



user; but he hoped that, if the House had seen reason to believe, during the progress of the investigation, that his only object was the discovery of truth, they would not now suspect him of any wish to mislead their judgments by a subtle or un candid interpretation of the evidence. He could assure them that it was not his intention to allude to any part of that evidence which the Hon. Member had not had an opportunity of explaining. The charge against him was, that he had trafficked in the profits of an office connected with the administration of justice, for the purpose of procuring his future return to Parliament; and that he had in this proceeding acted in opposition to his duty as a Member of Parliament, and in opposition to his duty as Custos Rotulorum of the County. In support of this charge, evidence had been adduced at the bar—evidence which he conceived, required steps to be taken that might establish the empire of justice, without inflicting any unnecessary wound. (Hear!) He proposed to make the Petition itself the basis of the case, and would, therefore, review its allegations with as much brevity as possible; being satisfied, that, in a judicial proceeding which so deeply affected the Honour of Parliament, and of an individual, the House would prefer precision and perspicuity to any loose or hurried review of the evidence. (Hear!) The Hon. Member here recapitulated the facts stated in the Petition, dwelling particularly on the circumstance of Mr. Grady having supported Mr. Quin at the late election, as confirmatory of the correctness of the first part of its representations. Such was the Petitioner's story; it was consistent and coherent, and given at the bar of the House with every appearance of truth. He believed that no young man could bear a fairer character than the Petitioner. He certainly was a little confused during his first examination, in consequence of the language of the Petition; but he thought he should be able to show that all the principal allegations of the Petition had been proved by the other witnesses. The next witness to whose evidence he should direct the attention of the House was Mr. Carew Smyth, a witness who bore the highest character among all who knew him; and he could say this, that by the evidence which that Gentleman had given at the bar, he had increased the esteem of his friends, and the respect of all who knew him. [The Hon. Member then reviewed the leading points of Mr. C. Smyth's evidence. [In the course of this, he regretted that the note of Mr. Carew Smyth, sent to Mr. Quin, along with a copy of the corrected minute, had not been produced in evidence; because, whatever that note was, it would, if produced, have thrown considerable light on the transaction. Mr. C. Smyth observed that there was an omission in the minute, with respect to the provision for the Petitioner, in the case of Mr. Richard Smith's death or removal from the office of Custos Rotulorum, and wrote to Mr. Quin on the subject. In that letter he said, "It is obvious to you why I address this to you, rather than to Mr. Quin." Now he would ask any Gentleman in that House, whether any man, even a man not acquainted with law, would have allowed a reference to have been made to such a paper without being acquainted with the contents? He would ask, if such a person would have allowed the word "obvious" to have been used as it was here, if the meaning had not been clear? Mr. Quin said in reply, "I received your note, and perfectly concur in the statement you made. Mr. W. Quin authorises me to say, that your recollection is perfectly accurate, and, of course, there can remain no kind of difference on the subject." This reply authenticated the explanation given by Mr. C. Smyth, as to his meaning in using the word "obvious"; namely, that Mr. Quin had said it was not proper for Mr. Quin, as a Member of Parliament, to sign such a paper. In one of the letters which Mr. C. Smyth had received from Mr. Grady, sent a letter was enclosed for Mr. Quin, and requested to be delivered with as little delay as possible.—It was much to be lamented that this letter also had not been produced, for it was assured that it did contain notice of a Parliamentary inquiry. One paragraph in the postscript said, "I have means, through Sir R. Wilson, of bringing the business before the House of Commons." It had before said, that he never heard of the Petition till a few days before he presented it; but he did not say but Mr. Grady might have had reason to believe, that, through the agency of mutual friends, he might have means of communicating with him (Sir R. Wilson) at any time. The Hon. Member then remarked, that attempts had been made to invade this witness in contradictions, and destroy the credibility of his evidence; but these endeavours had been ineffectual; for he had uniformly retained an inflexible adherence to truth. As if standing on the rock of truth, every attempt to shake or dislodge him only confirmed him in his position. There was one circumstance which, perhaps, in the opinion of some persons, might be prejudicial to Mr. Carew Smyth: He alluded to that unparliamentary paragraph in one of Mr. Grady's letters, complimenting him for his address in deluding Mr. Quin. But to oppose that paragraph, he would appeal to all the published letters of Mr. C. Smyth, and also to four letters from Mr. C. Smyth to Mr. Grady, senior, which had been sent from France since the examination.— These letters were now in the House, and they would clearly show—a Member under the gallery (Mr. W. Wilson, we believe) rose to order.] It was not his intention to read those letters. The instant they came into his possession, he handed them, without having examined their contents, to

the Members for Oxford, Londonderry, and Exeter, who had so kindly assisted the accused in the course of the investigation. He wished them to see if there was any paragraph in these letters that was contradictory to the evidence of Mr. C. Smyth; because, in that case, it would be right to publish them; and they had told him that they saw no reason for publishing any additional letters. He did not stand there to approve of the advice which Mr. C. Smyth had given the Petitioner; but he believed, that, under all the circumstances of the case, the severest censure that could be passed on his conduct was, that he had sacrificed his judgment to his feelings. Mr. Quin's name had been withdrawn from the Petition, in consequence of an application that he might be summoned as a witness. He had been accordingly summoned, and had given evidence at the bar. It appeared that Mr. Quin had, since the transaction in question, been visited with severe illness. Under that visitation his memory seemed to have suffered so much, that he not only had forgotten what had happened, but remembered incidents which had never existed. It was impossible to account in any other way for his positive and solemn assertion, that he had not visited Mr. Carew Smyth on the morning of the 22d. After the fullest examination, he was decidedly of opinion, that Mr. Quin's testimony must be erased from the case. From what cause his testimony came to be of so extraordinary a character he could not pretend to judge. There was only one Being who could know all the secret and hidden motives of human conduct; but he rejected, and he called upon the House to reject, evidence so twisted, so contradictory, and so contradicted. He would therefore proceed to offer his remarks upon the rest of the case. Maunell's evidence, and the correspondence of Gabbett, (from both of which the Hon. Member read large extracts,) confirmed the testimony of Carew Smyth. The next witness was Richard Smith. He accepted the appointment of the Clerkship, and concluded by stating, that Mr. W. Quin had bona fide offered £200 a-year to T. W. Grady for his political support. These remained only the examination of Mr. Grady's senior's letters. He appealed to the Gentleman who had formed the Committee, and examined the voluminous correspondence of that indefatigable writer, whether he had been concerned in inventing any of the allegations of the Petition. He had now gone through all the evidence of the case. He wished that his part had been only to bring forward the evidence and comment upon it; but the honour of that House and the claims of the Country required that he should proceed to submit specific resolutions on the subject. Those resolutions were to this effect: That these facts being proved, they are inconsistent with the duties of Custos Rotulorum, a violation of the freedom of election, and a breach of the privileges of that House. He was not prepared to say what should be the consequence of such a violation of the duties of Custos Rotulorum. He had most seriously weighed the evidence before him, and drawn up his resolutions without prejudice or favour. He was confident that the House would do justice according to the merits of the case, and that whatever vote they should come to, they would give with that fidelity which belonged to justice and truth. The Hon. Member then read his resolution to this effect: "That Mr. W. Quin had been appointed Custos Rotulorum of the County of Limerick in July last, by virtue of which office he obtained the power of appointing the Clerk of the Peace; and that in the month of September, thereafter, he appointed Richard Smith Clerk of the Peace; that he stipulated that out of the emoluments of the Clerk of the Peace, which were £400, £200 a-year should be paid to T. W. Grady; that in a conversation with Mr. Carew Smyth, on the 21st of September, he stipulated that the £200 should be paid to T. W. Grady so long as he should remain politically connected with him, but that T. W. Grady was at perfect liberty to withdraw his political support from him, and renounce the £200; that the substance of that conversation was reduced to writing, and, with one correction, approved of; that, in consideration of £200 a-year given to T. W. Grady, Mr. W. Quin was to have the political support of T. W. Grady; that in so doing Mr. W. Quin had acted inconsistently with the duties of Custos Rotulorum, violated the freedom of election, and committed a breach of the privileges of that House."

The SPEAKER read the first resolution. Mr. B. WILBRAHAM felt much embarrassment in offering himself to the attention of the House. He had not agreed with the gallant General in his comments on the evidence, and still less had he agreed with him in the resolutions. He would not go at large into the evidence. He was not acquainted with the Honourable Member accused; but he had risen thus early, contrary to his practice, that the House, in its zeal to correct abuses, might not itself do wrong. (Hear!) He knew that the belief was general, that the Hon. Member was the victim of a conspiracy. (Hear!) That belief received strong support from the letter of the 20th of October, from Mr. Grady, senior. [The Hon. Member here read the letter.] He had too great a confidence in the honour and character of Mr. Carew Smyth, to suspect that he could be a party in a conspiracy, whatever plans old Grady might have suggested, or whatever irritation the younger Grady might

judge. O'Grady the younger he was disposed to speak with lenity, but he had stated things in his Petition which he had not supported by evidence. The whole case consisted of the evidence of Carew Smyth and Gould. Mr. Gould had been for thirteen years King's Counsel, and was now at the head of the Munster Circuit; it was sufficient to disprove the imputation of loss of memory. He had himself corrected one mistake into which he had fallen. But it was hard if one slip should blast his character. Carew Smyth was connected with either party; although he was the old legal adviser of Mr. Quin. It was not, therefore, to be supposed that he had wilfully forgotten any thing. The evidence had confused him; he could see no ground for approval on the one hand, or for conviction on the other. The House would act like every other tribunal in this Country; they would have full proof from men of character, before they would allow resolutions to pass, the effect of which would be to sink an Honourable Member of the House before the character and honour which he had hitherto maintained. He should submit some resolutions to the House, in place of some of those proposed by the gallant General. They were punishing, they were recalled, not for the act, but for the intention. He had no hesitation in saying, that there had been the intention of making conditions on the part of the Honourable Member for a fortnight. It might appear to many, that his resolutions conveyed too severe a censure. He should only move, that after the third resolution—the following resolutions should be inserted:—That in July, 1818, Mr. W. Quin offered £200 a-year to T. W. Grady, without any condition or stipulation; and it did not appear that the object was to obtain political support. That on the 21st of Sept. Mr. W. Quin admitted to Mr. C. Smyth his expectation of political support from T. W. Grady, but on the 11th of October disclaimed such an expectation. That the intention of procuring political support in this manner appears to the House improper, and, if acted upon, would call for severe reprehension.

The SPEAKER stated to the House, that the three first resolutions must be disposed of before the question could be put as to the amendment. The Hon. F. DOUGLAS was extremely sorry that the resolutions of his gallant friend were not at once adopted. Since, however, they were not, he felt it his duty not to shrink from openly stating his view of the case. He would not detail the House long; if he could think that he possessed any power of producing conviction in the minds of others, this was the last question on which he would have exercised it. The defence urged by the Hon. Member who had just sat down was derived from motives, from the conduct of the accused after the transaction in question, and from the character of the witnesses. Would to God that they had been left to form their conclusions by such considerations. But the Hon. Member had taken the charge by an explicit and decided disclaimer; in consequence, a long and minute examination of witnesses became necessary. This course had now placed the question on a different ground. The consideration that most now weigh with the House was, respect to its own character, which would render them careful not to meet the question by any resolution that could appear illusory, or in manifest contradiction to the evidence. The charge was one of the gravest kind. It was no less than that Mr. Quin himself, a Member of that House, had employed the patronage of an office conferred upon him by the Crown to corrupt the Representation. The evidence of Mr. C. Smyth was, in fact, the whole case. If ever an instance had occurred in which a case was made stronger by the manner of giving evidence, it was so in the present instance, by the evidence of Mr. C. Smyth. He was sorry that any slander had been attempted to be thrown upon his character, altho' that had not been done in words. Mr. B. WILBRAHAM disclaimed any intention of the kind. The Hon. F. DOUGLAS proceeded. His Hon. Friend agreed with him, then, that no evidence could be more corroborative than the evidence of Mr. C. Smyth. That evidence, too, was corroborated by an attempted contradiction. (Hear!) The House had with the greatest regret heard two Gentlemen deliberately and confidently contradict one another as to point of fact. It turned out that Mr. Gould was incorrect, and that Mr. C. Smyth was the witness of truth.—From Mr. Gould's manner of giving his evidence, he was not disposed to attach as much weight to it as he otherwise, from the high respectability of that gentleman's character, might be inclined to do. He meant not to impute to him that he had stated any thing which he (Mr. Gould) himself did not believe; but while he admitted this, he could not conceal from his view the great misrecollection which that gentleman had evinced, and contrasting that with the clear and circumstantial statement of Mr. C. Smyth, he was bound from conviction to incline his belief to the evidence of the latter. He was the more inclined to do so from the circumstance, that the principal part of the conversation said to have passed, and on which the main part of the charge rested, was corroborated by the evidence of Mr. Gould himself, by the letters which were interchanged on the subject, and many other important facts which had been given as connected with the whole transaction. When he recollected this part of the evidence, when he remembered the long and able cross-examination which Mr. C. Smyth had un-

dergone, and the creditable manner in which he had conducted himself through it, he could not refrain from giving to his testimony that credit to which he conceived it was so much entitled. He had also to consider, that one part of the evidence of Mr. Gould was contradicted by the Hon. Member (Mr. Quin) himself; or rather, that a part of which he (Mr. Gould) had declared his ignorance was supplied by him, which contradiction went in support of the original statement made by Mr. Carew Smyth. And here, without imputing any thing personally disrespectful to that Hon. Member, he could not avoid observing, that he had been brought to have sat still, while he heard a man, who he should not have known not to be the fact; that he should not have been withheld, by even a respect for the forms of the House, from rising and contradicting that which he must have known not to have been the fact, and which he must also have known was staining the reputation of a most respectable individual.—(Hear!) He could not avoid saying thus much in reference to the conduct which the Hon. Member had pursued during part of the evidence of Mr. Gould, though he did not mean to attribute any improper motive to him in having so acted. With respect to the observation, that Mr. Carew Smyth was nearly connected with the Petitioner, Mr. Grady, he thought it was one which, if it had any weight at all, must apply with equal, if not greater force to the connection between Mr. Gould and Mr. Quin; for he (Mr. Quin) was not only his law adviser, but also his relative. (Hear!) As to the letter which Mr. C. Smyth had written to Mr. Grady, it should be considered, that the letter was young and inexperienced, and required constantly the aid of his friend in matters where his advice was necessary. He had heard it said, not in the House, but in society, that there was any foundation in the charge; it would also implicate Mr. C. Smyth. This he could not agree to; but, even if it were the fact, it would only go to implicate Mr. Quin, without in any manner acquitting the Hon. Member who was charged. On these grounds, he could not agree with the resolutions which had been read, and were intended to be proposed by his Hon. Friend (Mr. B. Wilbraham). No doubt the Hon. Member (Mr. Quin) had a right to dispose of his patronage, but it is not to be disposed of in any manner for corrupt purposes. He would admit that there were, in the case of the Honourable Member, very strong circumstances of mitigation; but while he admitted this, he could not deny that there were also some aggravating circumstances; that he (Mr. Quin) was a Member of that House, for the violation of whose privileges the charge was brought, and that as such it was his duty to have guarded them by every means in his power. These, he thought, were circumstances, which the House ought to take into consideration; but while he admitted that some of them made against the Hon. Member, he felt it but fair to consider also, that according to the evidence, the alleged ground of charge was given up by him (Mr. W. Quin) before any threat was made of bringing the matter before Parliament, which was in itself a proof that he was not conscious of having had a corrupt motive. (Hear!) He did not, however, think that the matter was one which the House ought to pass over without some notice. If he conceived it proved that an improper use was made of the patronage enjoyed by the Hon. Member, he ought not, in his opinion, to be suffered to hold it any longer. The subject was an important one, and should not be passed over lightly; for though the House might acquire a high opinion of its own wisdom, yet perhaps the Country would not. He conceived the conduct of the Hon. Member was, in a considerable degree, reprehensible, though he did not go the whole length of agreeing with his gallant Friend (Sir R. Wilson) on the subject. He thought that the circumstance of the Hon. Member's having retracted his pledge before any intimation was given of a Parliamentary inquiry, was one which showed his own sense of the impropriety of his previous conduct, and his regret for it. The Hon. Member concluded by expressing a hope, that the House would by its decision show its attachment to its privileges, and that they would not omit to ensure that in a high situation which would meet with punishment in a more humble sphere.

Mr. PEEL gave credit to the motives which had urged the gallant officer (Sir R. Wilson) to bring the matter before the House, and felt pleasure in remarking the candid manner in which the whole of the business had been conducted. He fully agreed with the Honourable Member who last addressed the House, that the subject was one which required due deliberation. Before he entered into the consideration of the evidence, he begged leave to allude to one part of the gallant officer's speech, in which a reference had been made to himself, in which a reference had been made to himself, in which a reference had been made to himself. This referred to the letters which were not forthcoming on a former occasion, and the want of which was noticed as making a gap in the correspondence, which it was wished might be filled up. He had seen those letters, and he could now say that they gave no ground whatever for the complaints which some of the correspondents, already in evidence (between Mr. Grady, sen., and Mr. Carew Smyth), had bestowed upon the latter Gentleman. The Hon. Member had argued that all the charges urged had been fully proved; and in support of that opinion, he had adduced the tone and manner in which the Honourable Member (Mr. W. Quin) had denied them on the first introduction of the matter to the House. That de-

niety, to which he begged to call the particular attention of the House, he maintained, was perfectly justifiable. It should be recollected, that it was made on the Petition, which contained charges that had not since been proved in any manner. One part of the charge contained in the Petition was, "That the said Wyndham Quin, perceiving at the last general election that his popularity had considerably decreased, found it necessary to avail himself, for election purposes, of the patronage he so obtained from Government, and broke up the emoluments of the said office of Clerk of the Peace into lots, in order to distribute the several lots among such persons commanding an influence in the County, as he knew, or presumed, would undertake, in consideration thereof, to support him on any future contest, appointing them only during pleasure, in order to maintain his control over them for those purposes." This, Mr. Peel continued, was a part of the charge which had not been proved, and which Mr. Quin was perfectly justifiable in denying in the manner which he had done. The next part of the Petition which called for a positive denial on the part of Mr. Quin, was equally destitute of foundation, was that which said, "That your Petitioner was nearly connected with the Petitioner, Mr. Grady, he thought it was one which, if it had any weight at all, must apply with equal, if not greater force to the connection between Mr. Gould and Mr. Quin; for he (Mr. Quin) was not only his law adviser, but also his relative. (Hear!) As to the letter which Mr. C. Smyth had written to Mr. Grady, it should be considered, that the letter was young and inexperienced, and required constantly the aid of his friend in matters where his advice was necessary. He had heard it said, not in the House, but in society, that there was any foundation in the charge; it would also implicate Mr. C. Smyth. This he could not agree to; but, even if it were the fact, it would only go to implicate Mr. Quin, without in any manner acquitting the Hon. Member who was charged. On these grounds, he could not agree with the resolutions which had been read, and were intended to be proposed by his Hon. Friend (Mr. B. Wilbraham). No doubt the Hon. Member (Mr. Quin) had a right to dispose of his patronage, but it is not to be disposed of in any manner for corrupt purposes. He would admit that there were, in the case of the Honourable Member, very strong circumstances of mitigation; but while he admitted this, he could not deny that there were also some aggravating circumstances; that he (Mr. Quin) was a Member of that House, for the violation of whose privileges the charge was brought, and that as such it was his duty to have guarded them by every means in his power. These, he thought, were circumstances, which the House ought to take into consideration; but while he admitted that some of them made against the Hon. Member, he felt it but fair to consider also, that according to the evidence, the alleged ground of charge was given up by him (Mr. W. Quin) before any threat was made of bringing the matter before Parliament, which was in itself a proof that he was not conscious of having had a corrupt motive. (Hear!) He did not, however, think that the matter was one which the House ought to pass over without some notice. If he conceived it proved that an improper use was made of the patronage enjoyed by the Hon. Member, he ought not, in his opinion, to be suffered to hold it any longer. The subject was an important one, and should not be passed over lightly; for though the House might acquire a high opinion of its own wisdom, yet perhaps the Country would not. He conceived the conduct of the Hon. Member was, in a considerable degree, reprehensible, though he did not go the whole length of agreeing with his gallant Friend (Sir R. Wilson) on the subject. He thought that the circumstance of the Hon. Member's having retracted his pledge before any intimation was given of a Parliamentary inquiry, was one which showed his own sense of the impropriety of his previous conduct, and his regret for it. The Hon. Member concluded by expressing a hope, that the House would by its decision show its attachment to its privileges, and that they would not omit to ensure that in a high situation which would meet with punishment in a more humble sphere.

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