanna and Rombang on his route, and I have directed son, about seven years ago. Mr. Plunket, who that of Japara to be occupied from Samarang : Idia- was the only King's Counsel, conducted the prosemayo and Pucalonga hare been garrisoned by troops | cution against this unfortunate young Man, with n

he sent to ask my orders, being with a thousand of | conduct have never been made known, though it in- vatious to the Jury is very inaccurate as to composihis people within a shart distance, at Damak. He jured him very much in public estimation. Crown tion, and was published without any revisal by, or Lawyers have at all times been of the blood-hound communication with, this Depone; *) the substance tribe—they seldom lose scent of their prey, either of the said observations is stated fairly, and without from considerations of gratitude or humanity. We suppression. This Deponent saith, that a libellous have an instance of this in the prosecution of Lord statement, similar to that which this Deponent now Essex, on whom the celebrated Bacon, then At- complains of, having been made many years ago in torney-General, exhausted every opprobrious term | a London periodical Print, this Deponent did bring in the English language, though this amiable No- an Action in England, against the Publisher there. mand. The 14th regiment, a small detachment of bleman had been his greatest benefactor, and con- of, and did, sometime in the year 1804, obtain a verstant and unalterable friend."-- This Deponent dict and dynages to the amount of four hundred saith, that he believes himself to be the perpounds, but which the Deponent did not lery ; and I trust, be reinforced by the arrival of the detach- son designated, in the foregoing passage, by the this Deponent suith, that the same scandal having name of Mr. Plunket; and that the object of the been revired and propagated with some industry, said passage is to represent this Deponent, as har- this Deponent feels, that he owes it to his own chaing conducted a prosecution for High Treason, racter to take this public method of disproving on against the late Robert Emmett, with rancour and oath the base and unworthy conduct which has been attributed to him, and which this Deponent believes virulence, so gross as to shock and surprise the public mind; and that the said passage is further inis calculated to lower him in the estimation of those tended to represent this Deponeut, as having violat- | who are not acquainted with his character, and sened the dictates of gratitude and honour, by exerting timents, and hablts of life. This Deponent further such virulence and rancour against a person from saith, that he believes that a great many copies of the whose father and family this Deponent had received | Publication abovementioned, entitled "Sketches considerable obligations. This Deponent saith, of History, Politics and Manners, taken in Dublin. that the entire of the charges and insinuations against and in the North of Ireland, in 1810," have been this Deponent, contained in the said passages, are circulated in this country, and that in particular a untrue. This Deponent saith, that he was personcony thereof was, on the 14th day of this month, ally an otter stranger to the said Robert Emmett, sold at the shop of Wm. Gilbert and Robert Hodger, of Dame-street, in the City of Dublin, Booksellers never having, to the knowledge of this Deponent, seen him until he was arraigned on the said trial in and this Deponent saith, that he did not know, or public Court, and never having had any intercourse had not heard, until the 13th day of this month, with him of any kind, directly or indirectly -- and that the said Libel (as this Deponent conceives it to this Deponent saith, that he never received the slightest or remotest obligation from the said Robert Emmett, or from the father, or from any one individual of the family of the said Robert Emmett. And this Deponent saith, that though the father of the said Robert Emmett was a Physician residing in the city of Dublin, this Deponent was not even on such terms of acquaintance with the said Dr. Emmett as to bow to him in the streets-and that this Deponent was never, to his recollection or belief, in a private company with the said Dr. Emmett in the course of his life, save once, and that, as this Deponent

be) had been published or circulated. - Sworn before me this 23d day of January, 1812, W. C. PLUNKET The Court granted the motion. TUESDAY, JANUARY 21. Dispatches have been received from Lord Welngton, dated 25th ult. The head-quarters renained at Freynada, nor had any alteration taken place in the position of the allied troops. The believes, upwards of twenty years ago, at the house reuch, however, had moved a corps of their army of the said Dr. Emmett, on the invitation of his son, owards Placentia, with a view, as it was reported, Thomas Addis Emmett, with whom the Deponent of ultimately proceeding towards Madrid. had been intimate when in the University of Dub-The British and Portuguese army was abundantle in, and when a student at the Inns of Court in Engupplied with provisions and stores of every descripland, but this Deponent saith, that within a very ion, and disease was completely banished from their short time after the said Thomas Addis Emmett had been called to the Irish Bar, which was, as this De-

ponent believes, some time in the year 1790, all inti-

macy between him and this Deponent had ceased.

in which the said Thomas Addis Emmett was impli-

cated with the party who were engaged in the poli-

tical pursuits in this country, which ended in so

much public disaster. This Deponent further saith,

that he did not conduct the trial for High Treason

against the said Robert Emmett, the same having

been conducted by the then Attorney-General, the

present Chief Baron of the Exchequer of Ireland:

but this Deponent admits, that he was one of the

Counsel employed & consulted in the conduct there-

of; and this Deponent saith, that he believes the

said trial was conducted with perfect propriety and

moderation by the said Attorney-General, and by

tively saith, that he was not, in the part which he

took in the said trial, actuated by any feeling at all

partaking of the nature of virulence or rancour;

but, on the contrary, this Deponent saith, that he

felt sincere compassion for the said Robert Emmett.

whom this Deponent considered as possessing many

high endowments, but who had, as this Deponent

onceived, sacrificed them and himself to the sug-

gestions of an unregulated enthusiasm, and who had

involved in his wild enterprizes the fate of many de-

luded persons of the lower orders of society. This

Deponent saith, that he was then of opinion, that

t would be of some service to the Public that this

Deponent should avail himself of the public oppor-

tunity of speaking to the Evidence on the said Trial,

by pointing out the folly and wildness, as well as

he wickedness, of the treasonable conspiracy which

at that time subsisted. And this Deponent saith,

that, in the observations which he made in

speaking to Evidence on the said Trial, this Depo-

nent did remark on the unworthy use which

the said Robert Emmett had made of his rank

in eociety, and of his high abilities, in endeavour-

ing to dissatisfy the lower order of labourers and

nechanics with their lot in life, and engaging them

in schemes of revolution, from which they could

reup no fruit but disgrace and death-and this De-

onent did also remark on the danger and ruin to

which the said Robert Emmett had exposed his coun-

ry, by having proposed (as this Deponent conceir-

d the fact to be) to call in the assistance of the

French. But this Deponent saith, he is not con-

scious of having made use of any expression, on that

coasion, which was calculated to give unnecessary

logree departed from the respect which was due to a

Gentleman in his unfortunate situation, and this De-

principally in consequence, as this Deponent O.(XX) men were on their way from Bayonne to rebelieves, of a total opposition between the opinions force the French army. of the said Thomas Addis Emmett and this Depo-Dispatches were also received this morning at neut, on the political affairs of this country, which, ord Liverpool's office from Gibraltar, dated 29th about that period, assumed a form so very important ult. They state that Valencia still held out, nor as deeply to affect the private sentiments and chawere the French in a condition to make any serious acter of reflecting persons, in so much so, that for mpression upon it, until reinforcements arrived from some years before the arrest and imprisonment of the France, the practicability of which was very doubt-

A Lisbon Mail also arrived this morning, but the

Papers brought by it do not enable us to add any

thing of interest. There was a report at Lisbon, that

LONDON.

said Thomas Addis Emmett, in the year 1798, il, from the formidable appearance of the Datebets there subsisted no sort of intercourse between this all directions. Deponent and the said Thomas Addis Emmett, save The French still continue their most strengous exsuch as necessarily arose from occasionally meeting ertions to possess themselves of Tarifa, but they had in the streets, or in the Four Courts, although this not been able to bring up their heavy artillery against Deponent was not then fully apprised of the degree

t at the date of the last dispatches. The yellow fever had almost entirely abated to the enstward of Gibraltar, but the Quarantine Laws

were still enforced at that port. We have received private advices from France, hree days later than the Parisian Journals, viz. to the 15th instant, and they contain intelligence of ommercial importance. The Hoffung and Vigiance, which, under licences from Bonaparte, sailed from this Country for Antwerp and Cherburgh, have been seized, with their cargoes, and the sales of the latter directed under a special order. The cargoes consisted of indigo and other valuable commodities, and are estimated together at nearly £200,000. The ground of this proceeding is, that under the licence the exports from France to the amount of the cargoes ought to have been made before the imports; but, according to the terms of the seizure, the produce of the sale is to be carried to a separate account, and the invoice price to be allowed to the proprietors of the goods, on condition that the ships conveying the merchandize into Antwerp and Cherburgh, within three months, return with French produce, of equal value. The profif, la any event, is to devolve into the possession of Government; and under the circumstances, serious doubts will naturally be entertained, whether the French Agents, having received the proceeds of the sales, and carried them to the Gaisse d'Amortisses ment, the Executive of France will faithfully secount with the claimants, if the condition stated be

performed. The greatest activity prevails at the respective Dock-yards at present. Many new line-of-battle ships are ordered to be built; others in a great state of forwardness completed; and no Captain is alowed leave of absence from his ship for more than a week.

It is expected that the line-of-battle ships at Portsnouth will be ordered to take a reinforcement of roops to Portugal. They are fitting for sea with nore than ordinary celerity. The reinforcements will, it is said, amount to 7000 men.

The melancholy event in the family of Lord George Cavendish has occasioned the delay, for a few days, of the Motions to be made in Parliament on the Catholic question. In the House of Lords, the motion is to be made on Friday, the 31st inpain to the said Robert Emmett, or which in any the 3d of February. stant, and in the House of Commons on Monday,

The Report of the Committee of the House of ponent begs leave to refer to the Report of the Cases ans, does not differ in substance from that of the nap, it would be unjust to him not to report, that, every person acquainted with his obligation to his of High Treason, published in the year 1803, in Committee of the Commons.

WEDNESDAY, JANUARY 22.

We have received Corunna Papers to the 13th, containing accounts from Lisbon of the 4th. They state, that nothing had been heard of from the armies, except that Gen. Porlier had been attacked by the French troops, under the command of Gen. Bonthat the enemy had been repulsed with considerable loss. The French continue in Astufias, were levying contributions of money and corn in Gijon, and the neighbourhood. The inhabitants were considerably distressed in consequence; but in other respects they do not complain of ill-treatment.

The accounts from Gibraltar are to the 25th last. They state, that the French had begun to bombard Tariffa with eighteen pieces of cannon. Their force amounts to about 5000 men, under the command of General Valette.

General Ballasteros returned to his position under Gibraltar on the 14th last, after baving pursued the French, who quitted St. Roque on the preceding on the 24th December, but the Cadiz Papers state, Thursday, as far as Banos. Colonel Gough, with a British regiment, is

Tariffa, and the British gun-boats and ships of war annoy the enemy considerably; but it is supposed they will be able to make the breach practicable. Mails arrived this morning from Malta, Sicily,

made the following extract relating to a gallant exploit performed by a small British force, on the coast of Naples :-" ORDER OF THE DAY. " Head-quarters, Messina, Nov. 10, 1811.

" Lieut.-General Maitland feels the greatest sadisfaction in notifying to the army the bravery and good conduct of a detachment of the 62d regiment, consisting of 250 men, under the command of Maior Darley.

"This detachment, with 50 Royal marines, commanded by Lieutenant Pipon, landed from his Majesty's ships Imperieuse and Thames, in face of the enemy, who were about 1000 strong, commanded by General Pignatelli Cerebiara, attacked and carried the position of the enemy, and being themselves attacked, repulsed the enemy in a charge, driving him from his ground, and maintaining their position for two days. They also took a convoy of 9 gun- Wellington. beats, and 20 other barks, laden with naval stores, which were in the bay of Polinuvus; two hatteries were also taken, with a telegraph tower. The conduct of the Officers and soldiers is considered b

Major Darley as being glorious and conspicuous. " Lieutenant-General Maitland is very semible that the intrepidity and judgment of Major Darley conducted the troops to this fortunate success and he sincerely thanks the Major and all the officers and soldiers for their operations, which have been worthy of the reputation which this army has

The ship Carmarthen, from Bombay, arrived in

he Downs on the 21st inst Sailed from St. Helena the 20th of November, i mpany, the Country ship Bhumoolah, from Benpl, and the Mary-winter; which ships are giso ar-

The Bhumoolah sailed from the Isle of France the 1th October, and arrived at St. Helena the 15th

The Union, Ranken, arrived at Bombay the 24th The Princess Amelia, Taunton Castle, and Hope.

ailed from Madras for China, the 4th September. The ships from Madras were seen going up the er to Bongal, viz. Castle Eden, Carnatic, Rose, d Metcalf.

Passengers per Bhumoolah-

Captains Moncriessand Ongley, Lieutenants Nee, Aubert, and Derneson; Mr. Mercer, R. N. An express was received yesterday from Windsor, Carlton-house, stating, "That His Majesty had ast express left Windsor."

An express was received last night from Windsor, at Carlton-house, stating, " That His Majesty's tation had increased much during the day." His Royal Highness the Prince Regent gave auence yesterday to the Earl of Moira and Mr. Adam.

Mr. Percoval had also an audience of his Royal High-Mr. Marable, the private secretary to Mr. Pole

rived in town from Dublin on Sunday. Mr. Pole as expected hourly yesterday. Mr. Perceval gave a grand dinner on Monday. this house, in Downing-street. His Royal High-

en the Prince Regent had received a card of laviation, but his Royal Highness sent a message he ould not attend.

Sir Evan Nepean will dine with the East India Sirectors, at the City of London Tavern, on the 19th instant, before his departure as Governor of

Mails from Jamaica and the Leeward Islands arved this morning. The accounts from Jamaica e to the 23d November. The House of Assemoly met on the 29th October. Among the Acts sed is one for doubling the dutics on all articles fgrain imported from America. The object of ese additional duties is to encourage the smaller tlers in Jamaica to cultivate substitutes for these essaries of life, the labour of their negroes in the owth of coffee being now unprofitable and useless. A Committee has been appointed to prepare a Peon to the Regent, stating the hardships to which inhabitants have been reduced, and praying such intions as shall place the property of the Coloon an equal footing with that of his fellow-subin the parent state.

THURSDAY, JANUARY 23, Cadiz Papers reached us this forenoon to the lat-

by which we learn, that Valencia had not sur-

at Calliz, that the French had made an attack upon | a Penitentiary in London, and to the Droits of Ad- | in the neighbourhood of CLOGHERN, accompanying of 1d,000 men. This appears most absurd, as the loss of Suchet is made to amount to more than the force actually under his command, he having, as exnct at Infiesto, on the road to St. Andero; and pressly stated in the Cadiz Papers, " weakened his army, by sending a corps of from five to six thousand men to Arragon."-General Ballasteres has been again baffled by the enemy. He had "advanced upon Ogen for the purpose of reconnoitring, and was attacked by a superior force, which obliged him to fall back with the loss of 300 men -the greater part dispersed." In a letter to the Governor of Gibraltar, dated 18th December, he states, " in the action of vesterday my troops fought with determined bravery, and the enemy did every thing in their power to kill me, but it pleased God to preserve my life, and I defeated them completey in every point." Tariffa had not surrendered hat " a place of little or no consideration, attacked by very superior forces, cannot fail of being taken, unless the enemy's attention is called to some other point. We much fear that the vigorous resistance intended to be made will answer no other purpose than that of sacrificing victims worthy of a better and Gibraltar .- From a Sicilian Paper we have fate," The Spanish General Cuesta is dead, and has been succeeded by O'Donnell.

FIFTH ARMY, DEC. 19. The intelligence we receive from Head-quarters of the 5th Army is as follows: -The Duke of Ragusa (Marmont) has removed his head-quarters to l'alavera de la Reyna, where some forces are collected. General Fox has suspended his march with the roops under his command towards Valencia, haltng on the 5th inst. a lengue from Toledo. Our Alies have placed Almeida in an excellent state of defence, and provisioned it.

Head-quarters, Valencia de Alcantara, Dec. 10. Senor Castanos, in letters received yesterday, says, that Lord Wellington has been for two days indisposed, and in bed; and that the party of Temprano, in the vicinity of Madrid, had taken two fine strings of mules, of which one had been presented to Senor Castanos, and another to Lord

The Gazette of last night contains the permission of his Royal Highness the Prince Regent granted to Mr. Wellesley Pole, to take and use the surnames of Tylney and Long, in addition to his present surnames, so that he may be called William Pole Tylney Long Wellesley, in consequence of his marriage, which took place some days before.

Waterford Chronicle.

TUESDAY, JANUARY 18.

The House of Lords has hitherto been almost rholly occupied in preliminary formalities with respect to Appeals. The proceedings in the Commons on the 20th, 31st, and 22d, are of considerable extent; but the subjects of discussion are not will probably satisfy our readers. To this alternaother matters, to which it was necessary to give in-

On the 20th, when the Bill, for the support of

his Majesty's Household, was moved for a second reading, Mr. Tizanex complained, that they were called upon to legislate in the dark, and observed that before they should give any vote respecting the Civil List, it was necessary for them to know the actual state of that List. He then went at some length into a history of the subject, and into various pecuniary calculations with respect to it, and concluded with moving for an account of the exvery restless night, and was worse than when the penditure in the Lord Steward's department, and also for an account of the expenditure in the department of the Lord Chamberlain, which were ordered to be faid upon the Table, after some remarks from Mr. PRECEVAL, in which he did not oppose the motion, but intimated, that the immediate production of these documents was not necessary. Mr. Pencevan then moved, that a sum, drawing these funds from the management of the not exceeding one hundred thousand pounds, be Crown, and of rendering them applicable to the voted for defraying the extraordinary expenses of necessities of the State. These Resolutions were assuming the exercise of the Royal Authority by opposed by Ministers, and finally rejected by 93 the PRINCE REGENT. This vote is intended to against 38. In the course of the debate, Mr. operate both prospectively and retrospectively, to Tierner said, "as it was probable that the demise cover the expenses both of the temporary and perof the Crown would take place at no very great dismanent Regency. Mr. Tienney contended, that tance, he would not vote for the Resolutions, but the Parliamentary mode of proceeding would be, content himself with moving an amendment, markfor Ministers to advise the REGENT to send a Mesing the jealousy with which the House viewed the sage down to the House, explaining the object, and subject." The amendment was negatived by 94 not for the House to take upon itself to vote this against 26. The House then adjourned at two sum without a Parliamentary ground. Mr. WHIT- o'clock. BREAD also opposed the vote, without a Parliamenary ground being first laid for it, and reminded the House of the liberal declaration of the PRINCE, when entering upon the REGENCY, that no additional expense was necessary. Mr. Adam said, that the REGENT stood in a very different situation | LAND and IRELAND, and observed that the princinow from that in which he stood at first, that he had discharged the duties of his situation for a year, and more injurious length. Mr. PERCEYAL said, that he must have incurred considerable expense, which could not well be made the subject of estimate, and that he thought the motion ought to pass. Mr. WHITBREAD, In reply, said, that he did not object to the grant, but to the manner of voting it. Mr. Percevan auswered, that the Speech, delivered at he opening of the Sessions, which called upon the House to make provision for the exercise of the Royal authority, was a sufficient Parliamentary ground or the present motion. The question was then put, and carried, and, after some miscellaneous es-

On the 21st, the proceedings in the Commons

timates' were roted, the House adjourned.

bate on both would exceed the limits of our whole paper. Mr. Halfond moved, that leave be given to bring in a bill for the erection of a Penitentiary House, for the confinement of offenders, male and female, who have been convicted of transportable offences in the Cities of LONDON and WESTMINSTER, and the County of MIDDLESEX. After a number of observations from different Members, leave was given to bring in the Bill. Mr. BROUGHAM then called the attention of the House to the Droits of road. Admiralty, prefacing his view of that subject with various statements of other funds which were also entrusted to the disposal of the Crown. The funds arising from the Ducky of Cornwall amounted, on a moderate calculation, to £13,000 yearly. During the minority of the PRINCE of WALES, that annual sum, besides a yearly revenue arising from a variety of fines, and which, before the close of the minority, accumulated to £130,000, was vested in the Crown, so that, while the PRINCE was an infant, the Crown had received nearly half a million of money from that source alone. The exact funds of the Duchy of Lancaster were not so clearly ascertained, and Mr. BROUGHAM contented himself with taking the admission of Mr. PERCEVAL, on a former occasion, that they were considerable. He next adverted to the 41 per cent duties raised in BARBADOES and the LEEWARD-ISLANDS, which, for five years, ending in 1805, had averaged £5130 yearly; he knew not how these duties had fallen off, but it appeared that, in the first of those five years, they had amounted to a very large sum. From these duties the other Islands were exempted, and he considered them as a tax most unjustly imposed. He next adverted to the fund formed by the surplus

of the Scotth Revenue, but did not goat length into either of these topics, as motions with respect to hem were already before the House. These united funds, which, in their nature, were annuities, were, or were alleged to be, the sole and exclusive property of the Crown. Mr. BROUGHAM then came to the last great capital attached to the Kino, no Lord High Admiral—the Droits of Admiralty These Droils proceeded from various sources-from wreck, from dereliction at sea-from goods taken from pirates-but, above all, from the revenue arising from ships captured previous to the declaration of hostilities, and from prizes made by noncommissioned captors. On the 30th of January 1810, £7,344,000 had been paid, net, into the hands of the Register of the Admiralty, to the Bank f England, and to the Receiver-General of Droile. persons who were appointed to receive these funds. at the will and pleasure of the Crown. Since the time he had mentioned, a considerable increase must have taken place, and he thought he was making a moderate statement if, at this period, he supposed the Droits to amount to £8,000,000. The question for Parliament to determine was, whether this fund was really vested in, and at the disposal of the Crown, and if so, whether it was rafe for the Constitution, that it should be so disposed of. 44 H," new, and an abridged statement of what was done said Mr. BROUGHAM, " such were the case, there was an end to the power of the Constitution-that tive we are, at any rate, reduced by the length of salutary power, by which Parliament could refuse supplies until grievances complained of were redress ed by the Sovereign-it would degenerate into a mere mockery, since the Crown could command greater supplies than those he asked from his Parliament—the controll of Parliament would be a mere form of words, since the Crown had other resources ndependent of them." Mr. BROUGHER then went at length into the history of the subject, contending as he proceeded, and supporting his doctrie by the most distinguished Constitutional authorities, that the right of disposing of this fund was not vested in the Crown, and concluded a speech of more than five hours' duration by moving Resolutions to the following effect, namely, that the possession by the Crown of the disposal of so large a sum of money, without any controul from Parliament, is unconstitutional, dangerous to our liberties, and subversive of the privileges of Parliament, and that a Committee be appointed to consider the best means of with-

> On the 22d, the proceedings in the Commons related chiefly to the Distillery Bill. Sir John NEWFORT said, that he was no enemy to the general scope of the measure, but that he objected to the prohibition of exports between Exople might be gradually extended to a much greater there was no intention of extending the principle to s hich the Right Honourable Baronet objected. After some farther observations, the Bill was ordered o be engrossed. Should an opportunity occur on Thursday, the proceedings on this topic shall be given at full length.

The general intelligence, conveyed by the last LONDON Journals, is fully detailed in our columns. One Mail due.

Mr. Daniel O'Brien, has published a letter in that Journal. In which he unequivocally asserts the accuracy of his statements relative to the proceedings.

N. B. All the Defendants have agreed to the Sale adered on the 9th December. Reports prevailed related principally to a plan for the establishment of curacy of his statements relative to the proceedings of the above Lands. Journal, in which he unequivocally asserts the ac-

the Spaniards, in which they were repulsed, and miralty. The discussion of the first topic did not that avowal with the signed declarations of these long occupy the House, but the full details of the de- whose houses and persons were assaulted on that oc-

We mentioned in a former number, that THO-MAS KENNA, immediately after the murder committed in this neighbourhood, proceeded in the direction of KILKENNY. The Leinster Journal of Saturday last states, that, a few days ago, a woman's cap and black silk bonnet, the latter of which bore evident marks of blood, were found near the above city, in a ditch on the side of the WATERFORD

PORT-NEWS-PASSAGE, JANUARY 27.

24th-North Star, Read, Bristol, m. goods; James and Ann, Cooper, Swansen, coals; Olive Branch, Chelton—and Meinel, Blackall, Plymouth, ballast; Earl Leicester Packet.

25th-Prosperous, Mitchell, Cowes, hallast , Wiles. Randle, Portsmouth, ditto: Baltic, Welmington, New York, timbor, staves, &c. : Norge, Ugland, Arundahl, timber and deals; Perseverance, Green, St.

26th-Jew, Smith, Penobscot, lumber and ashes; George, Richards and Good Intent, Burnard, Swansea, coals : Fartitude, Owens, Plymouth, ballast : Rising Sun, Steel, Chichester, ballast,

27th-Princess Royal, Norton, St. Ubos, salt and fruit; was taken by the French Privateer J. Amity, Leguer, Master, on the 10th inst. in lat. 47, 54, loug. 12, who, after plundering the value, gave her up to

24th-Auckland Packet: Maria, from New York, Meader, bark, cotton, &c. Dublin. 25th-Camden Packet; Lively, Teasdale, Bristol. wheat and flour.

26th-Benjamin, Baker, Liverpool, ivory, oil, &c. : Dobridge, from Lisbon, Brumell, fruit and wool, Liverpool; Lady Ann, Edgar, Liverpool, wheat and oats; Defiance, Carr, Liverpool, oats; Cornwallis, Maxey, Bristol, passengers; Rarl Loicester Packet. Wind-S. W. at v a. m.

MARRIED-On Sunday last, in the Church of Paithlegg, by the Rev. Mr. Roberts, Rector of Passage, William Manning, Req. Lieutenant and Adjutant is the 40th Regiment of Foot, to Miss Stephens, daughter of Lionel Stephens, of Dromissigh, Esq.
DIEB-On the 85th inst. at the Manor of St. John's

Mrs. Rea, relict of the late Joseph Christian Rea, o Christendom, Esq.—On Thursday morning, at his erat at Miliview, near Glaumire. County of Cork, William Phair, Esq. Paper Manufacturer. Placed for nearly half a century at the head of one of the oldest establishments of this nature in Ireland, he raised himself to wealth and independence by the aid of a strong understanding, a thorough rectitude of principle assisted by strict attention, and a minute knowledge of his business in all its details. He was no less excellent in private life, being distinguished for hospitality, an affectionate husband, a kind and indulgent parent, a steady and active friend, a benefactor to the poor, and a truly religious man, without parade or

STOLEN. O'V the night of Friday last, out of the Stable of ROBUND ALLER, of Carrickianure, sear Ballyduff, a BAY MARE, about ten years old, with a white streak down the forehead, and off hind fotlack white; carries a smart tail, is about twelve hands high, and rather in low condition.

It is requested that if the above Mare is seen, she may be stopped, and information cent to the owner (as above), whose principal means of support she was or to the Office of this Paper.

January 25, 1812.

HOTEL

TOWNSHEND-STREET, DUBLIN.

CANNIN, Proprietor, returns his most grateful thanks to the Nobility, Gentry, and his Friends, for the liberal Support they have given him in Busi-ness; and begs leave to inform them, that, notwithstanding the immense tax laid on Hotels, he is in fu-

lies, proportionably moderate, with every Accommodation.—Good Stabling convenient. N. B. His Lodging-house, No. 8, Cope-street, is conveniently appointed to receive Gentlemen travelling in the early Couches, it being convenient to the General Post-Office.—Bods 2s. 2d. per Night, Double coms 4s. 4d.-A person attends at early Hours.

ture resolved to charge the Old Prices, 2s. 8id. per

Night-Drawing-Rooms for the reception of Fami-

January 26, 1612. TO BE SOLD. WELL-SECURED PROFIT RENT of #49 94. 6d. A arising out of Lands in the County of Kilkenny. situated about six Miles from Waterford, and four from Mullinavat; held for two young Lives, or nine-

toon Years, whichever lasts longest. For Particulars, apply to HERRY Ivin, Attorney, Waterford. 28th January, 1812. NOTICE. NY Person found COURSING or SHOOTING on

A PENERORESTOWN, GAULSTOWN, OF BLIRYEROK. without a written leave from Sir Tmomas Benond, will be prosecuted as the Law directs. January 28, 1812.

CHANCERY.

AUSTIN COOPER, Rogr. O BE SOLD, be-fore THOMAS Ex-VILLIAM LANE HYDE, Esq. 5 118. Esq. under a Decree of his Majesty's and Others. High Court of Chancery of Ireland, or Tuesday, the Eighteenth Day of February next, at

he Hour of one o'Clock in the Afternoon, at his Office, on the Inn's Quay, Dublin-All that and those the Castle Lands of Cregg and Templenoe, containing, by estimation, Three Hundred and Sixty-six Acres, Plantation measure, held under a Lease for Lives renewable for ever, at a Pepper Corn Fine, at the small Yearly Rent of £200 Sterling.—The above Lands are situate in the County of Cork, on the River Blackwater, adjoining the Dememe of Castle-Hyde, within one mile of the Town of Permoy; are of excollent Quality for Pasture, Mondow, and Tillage .--For Particulars, as to the Title, Application to be made to Thomas Whiter, Esq. Plaintiff's Solicitor, No. 8. Digges-street; or to SANURL ALLEYNE, Esq. the Principal Creditor, and one of the Defendants, The Correspondent of the Clonmel Advertiser, No. 8, Castle-street, Dublin, in whose hands the opi-