and Amothyst frigates. EXTRACT FROM THE KINGSTON CHRONICLE. 16 The Echo National Gazette of Port-au-Prince details the rencontre between the Southampton and Amethyst, exactly as we have already given it to our genders, except that it adds " that Sir James Lucas Yeo told the Haytian Officer, that he knew of no authority that empowered General Borgella to send a squadron to sea; and that his precise orders were to respect only the flags of Petion and Christophethat he was, consequently, under the necessity of detaining the frigate and other vessels-and that he advised the Haytian Commander to avoid unnecessary bloodshed, and follow him quietly to Jamaica, where his Admiral and General Borgella might decide the validity of the capture; but should he refuse this friendly offer, he would be compelled to use force, and he gave the Haytian five minutes to determine. We at the same time sent a British Officer alongside the Haytian frigate, to await their Commander's resolution, where he had scarcely arrived when Bigoh imperiously desired him to retire, and the Captain declared he would much sooner sink his vessel, than

deliver it up (the second Captalu observed, that as

the British frigate carried only 12-pounders she

would easily be taken), and that he waited only for

a signal from the British Commander, to commence

the action."-The Gazette proceeds, " we learn,

that in consequence of the above affair, General

Borgella has caused all the English in his power to

be put in prison."-The Gazette concludes with some reflections, to prove the injustice of the meaapre, according to the Law of Nations. " JAMAICA, MARCII 29.-The Brazen sloop of war arrived at Port Royal on Thursday, from Aux Cayes, with an answer from General Borgella to Vice Admiral Sterling's dispatches, relative to the Amethyst frigate, in which he is said to have expressed himself perfectly satisfied with the reasons given for her capture, and that he had directed the remaining brig and corrette to be dismantled and

FROM THE RINGSTON CHRONICLE, MARCH 4. Extract of a Letter from St. Jago de Cuba, dated the 24th Feb. 1812.

44 Qur lest intelligence from Havannah describes that place in great consternation, owing to the arrimal of several vessels there, with nearly all the Europeans that were at Vera Cruz, who precipitately Red from thence in consequence of the Revolutionlets having entered that City. Our chiefs in this island and the Europeans, particularly at the Havannah, feel very uneasy, because they know that the Isle George gave the waterman a guinea. Now surely of Cuba will follow the fate of Mexico; and should the Patriots keep possession of Vera Cruz, the City of Mexico and the whole province will speedily be in epigrams affect to consider it. their power. The Vicercy, and all his army, were actually compelled to rest in the city of Mexico for two reasons—1st, that he feared that his whole force was insufficient to attack the rebels; and Zelly, he discovered that if the army went out of the City, the inhabitants meant to take possession of it, for had proceeded any great distance from Mogadore, eccount of the new order of things. Thus you see where he spent some time perfecting himself in the that the famous plan of mediation, on the part of Arabic language. He was a promising young man, England, between Spain and her refractory colonies, and an enthusiast in the cause in which he was lost, the part of America that was supposed would be the last that would separate from the Government of Spain; and the English Ministers have been so grossly deceived by the false statements published in the Regency Gazette, at Cadiz, that they considered the Viceroy, Venegas, more securely situated than any Governor in America. The official accounts, pacelved here from the Havannah on this interesting subject, are, of course, kept profoundly secret; but private letters have developed sufficient to make certain persons wear long faces; and the circumstance of a Spanish 74-gun ship having thought proper to You away, as well as the merchant vessels from Vera Cruz, too plainly indicates, that the news we had some time since, of the overwhelming force of the Patriots, or insurgents, is founded on truth."

FROM THE KINGSTON ROTAL GAZETTE, FEB. 29. " It is an undoubted fact, that since the surrender ist all the enemy's colonies in the West Indies, to his Majesty's arms, more of their privateers bave annoved British commerce, than at any previous period; the piracies of these picaroous ought not to be wholly placed to French account; but they, in fact, form a part of the war waged against us by our houest friends, the Government and Prople of the U. States. These vessels not only arm, fit, refit, and rebuild in American ports, but actually return to these ports to dispose of their plunder, while ships bearing his Majesty's flag are denied even the common rights of hospitality. The Americans have been suffered by far too long to pursue, with impunity, a most insolent and decidedly hostile conduct. It is time they abould be punished. It would, perhaps, he not too great a stretch of authority on the part of a British Navnt Commander, to place in a state of blockade every American port in which privateers have been fitted out against us; for they cannot but be looked upon as hostlle ports.

METHOD OF IMMEDIATELY DISCOVERING FORG-ED NOTES .- If the hand is wetted and rubbed hard upon the figured part of the note, the whole will begome confused if the note is bad; for in such the Judin ink has not been mixed with that oil, which renders those of the good notes durable after being so wetted and rubbed. This is the case with those forg- blesome at two o'clock, and the multitude diminished by the French prisoners.

PLAGS OF TRUCK.

It is said, and upon grounds that we are inclined to treat with respect, that the first flag of truce brought a communication from the French to the British Government, to the following purport: That although the war between France and England had been carried on for a length of time with anexampled asperity, still the French Government were willing to believe that the spark of humanity was not yet quite extinguished in the British Nation: That the corresponding situation of the two countries was such, with regard to the scarcity of wheat, &c. as to warrant the French Government n an application to the British Government, to accede to a plan which had in view the relief of both The communication then goes on to state, that the French Government had been at considerable pains to form a large depot of wheat n the Kingdom of Prussia, and proposes to the British Government to partake of a moiety of the same, by permitting the remainder to be imported

To this proposal, we are informed, the British Government expressed a readiness to comply, provided that the French Government would so far guarantee the contract, that all the vessels laden with grain should first touch at England, and there unload half of their cargoes, and fill up the vacu- se'nnight, after which, by his skill and the aid of um with such articles of British produce as the Divine Providence, he arrived off the Owers on French might require.

After a Division in the Commons on Friday night. Mr. Wilson moved the Committee on the Bill to alter and amend the Marriage Act, when we understand the first two or three clauses, respecting Marriages in Parish Churches, were omitted, and the provisions respecting the Marriages of Minors by license, without proper consent of Parents or Guardians, was materially altered from the original plan. It is now proposed that all such marriages shall be good, if the parties cohabit after coming to the age of majority, and no suit to impeach the marriage is commenced during the minority of the parties, or within a certain period after they come of age. -Also to extend relief, under certain conditions, to all marriages already had, not set aside by the judgment of some competent Court, or now in dispute, saving to all persons the enjoyment of property come into their possession by the operation or understood effect of the law as hitherto administered. The Report was received, and ordered to be taken into further consideration on Monday, the 11th inst. and the Bill, as amended, to be printed in the mean

Mr. Rose feels greatly hurt by the sharp and pointed hits at his drowning men in a bucket,-About ten years ago, Mr. Rose fell into the Thames, when a waterman pushed off, brought him up from under an old barge, and having landed him safe, this shews, that Mr. Rose did not consider drowning so horrible a death as those writers of puns and

The young German Gentleman, of the name of Rontgen, who left England about a twelremonth since for Africa, in order to prosecute discoreries in the interior of that country, has, we are sorry to learn, been murdered by the Arabs, before he will go into operation too late, because Mexico was and supposed to understand the Arabic language better than any European who ever before entered Africa. At an early age, he formed the plan of going to that country, and gave up his connexions that none may be offended at being personally inand a competency in Germany, to prosecute his intentions. His father was a character well known in Europe, who raised himself from obscurity to the greatest celebrity by his talent for mechanics; he was at one time worth a million, but ruined by

the French revolution. During Bonaparte's tour of the French and Dutch coast last year, a violent storm came on, which destroyed a bridge of boats over an arm of ing it. the sea for the Emperor and Empress and their Suite to pass over. The storm was so great, the Frenchmen dare not undertake the repair of the bridge, and that their Majesties might not be delayed on their journey, a party of about fifty British seamen, who were prisoners near the place, undertook and performed this dangerous service. Bonaparte and his Spouse, who were spectators of their ronderful exertions, were so much pleased, he gave hem their liberty with a gratuity for their support. Three of these men have lately returned home to Dover, and the others have also, probably, joined their respective families and homes in other parts of

On the 2d, the banks of the Serpentine River, in Hyde-Park, were crowded to an extreme degree by people of every description, for the purpose of witnessing a trial of Captain Manby's invention for saving the lives of wrecked scamen. The apparatus, which was very simple, lay upon the south-side of the river. A tree upon the opposite side was the substitute for the ship in distress, and at the third discharge of the mortar, a ball with one end of a rope attached to it (the other being kept fast near the mortar) was sent right over the tree. It is unnecessary to state, that it is by means of the rope the lives of the wrecked are to be saved. When a vessel is wrecked half a mile, or farther, from the shore, it is immediately ascertained what quantity of powder is necessary to send the ball to the exact disance. Their Royal Highnesses the Dukes of York, Kent, Cambridge, and Cumberland were present at the spot. A great number of the Nobility attended, but the sharp breezes from the water began to be troued in a very short time.

Escape from France .-- On the 3d arrived in I to pay himself a debt due to him by the factor, on London from Portsmouth, Lieutenant Jackson, of the Royal Navy, having escaped from France on the fide, pay the factor, and such payment is good 27th ult. This officer was captured on board the Junon, early in the year 1810, and carried into Whilst on his march to Verdue, he made his escape and fled to Caen; from thence he went to Granville, where, with a fellow prisoner, a midshipman, they seized a boat, and pushed instantly Not having the good fortune to fall in with any of our cruizers, they were boarded by some fishing boats, and carried back to France. Lieutenant Jackson was then imprisoned in the citadel of Verdun, from whence he made his escape, but was retaken two days afterwards. Again did he esidenvour to escape, but owing to one of his comrades breaking his leg by a fall, the whole party were seized. Lieutenaut Jackson was now safely escorted to the fortress of Bitche, situate one day's journey from the Rhine. Here he remained many months a close prisoner; but his during spirit and ingenuity never forsaking him, he found means to traverse France in a variety of directions, and at length once more arrived in safety at Caen. Here, after remaining some time in concealment, he made his way down to the coast, where finding an empty fishing boat, he once more, without the assistance of any one hu-

Monday, where he was picked up by the Mutine, and conveyed to Portsmouth that very night. It is unexampled in the history of civilized states. that a charge, such as that which has been brought orward by America against England, should have been made, and that no direct unequivocal denial of it, nor official declaration on the subject, should have been published by the party accused. It was so monstrous as to make us discredit the imputation; but day after day has passed without an attempt to refute the scaudal. It certainly is true that Henry neves himself to be a contemptible fellow, first in accepting such a commission, and next in betraying it; but his guilt is no acquittal of Ministers. There are always to be found corrupt agents to carry into execution a profligate job; and a more detestable act it is impossible to conceive, than that any friendly power should endeavour to undermine another.—

man being, launched into the ocean, on Saturday

Morning Chronicle. It has been mentioned in the papers, that the British Naval Officers in the employment of Russia had been permitted to return to St. Petersburgh, rom Moscow. We now learn, from the best authority, that Admirals Greg and Tate have been restored to their appointments in the Russian Nary, with other British Officers, and these nominations give a most favourable aspect to the relations of Russia

Speranski has, through a most respectable channel. esired that his friends in England may be informed, that no charge affecting his housur can be supported, and that the report of his banishment to

Siberia is unfounded. Another attempt has been made to destroy Sydney College, Cambridge, by some incendiary, who obtained admission into an upper room by forcing a padlock with which the door was secured; the fire was discovered about two o'clock on Sunday morning, and fortunately extinguished, though not till damage to the amount of £5(X) was sustained. A loft, containing a great quantity of tar and pitch, was within a few yards of the part where the fire was have to acknowledgments from the Catholics of In discovered; great part of the town would have been land can be but incidental, in lending the humble id involved in ruins had the flames communicated to t. A rigid examination is to take place of every per- must necessarily chill the affections and repress la son within the College, beginning with the superiors,

Copenhagen, April 18.—Scafaring men assure us, that there are already eight of the enemy's ships at the entrance of the Belt, but letters from Corsoer, dated the 16th, take no notice of this intellience. To-night there was a great fire in this city. The corps of firemen, encouraged by the presence of his Majesty, succeeded in extinguish-

LAW INTELLIGENCE. DUBLIN, MAY 1.

TITZGERALD G. KKARNET. This case came on before the full Court on Thurs-

day last, by motion to set aside the reidict found or the Defendant on a former occasion. The circumstances, as they appeared in evidence

eere, that the Plaintiff had sold to the Defendant, through the medium of Alexander Hume, his known factor, a cargo of barley, amounting to £863.-Defendant had paid Hume on account £516: before any further payment was made, Hume became insolvent, and Defendant retained the unpaid balance of the Plaintiff's burley, to secure himself against certain bills passed to him by Hume, on the score of private dealings between them, and which bills were then running due.

The payment of the £516 was not questioned, although Hume had handed the Plaintiff but £300 of it. The only question was, for the balance unpaid by the Defendant, £347-for this sum the action was brought. The Jury had found for the De-

Mr. Goold, Mr. Johnson, and Mr. Leland were heard at considerable length in support of the ver-

All the Judges delivered their opinion fully upon he case. They stated it to be of the utmost consenence to the commercial part of Ireland, that the law on this subject should be distinctly understood. The law was completely settled; a purchaser buying the goods of a principal, through the medium of a known factor, cannot retain the price

the foot of their private dealings. He may, bona against the principal; but the real owner may interpose at any time before actual payment to the factor, and compel payment to himself. If a purchaser pays a factor, after notice from the principal not to do so, or if he pays an insolvent factor, it is not good faith to the owner, and cannot har the claim; the insolvency of the factor is notice sufficient

In this case there was not a single fact controvert. ed between the parties; it was admitted that the goods were plaintiff's, and sold to the defendant with express notice that they were plaintiff's, and sold for hisaccount. The defendant paid \$510 and no more -: this payment was not questioned (although the plaintiff received but £300 of it).—Before ane further payment was made by defendant, Hume, the factor, was a declared insolvent, and defendant retained the balance, not even to pay himself a dobe actually due by Hume, the factor, but to secure himself against several bills theretofore passed on private transactions between them, and not one of which were then at maturity. An actual payment in mouey to Hume after his insolvency would not have availed him, much less could a set-off for a debt, if even actually due; but in this case, them was not ever a subsisting debt due.

The only allegation was, that he retained the bilance due to the principal, to secure himself against a contingent debt of the factor.

The Court were unautmous in their opinion that the verdict was against every principle of law and the evidence as admitted on all hands, and set sime aside; and from the circumstances of the case, ordered defendant to pay the costs of the trial and mo-

The following Resolution of Thanks to the Earl of Moira having been adopted by the Cathelic Board, was communicated to him by the Farl of Fingal and the other Noblemen and Gentlemen entrusted with the presentation of the Address to the

11 Resolved...That our most cordial Thanks and emineutly due, and are hereby giren, to our illustic ous Countryman, the Earl of Moira, whose ardout in the cause of our Country encreases with her difficulties-whose exalted integrity has been proper tioned to the temptations which assailed it - and whose pure and elerated character, at once erro mental to Nobility, and dear to the People, and taught the Irish nation to anticipate the happiest results from the Government of a Prince, who evinced so much wisdom and public virtue in the selection of such a Counsellor and Friend."

To which his Lordship was pleased to return the following Answer: " St. James's-place, April 15, 1812.

" Mr Lond-I am honoured with the copy of the flattering Resolution, which the Irish Catholic ommittee directed to be communicated to me hyba Noblemen and Gentlemen entrusted with the Mdress to the Prince Regent.

" My heart is too responsive to the cordial sentiments of my countrymen, not to feel all that it ought upon such a proof of their kindness-at the same time I must look upon the compliment as only a testimony of general good opinion from those who have been pleased to notice me; for any claim I ma of my efforts to obliterate discriminations, and zeal of so many of his Majesty's subjects, wh exigencies of our situation demand reciprocal condence and combination of exertious beyond the were ever called forth. I have consulted the sority of the State—not the advantage of any purular description in it; and there could not be in merit in refraining to seek for personal distinction, when circumstances might render them irrecond ble to that public duty .- If it ever was in the contemplation of the Prince Regent's bounty to come upon me any mark of his Royal Favour, it me also have suggested itself to his Royal Highness, the the bestowal of it might indicate the barrier establish ed against the Catholics to be systematic and find not the result of circumstances assuredly lanceted by his Royal Highness, as temporarily withholding a participation in those rights, which his green and benevolent disposition could rule to be full and impartially enjoyed by all that are placed under

" The Catholics do not do me more credit! that to which I will assert my pretension, for b onviction of the purity of their views, or the a sciousness of their pledges, in regard to their l testant fellow-subjects, and the existing Church! tablishment of the United Kingdom. On the fir ness of that persuasion, as to the opinion I be maintained, as to the practical benefits to be in diately experienced by the State from the adoles of their claim-thus far I might gratify misely hinking I had a title to their attention: bei my case, I accept with earnest gratitude the apt ion of the kind partiality with which my Calk Countrymen have been pleased to distinguish entreating your Lordship to find means of com nicating to them, my just sense of such an obje

"To your Lordship and your Colleggues, 1 my best thanks, and the most unfeigned assur of esteem and respect.—I have the honest, Lord, to remain, your Lordship's most obs and humble servant,

" Earl Fingul.

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Ramsep's Waterford Chronicle.

No. 11,288.

THURSDAY, MAY 14, 1812.

PRICE FIFE PENCE.

House what right these two Noblemen had to live

on the rain of the country. He would like to hear

what they could my of that sacred and indefeasible

right which was set up, and he should like to see

how their arguments on this subject would be receiv-

sa That it appears to this House, that the two

Tellerships of the Exchequer, now held by the

Marquis of Buckingham and Earl Camden, are

Offices performed entirely by deputy, and that the

same were given to the said Marquis of Bucking-

ham and Earl Camden, on account merely of the

profits resulting therefrom, and as a remuneration

for the public services of their respective fathers."

The CHAN, of the EXCHEQUER said, this

was a question on which the House ought to be jen-

lous, lest feelings of interest on their part should in-

fluence their decision. The question was, first, whe-

condly, whether that vested right could be interfered

with by Parliament? The first point was not douled

by the Honourable Mover. The office of Teller

of the Exchequer was an ancient one, and the

right of the Crown to grant it was one coeval

with the existence of the Exchequer itself .-

Mr. P. MOORE seconded the motion.

WATERFORD AND KILKENNY CART-OFFICE. QUAY. At the Store lately in the occupation of Mr. B. Moore

MARMADUKE NEWPORT informs the Mer-chants, Traders, &c. of Waterford and Kilkenny, that he purposes establishing, on the 1st day of June next, a conveyance of Goods, &c. by Carts, between the said Cities, at therate of One Shilling and Three Pence per Cut .- Timber and small Parcels at

a proportionate rate. The Carts will be dispatched from Waterford Tues day and Friday weekly, and reach Kilkenny the folowing days; and will leave the latter place Monday and Thursday, and arrive at Waterford on the subsequent days. The Office will daily be open from 9 o Clock in the morning until 6 o Clock in the evening for the reception of Goods and small Parcels, which will be in charge of a Trusty Person, and well secured from damage by the weather. May 12, 1812.

In the Matter of MEETING of the CRE-WILLIAM PROPERTY AND DITORS is requested at the House of George Ivie,

Agent to the Commission, in Waterford, on Monday, the 18th instant, at One o Clock, to take into consideration a proposal made to the Assignees by Messes Pennett, and Co. of Lon don, for a consolidation and settlement of the claims on the different Estates.

Waterford, May 12, 1812.

TO BE SOLD, THE INTEREST in a LEASE of HOUSE and GROUND on the Quay of Waterford, held under the Corporation thereof, for 99 Years, to commence from the 25th March, 1825, at the Yearly

These Premises (on which are several Dwelling houses, both to the Quay and King street, beside Stores and Yards) contain, in front to the Quay, 9 feet, and in front to King street, 89 feet 9 inches and extend from the Quay to King street, 199 feet 5 inches on the East side, and on the West, 185 feet

feet from East to West, and 28 feet from North to South, is intended to be reserved. For further Particulars, apply to George lvir, Attorney. Waterford, May 9, 1812.

COUNTY OF KILKENNY.

MAJOR QUIN would let, for any Term of Years that may be agreed on, and immediate Possession given, his COTTAGE and FARM at SLIEVE-ROE, containing 40 Acres, with every kind of OF-FICES, and a most excellent walled-in GARDEN, in full bearing. The beauty of Situation, and contiguity to Waterford, little more than a mile from the Bridge, is so well known, it is unnecessary to enlarge upon it. For Particulars, apply to Major Quin, on the Premises; or to Samuel King, Esq. Waterford.



PORT OF MILFORD.

TO BE SOLD BY AUCTION, by order of the Ho-nourable Commissioners of His Majesty's Customs, at the Custom-house, Milford, on Thursday, the 28th Day of May, 1812, the CUTTER MATCHLESS burthen about 135 Tons, (as she now lies in Hubberstone-Pill) with her TACKLE, APPAREL, and FUR NITURE, together with a BOAT, two CARRIAGE GUNS, (9-pounders) several MUSKETS, PIKES, &c &c. and a Quantity of AMMUNITION.

The above Vessel is Coppered and Copper fastened and is well adapted for a Privateer or fair Mercantile Trade, where expedition is required; for which purfor Sale to begin at 11 o'Clock in the Morning.

Custom-House, April 20, 1812.

TO BE SOLD, WELL-SECURED YEARLY PROFIT-RENT of ** £100, arising out of the Lands of BALLYMA-CART, In the County of Waterford. For Particular

upply (by letter, post-paid) to Thomas Seward, At torney, at Youghal, in Vacation-and, in Term, a No. 8, Great-Ship-Street, Dublin Youghal, April 17, 1812.

TO BE LET. FROM THE FIRST OF MAY NEXT,

THE IRON & BOLTING MILLS at POULDREW with the LANDS, and the HOUSES thereon a suc Repairs as are necessary will be allowed to the Te ant, who can have immediate possession. Apply to THOMAS WYSE, Esq. at the Commercial Hotel. Waterford, April 4, 1812.

MILLS AND LANDS TO BE LET.

10 BE LET, from the 25th March Inst. for such DWELLING-HOUSE, and LANDS of COMPSEY, stunted near Muliminone, in the County of Tipperary, mid-way between Clonmel and Kickenny, and 93 Miles rum Curick on Suir. These Mills are very advangeously circumstaneed, and contain large Storage; Lands contain about 14 teres, and are of prime

67 Application, in Westing, to be made to Taxo nr Youres, Kilkenies i er Joun Withour, Malim and Janes States of Show the ite away. *. The Venint may be accommodated with more A SPANISH ASS,

THE largest and strongest ever seen in this Country, will be let to Marcs this Season, at Mr. NOW-LAN's MILLS, within three Miles of Callan and one of Kells, County Kilkenny, at Two Guiness, and a Crown to the Groom. He is of the kind in highest Estimation in Spain, belonged to the Royal Stad, and was preented by the Junta to a distinguish ed Officer of the English Navy, as a particular mark of favourGood Grass at 1s. 1d. per Night. All xpenses to be paid before the Mares are taken away.

> TO BE LET, WITH OR WITHOUT A FINE,

OR THE INTEREST SOLD, WARE DWELLING-HOUSE in Great-Bridge-Street and CONCERNS at the rere thereof, now occ pied by ANTHONY JACKSON. Apply to him, at Max and Jackson's Compting

House, near the Bridge. Waterford, 28th of 4th Month, 1912. N. B. The Premises may be viewed any day be ween Twelve and Two o'Clock.

TO BE LET.

FROM THE 25TH INSTANT, THE HOUSE, in Patrick street, in which Mi ■ CHARL DOBBYN now resides. Inquire of him Waterford, March 22, 1812.

THE SUN, FIRE AND LIFE ASSURANCE SOCIETY OF LONDON.

MOR effecting Assurances from Loss or Damage L by Fire, granting Annuities, effecting Assuinces on Lives and Survivorships and the Endowment of Children, has appointed Mr. Artner Birsir Bookseller and Stationer, and Proprietor of the Chronicle, their Agent for Waterford, and the adjoining

The above Society ranks amongst the oldest Institutions of the kind in the British Empire, and has always been eminently distinguished for the integrity with which it has conducted its extensive Concerns and for the prompt and liberal manner in which all Claims upon it have uniformly been adjusted. Mr BIRNIE, therefore, takes the liberty of stating, that the Public will experience the greatest facility, and derive peculiar Advantages, from transacting Busi ness with the SUN FIRE and LIFE ASSURANCE SO-CIRTY. Tables of Rates, and every other necessary information, will be furnished by him, on application at the Chronicle-Office, Quay, Waterford.

Mr. NEWBURY, Damo-street, is Agent for Dublin and Mr. Ookle, Bookseller and Stationer, for Cork who will also receive proposals for the Society, an give whatever Information may be required.

By Order of the Society ARTHUR BIRNIE. Waterford, April 50, 1812.

LAW INTELLIGENCE.

COURT OF KING'S BENCH, LONDON, MAYO

THE KING T. THE JUSTICES OF GLOUCESTER. This case was an application made by Mr. Gurney to the Court for a mandamus to the Justices of | been first brought under the consideration of the the County of Gloucester, commanding them to ad- House in the report of a Committee in 1780, which ninister the oaths to certain persons who wished to act as Ministers of dissenting congregations. It has for a long time been the practice of administering the oaths to all who present themselves, and it has been the universally received opinion, that the Magistrates at Sessions had no discretion, but by the Toleration Act were bound to administer the oaths | had since appeared to the House and the public, to all who presented themselves.—The Court of King's Bench, however, in a late case of the King against the Justices of Deubigh, declared, that a person who claimed to take the oaths as a licensed teacher, or preacher, to a separate congregation, should previously have a congregation before he could take the oaths, which exempted him from the penalties of the Test and Corporation Acts. Under the authority of this decision, the Justices of Gloucester refused certain persons who claimed to have the oaths administered to them, as pretending to holy orders. By the Toleration Act, all Protestant Dissenters, being in holy orders, or pretended holy orders, or pretending to holy orders, or being teacher of a separate congregation, are entitled to take the oaths which exempt them from certain disabilities. The question for the consideration of the Court was " a pretending to holy orders."

Mr. Attorney-General and Mr. Abbott argued that the Dissenters incurred no penalties unless they sere preachers, and that therefore they must have a congregation before they could claim to take the paths, and that it was necessary for them to be clothed with one of the characters in the Act, before they could demand, as a matter of right, to have the aths administered to them.

Mr. Topping had begun to reply on the other ide, when the Court said that in the present case the Rule must be made absolute for the mandamus, in as much as the person had brought himself within | are regulated. He might be told that these, being one of the clauses set out in the Act, namely, as one but he would contend, that these grants are not like pretending to Holy Orders." There was one case which limited these words to mean " pretend- a grant of land from the Crown, or a grant of a ing to be invested with holy orders." The Justices might, if they thought proper, return to the mandianes that he was no such person, and then the of the nature of these sinecures were under the conquestion would come fairly before the Court, and it troul of Parliament. Could any one deny the right might be carried to the dernier resort. But at pre- of the House to alter them? He should like to see sent the Rule for the Mandamus must be absolute. | Counsel for the Noble Lords at their Bar, to tell the of them. His Right Hon. Friend talked of the legal

PARLIAMENT.

HOUSE OF COMMONS-THURSDAY, MAY 1

Mr. W. POLE presented Petitions from the Diectors and Debenture Holders of the Royal Canal | ed by the House. He concluded by mortilg seven of Dublin, praying aid. They were ordered to lie | Resolutions, embodying the statements and opton the table, and Mr. Pole gave notice, that he | nions which were contained in his speech. The first should to-morrow move for leave to bring in a bill, o make a better provision for the Petitioners.

Sir T. TURTON obtained leave to bring in two bills, the first, to amend the bill regulating the profits of Publicans, and the second, to amend the bill concerning Tolls.

Sir J. NEWPORT gave notice that, on Thursday next, he should submit a motion, the object of which would be, to relieve that class of Protestant Dissenters in Ireland, known by the name of

Mr. W. POLE moved, that the House should, on Monday, resolve itself into a Committee, to consider the propriety of augmenting the Salaries of Commissioners of Appeals in Revenue cases in Ire- | ther the individuals possessing these offices under land. He wished their income to be increased from | the grant of the Crown, had, in virtue of that grant, £500 to £800 per annum, and that, on retiring, a vested interest in the offices themselves? and, sethey should have £560 pension; and further, that hey should hold their places during good behaviour.

Some conversation took place with respect to the Regent's Canal, after which the Report was agreed to, and the bill ordered to be engrossed.

Several witnesses were then examined with respect to the Orders in Council. Mr. Brougham wished, that the Committee should sit on Saturday, which was opposed by the Chancellor of the Exchequer. Mr. Brougham did not persist in his object, and it was fixed, that the Committee should adjourn from

The Honourable Gentleman allowed, that a legal grant of the Crown did confer on any property, but that of office, as clear a right to the possessor to retain it as that held by the possessor of an estate.---He contended at considerable length, that property n offices ought not to be exempted from this princi-Friday fill Monday. ple; but the strong part of the case was, what Par-Mr. CREEVEY rose, pursuant to notice, to call liament had done already with respect to those offithe attention of the House to the two Tellerships of ces themselves. When, in the year 1782, Parliathe Exchequer, held by the Marquis of Buckingment, aware that the emoluments of those offices ham and Lord Camden. These two sinecures had been given to the Noble Lords he had mentioned. were considerably greater than it was supposed they for certain services which they had performed. With would be at the time they were granted, no attempt whatever was made to reduce those emoluments, this distribution he found no fault, as they came which were held to be a sacred right, but all tho within the rule which had usually been acted upon proceedings of Parliament on the occasion were in rewarding such public servants. What he found prospective; not half the advantage would be obfault with was, that they had been greatly altered ained by the nation, even in the economical view from what they were, and were no longer what they of the subject, by breaking in upon such rights, as by were intended to be when they were given as pensions to the parties, seeing they had become indemaintaining the security of property, and denying its liability to that interference of Parliament, which finite in their amount, as their value rose in proporbeing once exercised, might not be soon stopped. Nat tion to the distress of the country. The revenue only in the case of the Tellerships of the Exchequer. of these offices arose from fees paid into the Exchebut in all offices of a similar kind in the Costans, in quer out of the money paid for different services. the Excise, &c. Parliament had adhered to the Thus, out of the money issued for army extraorprinciple of abstaining from touching the emoluments dinaries, seven shillings and a fraction were paid of those offices during the lives of the individuals in per cent. for the army extraordinaries, three shillings whom they were vested. He should, therefore, and ninepence. Other sums, which he mentioned, think it his duty to move the previous question on were paid on Ordnance and Secret Service, and on the first resolution of the Hon, Gentleman, in orvarious heads of expenditure. These offices had der to set aside the whole of them. Mr. PONSONBY maintained that, by the laws of England, no estate was better recognized or betras Inid before the House in 1782.—At that period, ter protected than the estate of offices. That the in consequence of the extraordinary expenditure o State had power to interfere with this property he the American war, it was stated, that their revenue admitted, but its right to do so he utterly denied. If was no less than £7000 each. The fees which cononce it were admitted, that public necessity justified stituted our revenue in ordinary times of peace made the salary of each Teller about £2500. It from the report of a Committee in 1808, that, from the enormous expenditure in the present war with France, the fees of these offices had amounted to the enormous sum of £23,000 per annum and upwards, to each. Since that period, a great additional expenditure had taken place, he believed to the amount of seventeen or eighteen millions, and the fees of those offices must of course have increased in proportion by several thousands of pounds. He conceived he was fully justified in dwelling at some length on the amount of these fees, when it was seen that two officers annually derived from the public

country, put all together, fell short by several thou-

sands of what each of these Tellers of the Exche-

what right these Tellers had to offices producing so

great a revenue. He thought no man could doubt

the propriety of reducing their fees down to the

standard by which the salaries of other public men

portion of the Excise Revenue. Of such grants he

would say nothing; but would contend, that offices

quer received. He wished the public to know

the State in interfering with vested rights, the principle would know no bounds. It might be applied to reduce the emoluments which Bishops derived from their Seen. It might be applied to diminish the rerenues of the Church in general. The offices in quesion were among those to which his reasoning applied. It was no answer to say, that the emoloments were enormous. That had nothing to do with the question of right. If it were supposed that any former agreement to diminish the fees weakened the right, let that be the subject of legal trial; but it could not be determined by Parliament, which was bound to abide by the usage of office. He was aware that what he had said might not be very popular, but the apprehension of incurring the censure of any taxes a sum at least equal to the interest of a million man, or of any body of men, would never make of money. Let any Gentleman look to the rehim shrink from avowing sentiments which, in his nuneration which other public men had received, opinion, were clearly favourable to the essential inand see what proportion the salaries of these officers terests of the realm. bore to such remuneration. It would be found that Mr. BRAND agreed in the legality of the origithe £7000 per annum that had been given to Lord nal grant; but thought it very desirable, in the pre-Nelson, the £4000 to Lord Wellington, the £2000 sent alarming state of the country, to ascertain wheto Earl St. Vincent, and all that had been given to ther or not, by any former diminution of the fees of Lord Hutchinson, Sir R. Abercrombie, and certain other officers, who had fought the battles of their

these offices, a precedent had been established, by which the House might regulate its conduct. Under this impression, he declared his intention of voting for the six Resolutions, and of moving as an Amendment to the seventh, that a Committee be appointed to inquire into the subject.

Lord A. HAMILTON expressed the pain which he felt at differing from his Right Honourable Friend near him; but argued against the principle, that the House had not a right to regulate the emothe grant of the Crown, were to be held sacred; luments of offices which were paid out of the public

> Mr. WHITBREAD begged shortly to state his sentiments on the present question, differing, as he was sorry to do, entirely from his Right Honoursble Friend near him (Mr. Ponsonby), not on the principles laid down by him, but in the application