gainst the preamble. When the evidence should be produced, it would be seen whether the facts established bore that character or not. Then an objection came, that this charge was founded on slander and perjury, and that a decisive opinion had been formed on the evidence by the Secret Committee; but no judgment had yet been formed on the evidence—that was to be done by their Lordships, when the witnesses should have been examined before them. If he (the Attorney-General) now undertook to deliver the character of the witnesses from the aspersions cast on them, it might be objected that he went out of his way to advance matters injurious to her Majesty. Therefore he should only say, that the evidence contained matter of very grave and well supported charge. His Learned Friend then, with an air of ridicule, which had its effect at the moment, had recalled the attention of the House to the different steps which had been taken on this most distressing case, and the endeavours which had been made to prevent these painful proceedings by accommodation; and then endeavoured to shew what ought to have been the enactments of a Bill of this nature, after the communications and negociations with her Majesty; but with what justice? At that time, had the charges against her Majesty assumed any specific shape? Was not this so far from being the fact, that it was the object of the negociation that the evidence should not be seen or known by any individual? The offers to her Majesty, with a view to an amicable compromise, had not been made on a supposition of the indecent and disgusting familiarity and adulterous intercourse, and that with a menial servant, stated in the preamble of the Bill. Till the evidence had been heard, which it yet was not, it was too much for his Learned Friend to say, that the overtures had been made to her Majesty on an assumption of these facts? Then his Learned Friend complained that the proceedings had not that judicial character which they would have had if the course had been by impeachment, and that her Majesty had been shut out from advantages which she would have enjoyed by that line of proceeding; and throughout the whole of the day and yesterday that had been assumed which was either not true, or at least very doubtful, namely, that the circumstances of the case admitted of an impeachment being brought. But if the method adopted had been by impeachment, he was sure that they would have heard the same inflammatory grounds, the same violent objections against it, which had been urged against the Bill on the table. The adultery charged against the Queen was not high treason, because if committed at all it had been committed with a foreigner. Impeachment therefore was not open, and recourse was had to a Bill of Pains and Penalties, as that instrument of justice which alone would reach the offence. All those arguments which were now used against the Bill—all those allusions to the effect which the present investigation would produce upon the morals and habits of the People—all those appeals to popular feeling—the threats, if he might say so, which had been thrown out—all these topics would have been dwelt and insisted on with just as much warmth and eloquence had the course been by impeachment. It had been asserted that recrimination was now in their power, a thing which certainly would not have been possible in an impeachment. Had it ever been heard that a person at their Lordships' bar, accused of the highest offence, had said, allow me to shew certain facts on the other side, and they will not only palliate my offence, but remove all guilt? Complaining of a Bill of Pains and Penalties, and asserting that it admitted of recrimination, they at the same time desired a proceeding which would altogether incapacitate them from having recourse to it. But such topics were resorted to, not for the purpose of argument, but in order to terrify and alarm. There was, he believed, but one instance (the case of the Duke of Norfolk) in which Counsel had been allowed to interfere by argument against the principle of a Bill. It was said that the evidence was corrupt, and the witnesses tainted, before either had been produced before their Lordships. He (the Attorney-General) answered, that it was as foul a calumny as ever had been uttered. Such topics had been introduced before their time, a consequence of the indulgence granted by their Lordships, which he could not but think had been a little abused. He said that their Lordships should pay no attention to all those insinuations and innuendoes, and all those sweeping charges which had been launched forth, not only against individuals, but whole classes of people. The Hon. and Learned Gentleman then adverted to the protest against the Bill of Pains and Penalties against the Bishop of Rochester, founded on the principle that such Bills were, "in their nature, though not in their form, judicial;" and contended, that in this case their Lordships, though not in form, were yet in fact sitting as judges; and that, as judges, they should have to pronounce on the evidence offered. Was it to be supposed, that it was not fitting they should exercise such functions? Were their minds to be swayed by some dishonest and base motives, and not by those which influenced all pure and honourable minds? He was quite satisfied that they would not attend to these arguments, seeing that in substance, though not in form, the proceedings on the measure were judicial. Here also there was the advantage of two tribunals instead of one, as in an impeachment, and that was one of the objections stated by the reporter to the Bill against Bishop Atterbury, that their Lordships thus let in the House of Commons to a share of their judicial authority. Their Lordships would here sift the evidence, they would be assisted in all points of doubt or difficulty by the Judges of the land, and they would proceed calmly, dispassionately, and deliberately, on evidence given under the solemn obligation of an oath, and afterwards decide on the weight, extent, and credibility of that evidence. If there was not authority to say that the offence was not high treason, he (the Attorney-General) would not have stood at the bar to support the Bill. But that question had fortunately been set at rest by what had taken place yesterday, and it appeared to have satisfied the minds of several very honourable and upright characters who had entertained doubts on the subject, who wished and who had a right to have their minds satisfied. He challenged the Counsel on the other side to produce a case, the facts of which were similar to those stated in the preamble, and to shew that an impeachment there lay. He would not carry his argument so far as to say that there was no case where there could be crime in the accessory but when there was none in the principal. But how unwise would it have been to have chosen a course in which they might have been compelled to stop at the very first step? They had chosen the surest and safest course, and one accompanied with the additional advantage to her Majesty of two tribunals. If he were to retort against the invectives indulged in, and urge the great enormity of the Queen's conduct (assuming the charges to be true) how would he be railed against? He did not complain that he was obliged to abstain from this; on the contrary, it was his wish that the House and the Public, notwithstanding all the attempts to engage their passions on the Queen's side, should still be kept in ignorance of the indecent and flagitious acts comprised in the evidence. To her Counsel it was competent to insinuate improper motives to any individual? They might allude even to the Illustrious Person next in succession to the throne, and that almost at the moment when the partner of his affections had been consigned to the earth. But when the proper time came, nothing should deter him from stating the real facts of the case. He should now come to that which was the only argument advanced against the Bill (for with all respect to his Learned Friends he had heard but one); he meant the objections made by Mr. Brougham yesterday, objections which always deserved to be well weighed, against Bills of Pains and Penalties, as being in their nature *ex post facto* laws. Here an offence, marked out by the wisdom of our ancestors as of the very deepest die, was alleged to have been committed by her Royal Highness the Princess of Wales. If it had been committed in, and with a subject of this Country, it would have subjected her to the penalty of death; but it happened to be committed out of the Country, and with a foreigner; would it be said, that therefore it did not come within the offence contemplated by our ancestors? The offence was charged not only to have been committed, but to have been committed with a menial servant, during a long course of time, and with unbecoming and disgusting circumstances. Was that then an offence which ought not to be marked with the vengeance of the House and the Country? Was it because it had taken place in Italy, that it ought to be exempted from all penalty? No method of visiting it with punishment existed but by a Bill of Pains and Penalties; and were they to be told that that should not be resorted to, because it was an *ex post facto* law? Every Divorce Bill which passed the House was an *ex post facto* law, for marriage was indissoluble; but one of the parties came down here, and offering proof of the criminality of the other, called upon the House to pass an *ex post facto* law, to dissolve the marriage, and degrade the other party. Let the case be taken of one of their Lordships applying to the House for a Bill of Divorce; that was in effect, though not in form, a Bill of Pains and Penalties against the individual. Was the Queen alone to say, "You cannot punish me for high treason—you cannot proceed against me by a Bill of Pains and Penalties, and I may go secure to England?" Every Divorce Bill was a Bill of Pains and Penalties, and every Bill of Pains and Penalties was in the nature of an *ex post facto* law. In this Country the Legislature could not go the length of making that treason after the fact which was not so before, because it happened to have been committed with a foreigner—but it said that such an offence should not go unpunished, and therefore had recourse to a Bill of Pains and Penalties. This was an answer to Mr. Brougham's argument. The Hon. and Learned Gentleman then proceeded to shew that the case was one which did not admit of an impeachment being instituted. The expediency of the measure was not a question for consideration at their Lordships' bar, or to be argued there. Her Majesty challenged the inquiry, and it could make no difference to her by what tribunal it was discussed. Their Lordships had been told by his Learned Friends, that the present proceeding placed their Royal Client under great difficulties, as they charged her with acts while she was Princess of Wales, and while she was such no proceeding had been taken against her. He would tell them that the Queen was not placed in a worse situation than if the same proceedings had taken place when she was Princess of Wales; therefore she was deprived of no advantage that she would not have in the former character, in a case that would be high treason, if the crime was committed in this Country, but if committed out of it, was not. He would put it to their Lordships, whether the moral principle was not the same. Should it be left in the power of the Country to say, that a person having committed adultery, no proceeding should be taken against that person. Then it came to the question of adultery; and he gave his Learned Friends the benefit of the argument. The preamble of the Bill was to be proved; then the question would arise whether it was proved in whole or in part. It was a case where impeachment would not lie, for which reason the present proceeding was the proper course. There was a great deal which had fallen from his Learned Friends which was merely declamatory, and he was convinced their Lordships would not be carried away by their eloquence. He had sufficient confidence in the honour and integrity of the People to be certain, that if crime was attached to the party accused, that they would wish it to be made known, and that the delinquent should not escape. He was willing to admit, that if her Majesty was innocent, the situation she was placed in was most cruel; but if guilty, her situation was most deplorable. He was convinced, that what was called popular clamour would not influence their Lordships. It was the boast of this Country, that the lowest subject was protected; then, he would ask, why should the highest subject be allowed to commit crime with impunity?

The ATTORNEY-GENERAL was followed by the SOLICITOR-GENERAL, who pursued the same line of argument, but was more severe in his observations on the Speeches of Mr. BROUGHAM and Mr. DENMAN.

Mr. BROUGHAM replied, and repelled the objections made to the arguments used by the Counsel for the QUEEN! He concluded by expressing the painful feelings excited by the observations which, in the direct discharge of professional duty, he had been compelled to make.

After some further proceedings, the House adjourned till Saturday.

PRAYING FOR THE QUEEN.

We mentioned in our last, that besides arresting a Clergyman for praying for the Queen, the Learned Colonel had been engaged in another affair, which has come under the review of the Presbytery of Kirkcudbright. The circumstances are shortly as follow: Mr. Robert Jeffrey, Minister of Girthon, having been appointed by the Presbytery to preach in the Church of Crossmichael, at present vacant, expressly prayed for the Queen. Sir A. G. the patron of the parish, and his son, the Learned Commissary and Colonel, are both members of the Session of Crossmichael, and happened to be present. As soon as Mr. Jeffrey had concluded divine service, one or other of these learned persons desired him to constitute a meeting of the Session. To this request Mr. J. readily assented; but to his surprise, no sooner had the Session met, than Sir A. G. moved *a vote of censure* on Mr. Jeffrey for having presumed to pray for her Majesty; and farther moved, that a resolution be entered in the books of the Kirk Session, "*that all Ministers who may be appointed during the vacancy to officiate in the Church of Crossmichael shall not pray in express words for her Majesty the Queen.*" As there were only *three* persons present at this meeting of Session, viz. Sir A. G., Commissary G., and Mr. Jeffrey, both resolutions were of course carried. Mr. Jeffrey, however, protested against the decision, and the matter came to be discussed before the Presbytery on the 2d curt. This respectable body, we are happy to say, unanimously approved of the conduct of Mr. Jeffrey, and ordered that the minute given above should be *erased from the records of Session*, and held of no force whatever. The Presbytery further ordered *all* the members of the Crossmichael Session to appear before them at their next ordinary meeting, to answer for their conduct on this occasion.

Such is the present state of this extraordinary affair—extraordinary, as evincing the most consummate ignorance and folly on the part of those who ought to have had some little knowledge of the laws of the Country, and some portion of common sense; and as evincing the zeal of the meanest satellites of Administration to insult her Majesty. If similar outrages be attempted in any other part of the Country, we hope they will be met in the same spirit which has been manifested by the Presbytery of Kirkcudbright.—*Scotsman.*

The Waterford Chronicle.

THURSDAY, AUGUST 24.

We continue our details with respect to the proceedings against the QUEEN, without any abridgment, and to the utmost extent in our power. All other matters have sunk into insignificance, and the London Journals are wholly occupied with transactions which bear powerfully on the present generation, and will be memorable through succeeding ages. We shall on Saturday continue the report of such part of the proceedings as our present limits have obliged us to exclude.

Lord BYRON has arrived in London. His Lordship had letters for HER MAJESTY from abroad, but being informed that she had left the House of Lords, he followed her to Lady FRANCIS's house in St. James's-square.

The *True Briton* says—"In consequence of some sentinels having omitted to pay military honours to the QUEEN, strict orders were issued, that every sentinel should pay especial honour to HER MAJESTY. This we pledge ourselves to be the fact." We do not believe this to be the truth, as the London Papers of Saturday and Sunday furnish no evidence of such respect having been offered.—No Mail due.

The 12th Royal Lancers, under the command of Major STOEL, arrived in this river on Tuesday evening, and were yesterday evening disembarked from the transports at the Quay. They sailed from Bristol about four o'clock on Monday afternoon, with a fair but rather heavy wind. Two of the horses died upon the passage, and most of the others appeared to have suffered considerably.—They march this day for Caher, which is understood to be intended as their head-quarters. Col. POWNOBY, the officer who commands this fine corps, is, we have heard, at present on a tour through Scotland.

The 35th regiment, at present quartered here, has received marching orders for NAAS. This body of men has been but a short time in this City; but their conduct has been such as to secure for them the warmest general esteem and approbation. Their long residence in Cork conferred upon them the highest reputation that a military body can well receive. The duties of the 35th regiment, the first division of which is to march on Friday, are to be discharged by a part of the 2d Royal Veteran Battalion, 1000 strong, which arrived at the Cove of Cork on Thursday last, from Portsmouth.

Those of our readers who may be disposed, from the great popularity of the Scheme of the present Lottery, to seek the smiles of Fortune by adventuring in it, will observe by the Advertisement, that the whole will be decided next *Wednesday*: there being but 5600 Tickets. They will also observe, that, notwithstanding this limited number of Tickets, there are yet Two Prizes of £20,000, and Twenty-eight other Capitals, which the Contractor has been enabled to give to the Public, in consequence of being permitted by Government to add £11,200 additional Prize Money to the Sum usually allotted to so small a Lottery.—All the Prizes will be paid in Sterling Money.

WATERFORD MARKETS.

Butter was steady yesterday, and in good demand, at 84s. generally for first quality of the make of this neighbourhood; some from the Co. Limerick went at an inferior price, and, on the other hand, some of Carlow quality brought 86s. The crane return on Tuesday was but 90 firkins; yesterday, 213. *Wheat*, 30s. to 32s. for old; 29s. to 30s. generally for new. Old *Oats*, 11s. to 12s. 6d.; New Do. 10s. to 10s. 6d. *Barley*, 11s. to 12s. No alteration in other articles.

H. H. HUNT, Treasurer of the House of Industry, acknowledges to have received from the Weighmaster of Waterford, £3 15s. half the fines on 15 Firkins Butter, condemned by the MAYOR, for being packed in insufficient Firkins.

PORT NEWS—PASSAGE, AUGUST 23.

ARRIVED.

21st—Lady Fitzgerald, Davies, Bristol & Newport, coals, madder, indigo, &c.; Severn, Williams, Glasgow, coals; Agile, Evans, Llanelly, ditto; Hope, Humphreys, Liverpool, m. goods; Ann, Richardson, Whitehaven, coals, iron, and painters' colours; President, Jones, Ayr, coals, a market.

22d—Sir Menai, Bowen, Youghal, wheat and oats, for Liverpool; Lively, Griffith, Liverpool, rock-salt, earthenware, &c.; Mary, Davis, ditto, ditto, and sacks.

23d—Perseverance, Gow—Hero, Dillon—Ocean, Challacombe—Hibernia, Beaty—Jane, Williams—Good Intent, Barnard—Renown, Sullian—Venus, Lowther—and Minerva, Humphreys, Bristol; troops; Royal George, Steel, Swansea, culm & earthenware; Philippa, Blaney, Liverpool, rock-salt, for Ross.

SAILED,

23d—Harpy, Revenue Cruiser, (Lieut. Herbert, on a cruise; Concord, Wales, Newfoundland, white salt, pork, butter, and bread; Ann, Harding, Newhaven, barley and oats; Sally and Augustine, Foley, Bristol, wheat, butter, and flour. Put back—Slaney, Bore—and Good Intent, Hernaman.

TO BE LET,

FROM THE 29TH SEPTEMBER NEXT,

For Three Lives, or Thirty-one Years,

THE FARM of LUTTLE NEWTOWN, containing 127 Acres, fit for Dairy or Tillage, on which there are *Four good Houses*, and some small Houses fit for Working Tenants. One Horse may draw Twenty Loads of good Manure in the day, from the Cove of Ardmore. Proposals to JOHN PALLISER, Esq. Derryluskan, Feltard, County Tipperary. RICHARD TOPPIN will shew the Lands.

August 23, 1820.

TO BE SOLD,

THE INTEREST in the Lease of the LANDS of COONOGUE, in the County of Wexford, of which there is a Term of 283 Years unexpired. These Lands contain 90 Acres, 2 Roods, Arable and Pasture Ground, and on which there are a good DWELLING-HOUSE and OFFICES, fit for the reception of a genteel Family.—They are situate within 6 Miles of New Ross, 7 of Enniscorthy, and 12 of Wexford, are not liable to any Rent, and subject only to an Annuity of £50 per Annum for the Life of Mr. BRYAN ROACH, aged about 60 years. There is plenty of *Marl* and *Water* on the Premises. The FURNITURE, STOCK, and CROP, will be given at a valuation; and the Purchaser will be declared as soon as the value is offered. The Title Deeds can be seen in the hands of Mr. CORCORAN, Attorney, Enniscorthy; and for further particulars apply to Mr. BRYAN ROACH, on the Premises—or Mr. JAMES ROCHE, Cushinstown.

August 11, 1820.

NEW LOTTERY.

ONLY 5600 TICKETS.

£11,200 EXTRA PRIZE MONEY.

TWO PRIZES OF

TWENTY THOUSAND POUNDS!

AND TWENTY-EIGHT OTHER CAPITALS,

ALL STERLING MONEY!

NO CLASSES!

ALL IN ONE DAY.

THE SCHEME of the NEW LOTTERY, of which the above are some of the leading features, has been submitted to the Public, after having received the sanction of the Lords of the Treasury, and has met *universal approval*. In this Lottery there are *no Classes*, but every Ticket will be drawn singly from the Wheel, and decide its own fate, AND NO OTHER. The Prizes are *all Sterling Money!* added to £11,200 Extra Prize Money to the Sum usually allotted by Government for so small a Lottery—there being but 5600 Tickets.

The Whole will be drawn in One Day,

(WEDNESDAY NEXT.)

TICKETS & SHARES,

For this popular Lottery, are now on Sale, in this City, at the Offices of

RICHARD FARRELL, STEPHEN PHELAN, JOHN BOLL, and J. R. BIRNIE, Chronicle-Office, Quay, Waterford.

WATERFORD:

Printed and Published by BENJAMIN PERRIN, Chronicle-Office, Quay.

Ramsey's Waterford Chronicle.

No. 12,597. *SATURDAY, AUGUST* 26, 1820. *PRICE FIVE PENCE.*

TO BE LET,

A HOUSE in BARRONSTRAND-STREET, excellently situated for any kind of Shop Business, and in good repair.—Apply at this Office.

Waterford, August 12, 1820.

TO BE SOLD,

THE INTEREST in the Lease of the LANDS of COONOGUE, in the County of Wexford, of which there is a Term of 283 Years unexpired. These Lands contain 90 Acres, 2 Roods, Arable and Pasture Ground, and on which there are a good DWELLING-HOUSE and OFFICES, fit for the reception of a genteel Family.—They are situate within 6 Miles of New Ross, 7 of Enniscorthy, and 12 of Wexford, are not liable to any Rent, and subject only to an Annuity of £50 per Annum for the Life of Mr. BRYAN ROACH, aged about 60 years. There is plenty of *Marl* and *Water* on the Premises. The FURNITURE, STOCK, and CROP, will be given at a valuation; and the Purchaser will be declared as soon as the value is offered. The Title Deeds can be seen in the hands of Mr. CORCORAN, Attorney, Enniscorthy; and for further particulars apply to Mr. BRYAN ROACH, on the Premises—or Mr. JAMES ROCHE, Cushinstown.

August 11, 1820.

In the Matter of SAMUEL NEWPORT, Esq. a Bankrupt.

THE ASSIGNEES request that all Persons having Demands upon the Bankrupt's Estate will prove them before the Commissioners with as little delay as possible—and that all Persons indebted to the Bankrupt's Estate will settle their Accounts forthwith.

The Assignees attend at the Bank every MONDAY, WEDNESDAY, and FRIDAY, from 11 till 3 o'Clock.

Waterford, Aug. 18, 1820.

NEW ROSS HOTEL.

TO BE LET,

FROM 29TH OF NEXT SEPTEMBER,

THE INN AND STABLES, &c. in

Now occupied by the Widow SHANAHAN.

The House is large, with good Stables, &c. in the Rere.

Proposals to be made to CHARLES TOTTENHAM, Esq. New Ross. 20th June, 1820.

COUNTY OF WEXFORD.

TO BE LET,

PYRMONT, from 50 to 140 Acres, with eight of Turbary and Pasture on an Adjacent Common; slated Dwelling-House, of two Sitting and five or six Bed-Rooms; good Offices, Garden, and Orchard; Neighbourhood respectable.

Apply, by post-paid Letters, to G. H. RICHARDS, Esq. 5, Rutland-Street, Dublin—or C. S. TANDY, Esq. Waterford. August 11, 1820.

(To be inserted on Saturdays only.)

TO BE LET,

FROM THE 29TH OF SEPTEMBER NEXT,

For such Term as may be agreed upon,

Either in the Whole or in Divisions,

ABOUT 40 ACRES of the LANDS of ROCKSHIRE,

IN THE LIBERTIES OF WATERFORD,

Now in the possession of Mr. RICHARD MAGNER.

Proposals will be received by MICHAEL DUNN, Waterford—or by BENJAMIN BALL, jun. Esq. No. 7, Frederick-Street South, Dublin; if by Letter, post-paid.

September 6, 1819.

(To be inserted on Saturdays only.)

TO BE LET,

OR THE INTEREST SOLD,

FOR AN UNEXPIRED TERM OF 15 YEARS,

And immediate Possession given,

THE HOUSE and GARDEN in JOHN-STREET, late in the Possession of ABRAHAM BIGGS, deceased. The *House* is in perfect repair, and the *Garden*, which is walled, in the best order, well stocked with *Fruit Trees* of the best description, and uncommonly productive. There are also a good *Stamp* and a *Two-Horse Stable* on the premises. Application to be made to THOMAS DILLON, John-street. Waterford, June 3, 1820.

A serviceable, steady HORSE, with New BRIDLE and SADDLE, to be disposed of, on moderate terms.

TO BE LET,

For such Term as may be agreed upon,

THE very desirable FARM of ANNFIELD, situated in the County of Kilkenny, on the River *Barrow*, nearly opposite the Town of New Ross, commanding a beautiful and extensive Prospect, and containing about 65 Acres of choice Meadow and Pasture Land.

There are several Hundred full-grown FOREST TREES on the Farm, which it is expected the Tenant would purchase at a Valuation.

Application to be made to BENJAMIN BALL, Esq. Merrion-square, Dublin—or SAMUEL DRAPER and Co. New Ross. Nov. 5, 1819.

COUNTY OF THE CITY OF WATERFORD.

THE ASSIZE OF BREAD,

BY ORDER OF THE RIGHT WORSHIPFUL JAMES HACKETT, ESQ. MAYOR OF SAID CITY.

THE Middle Price of Wheat and Flour (as taken by 35 Geo. 3. Act of Parliament to form the Assize) was last week 56s. 6d. per Barrel, besides an Allowance of Eight Shillings per Quarter, by Act of Parliament, on White and Pinced, for the Benefit of the Baker, and Ten Shillings on Household.

	WHITE.	RANGED.	HOUSEHOLD.
	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.
Penny Loaf,	0 4 5	0 6 7	0 8 7
Two-Penny,	0 9 2	0 13 6	1 1 6
Four-Penny,	1 2 2	1 11 4	2 3 5
Six-penny,	1 11 4	2 9 0	3 5 5

(☞ All other Sorts of Loaves are to weigh in proportion—and besides the two initial Letters of the Baker or Maker's Name, the White Bread must be marked with a W, the Ranged with an R, and the Household with an H—but the Weight must likewise be imprinted upon each Loaf, otherwise to be seized. And the several Bakers and Dealers in Wheat, Meal, and Flour, are required to make the Weekly Returns, ON OATH, on every Wednesday, before 12 o'clock, of all Wheat, Meal, and Flour, bought or sold by them, according to the Act of Parliament for Regulating the Assize of Bread, or the Penalties will be levied according to Law.

Aug. 24. JAMES HACKETT, *Mayor.*

THE QUEEN'S TRIAL.

HOUSE OF LORDS—SATURDAY, AUGUST 19.

STATEMENT OF THE CHARGES AGAINST HER MAJESTY.

The ATTORNEY-GENERAL.—"My Lords, in obedience to your Lordships' commands, I attend at your bar, to fulfil the duty of stating to your Lordships the facts which are to be brought forward in evidence, in support of the charges contained in the preamble of the Bill under your Lordships' consideration. A duty more painful and anxious was never, I believe, cast on any individual, than that which I am now to perform.—(*Cries of "speak up!"*)—I am sure I shall receive your Lordships' indulgence, if, under the weight of this most important and distressing duty, I feel that which I cannot express.—(*Cries of "Louder!"*)—My Lords, I was stating to your Lordships that the duty which has now devolved on me is one of the most painful & anxious ever cast on any individual. I have to state to your Lordships the circumstances which are to be adduced at your Lordships' Bar, in support of those serious and heavy charges which are made in the preamble of the Bill on the table against her Majesty the Queen, which has already been so much the subject of discussion, charges which, in the language of the Bill, not only reflect the greatest scandal and disgrace upon the individual upon whom they are made, but also reflect the greatest disgrace upon the Country itself. The highest individual subject in the Empire is in that Bill charged with offences against the laws of God and man; she is charged with the commission of an adulterous intercourse, carried on under circumstances of the deepest aggravation. My Lords, on the nature of this charge it is unnecessary for me to say a single word; it is already under the eyes of your Lordships and of every individual in the Country, and you are therefore fully capable of estimating its extent. The only consolation, my Lords, which I derive under the discharge of the duty assigned to me, is, that I am not called upon to address myself to your Lordships' passions or feelings; for I am confident that I shall best discharge it according to your Lordships' command by abstaining from offering any thing that might tend to aggravate the charge made against so illustrious a personage, and confining myself to a clear, simple, but full recital of the facts of the case. We are now arrived at that stage of the proceedings when silence can no longer be preserved. It is now necessary that the charges against her Majesty be laid before the House and the Public in their fullest extent.—And if, in the recital of the circumstances I have to detail, I shall be under the painful necessity of bringing under the view of your Lordships scenes which must disgust every well regulated mind, transactions which must revolt the feelings of every honourable and virtuous individual, I am sure your Lordships will be of opinion, that on this occasion I ought to hold no reserve—at the same time taking care not to state a single fact I do not in my conscience believe can be established by the evidence, but being cautious not to omit any such. I shall therefore, without further preface, proceed on the painful narrative of the facts. Undoubtedly that recital must include a considerable space of time, and apply to facts which occurred at various places, in which her Majesty chanced to be during her residence abroad. I shall therefore commence by describing the period of time from which the evidence sets out, and then proceed, as well as I am able, through the detail of the various facts which have taken place through that space almost up to the present moment when I have the honour of addressing your Lordships. My Lords, it is well known to your Lordships, that in the year 1814, her Majesty, for reasons operating on her own mind, and not by compulsion, as has been insinuated by my Learned Brethren, thought fit to withdraw herself from this Country. [Here the Hon. and Learned Gentleman suddenly paused, in consequence of Mr. Brougham whispering something to one of his Learned Colleagues, in (we presume) a rather loud tone of voice, and then continued.] I beg pardon—(*Cries of "Order, order"*)—but if I am to be interrupted it will be impossible for me to do justice to the task which your Lordships have cast upon me. I am sure I shall receive your Lordships' indulgence. I should be sorry at all fainting, if, on such an occasion, where so exalted an individual is the subject of the charge, where the proceeding involves interests so momentous, and where public expectation has been so much raised with respect to the result, if I were not deeply impressed with a sense of the almost overwhelming difficulty of conducting it, and of my own inability, speaking honestly to do justice to the task with the whole collected and undivided powers of my mind; observations delivered so close, though directed to another, strike upon my ear, and thus distract my attention, which is now so eminently necessary. And I am sure an individual of much greater talent and nerve than I can boast of, placed in my situation, would have found himself in the same embarrassment which I experienced."

Mr. BROUGHAM.—"I am sure my Learned Friend must know that I did not intend to interrupt him.—(*Loud and general cries of "Order!"*)

Mr. BROUGHAM.—"My Lords, in every Court—" (*"Order, Order!"*)

Mr. BROUGHAM.—"In every Court—" (*"Order, order"—"Go on!"*)

The ATTORNEY-GENERAL proceeded.—"My Lords, it was perhaps more my fault than that of my Learned Friend, in alluding to what had passed. I will not therefore take up any further time on this subject. I was stating to your Lordships, that in the year 1814 her Majesty left this country, for the purpose of travelling on the Continent, or visiting other countries. She went in the first instance to her native country, Brunswick, and from thence, after a short stay, she went to Italy, where she arrived, I think, on the 9th Oct. 1814. When her Royal Highness quitted England, she quitted it with a suite and attendants about her Royal person suitable to her rank in the state, with persons of that high station which one would naturally think she would select. She was accompanied, as was naturally to be expected an English Princess would be accompanied, by individuals connected with high and distinguished families in this kingdom. Her establishment at that time consisted of two Ladies of high rank, Lady Charlotte Lindsay and Lady Elizabeth Forbes, who were her maids of honour; Mr. St. Leger, Sir Wm. Gell, and the Hon. Keppel Craven, who were attached to her in the capacity of chamberlains; Captain Hesse, as her equerry; and Dr. Holland, her Royal Highness's physician. Besides these, there were other persons in her household in more humble situations, whose names it was unnecessary to mention at that stage of the proceedings. With this suite her Majesty arrived at Milan. It was her intention to have proceeded from thence to other parts of Italy, and to have visited Naples. She remained at Milan for a space of three months, and during that period a person was received into her service, whose name occurs in the preamble of this Bill, and whose name will as frequently occur in the course of these proceedings—a person of the name of Bergami, who was received into her service as a courier, or footman, or valet *de place*. My Lords, this person, at the time he so entered into her Majesty's service, was in want of employment, but he had been in the service of Gen Pino. It does not appear how he became recommended to her Majesty, but he was received into her suite. I need hardly remark to your Lordships upon the distance which interposed between her Majesty and her courier, or observe that, from the natural course of things, the communication between her Majesty and this man must have been most unfrequent. It was about fourteen or fifteen days previous to her Majesty's departure from Milan that Bergami entered into the situation I have described. Her Majesty, on quitting Milan, proceeded to Rome, and from thence she went to Naples, where she arrived on the 8th of November, 1814. At Naples, this person had not been in her Majesty's service more than three weeks. I beg to call your Lordships' attention to this circumstance, because you will find how material it becomes when you listen to the facts which presently it will be my melancholy duty to relate. I should have stated, that beside the persons whom I mentioned as accompanying her Majesty from this Country, there was a lad whose name is perhaps familiar to your Lordships—I mean William Austin. Up to the time of her Majesty's arrival at Naples, this lad was the object of her peculiar attention, and, in fact, was in the habit of sleeping in a bed in the same room with her Majesty. The arrangement of her Majesty's own sleeping apartment devolved upon one servant, whose peculiar duty it was to attend to that branch of her domestic comfort. On the arrival of her Majesty's suite at Naples, it was so ordered that her Majesty's sleeping room was at an opposite side of the house to that of her menial domestics, among whom was her courier. On the first night of her Majesty's arrival at Naples (the 8th of November), to which I have called your Lordships' attention, this arrangement was continued—Bergami slept in that part of the house which had been prepared for the domestics, and young Austin slept in her Majesty's apartment. But on the following morning, November the 9th, the servants of the establishment learned with some surprise, because no reason appeared to them for the change, that Bergami was no longer to sleep in that part of the house where he had slept the night preceding; but that it was her Majesty's pleasure that he should sleep in a room from which there was a free communication with that of her Majesty, by means of a corridor or passage, which had been, by her Majesty's express desire, prepared for him. My Lords, I need not state to you, that such a circumstance was calculated to excite the surprise of those whose duty it was to attend entirely to her Majesty's person; and, my Lords, that surprise was increased when they learnt from her Majesty that she would no longer permit William Austin to continue to sleep in her room. For this she assigned a reason, which, if it was her only motive, was very proper. She said that he had now arrived at an age when it became no longer correct that he should sleep in her apartment, and a separate room was prepared for his use. My Lords, I have already stated, that from the situation assigned to Bergami, a direct communication was opened between his chamber and that of her Majesty; and I believe I shall be able to satisfy your Lordships, that on the evening of the 9th November that intercourse, which is charged between her Majesty and Bergami by the present Bill, commenced and was continued from that time till he quitted her service. Upon the evening of the 9th of November her Majesty went to the opera at Naples, but it was observed that she returned very early from thence. The person who waited upon her on her return was the maid-servant, whose duty it was particularly to attend to her bed-room. My Lords, she was struck with the manner of the Princess, and with the agitation which she manifested. She hastened to her apartment, and gave strict orders that William Austin should not be admitted to her room that evening. She was then observed to go from her own room towards that assigned to Bergami. She very soon dismissed her female attendant, telling her that she had no further occasion for her services.—The female servant retired; but not without those suspicions which the circumstances I have mentioned were calculated to excite in the mind of any individual. She knew at the time that Bergami was in his bed room, for this was the first night of his having taken advantage of the arrangement which had been previously made. It was quite new on the part of the Princess to dismiss her attendants so abruptly—but when her conduct and demeanour were considered, suspicions arose which it was impossible to exclude. But if suspicions existed that evening, how were they confirmed by observations made on the following day—observations which, if stated to a Jury in any common case, must induce them to come to a conclusion that an adulterous intercourse had taken place that night between this exalted person and this menial servant; for upon the following morning it was discovered that her Majesty had not slept in her own room that night. Her bed remained almost precisely in the same state as on the preceding evening; and, my Lords, the bed of the other person on inspection was decisively marked as if two persons had reposed in it. I stated to your Lordships, that the apartments of her then Royal Highness were distant from those of her suite. On the morning following it was observed that her Royal Highness did not come from her apartments at the usual hour. Her Royal Highness's attendants never entered her rooms without her express permission. It was also observed, that Bergami also remained in his room later than usual on that morning. Her Royal Highness's arrival in Naples being known, she was, of course, visited by most of the rank and fashion of the town, but she was not visible until a late hour on that morning. I have already drawn your Lordships to observations which had been made by the servants respecting the beds. I say then, my Lords, that if the case depended on these facts alone, there is not any man who can doubt of the conclusion at which your Lordships must arrive. But, my Lords, you will perceive by what I have yet to detail, that this scandalous, depraved, and licentious intercourse was carried on without interruption for a very great length of time. The natural effect of such an intercourse was to alter the comparative distance between this courier, this menial, and the royal personage who descended from her Royal dignity so far. A freedom was therefore assumed by Bergami, in which he could under no other circumstances presume to indulge. It was also observed by the other servants, that a considerable alteration took place in the demeanour of her Royal Highness towards Bergami—an alteration which convinced those who observed it, that an improper intercourse existed between them. A few days after the period to which I have just alluded, her Royal Highness gave her last ball at the house of the then King of Naples. It was a masked ball. Her Royal Highness's first assumed character was a Neapolitan peasant. In a short time, however, she returned to the house at which she had dressed, not to her residence. She withdrew to a private room to change her dress, and, to the surprise of her servants and the attendants belonging to the house, her servant, Bergami, was sent for, and retired into the room with her. The character which it had pleased her Royal Highness to assume on that occasion was the *Genius of History*, and she was conducted by a Gentleman to the ball in that character. I am instructed to state, that the dress worn by her Royal Highness on that occasion was of a most indecent and disgusting kind. Now, my Lords, it is most material to observe, that her Majesty had taken off her other dress, and put on this, in presence of her courier, Bergami—he alone being present. Let me ask your Lordships what motive could her Majesty have in preferring the services of this man to that of her usual attendants on such an occasion? Why should she require the assistance of a man, and that man one of her menial servants, in her dressing room—a man who waited behind her chair at dinner, and who went before her as her courier when she travelled from place to place? What, I ask, could her reason be for selecting this man on such an occasion, unless for the purposes alleged in the preamble of the Bill? But more. Her Majesty returned a third time from the ball. She then changed her dress to that of a female Turkish peasant—and who was her companion on this occasion? Her courier, her menial servant, Bergami; he accompanied her Majesty, dressed also as a Turkish peasant, to a ball given to royalty, and to the first nobility of the country. It appears, however, that Bergami did not long remain at this ball. He returned home apparently dissatisfied with something that had occurred—I know not what. Her Majesty came home shortly after, and endeavoured to prevail on him to go back to the ball; she pressed him much, but he declined going. Her Majesty then returned alone to the ball, but she did not remain long. It was observed by those servants, whose business it was to be more immediately in attendance on her Majesty, that at whatever hour she rose in the morning, Bergami rose at the same period; and also that her Majesty was in the habit of breakfasting in her apartments in company with him alone, her suite being in apartments at some distance from her's.—Notwithstanding this great familiarity & preference, the situation of Bergami remained the same—he still acted as her courier, her *valet de chambre*, and continued to wait at table as usual; in short, he appeared to the English Ladies who attended her Royal Highness just in the same character as when he was first hired. It was only in secret, or at least before her Majesty's immediate attendants, that those familiarities of which I speak were at all visible. Her Majesty was in the habit of occasionally walking on a terrace, and there she was seen at various times leaning on Bergami's arm with the greatest familiarity. It happened during her Majesty's residence at Naples, that Bergami had been injured by a kick from a horse. He was for some time so ill as to be confined to his room, and your Lordships must perceive how

SECOND DAY—FRIDAY, AUGUST 18.

The Lord Chancellor took the Woolsack at about ten minutes before ten o'clock.

Mr. DENMAN.—My Lords, before I commence my observations to your Lordships, I must humbly thank you for the favour and indulgence which I yesterday experienced from your hands. It becomes my duty to state to your Lordships the objections which appear to me conclusive against the principle of the Bill. I apprehend that it is unnecessary to offer any argument to your Lordships as to the question whether the principle of the Bill is or is not open for discussion. I apprehend that the question stands in the same degree as if the Bill were now for the first time introduced. If your Lordships should consider that I am precluded from entering into the measure as fully as if it were an original measure, it would be a waste of time for me to proceed at all. I shall, therefore, go on as if no proceeding whatever had been taken heretofore—as if this were the first moment that the Bill was presented for the consideration of the House of Peers—as if in law and in fact your Lordships had not heard a single syllable of the intentions of those who proposed it. If it be open, then, to me to enter into the principle of the Bill, it follows that the House may now consistently take a different view of the question from what had been taken before, without any inconvenience, and without any inconsistency. In doing so there will be no retraction on the part of your Lordships; you will not be called on to retrace any step, because you have not taken any. There will remain nothing to be undone, because we are now on the threshold of the principle of the measure, and there I shall make my first stand. In looking at a Bill of such tremendous importance, though it is impossible for any legal or constitutional mind not to see numerous and strong objections to the principle of it, in whatever point of view it may be examined, yet I am free to confess, that I have to contend with many technical difficulties, because I cannot see plainly the principle which I am called on to assail. I am at a loss to abstract the point at issue from a variety of particulars; I can see no point; I cannot see what is the doctrine which is taken for granted, or which is sought to be established. I cannot see the precedent which is relied on, or understand that which is now about to be made. In this proceeding I can see no light from the past, and no example for the future. I have read over and over the preamble of the Bill, and I cannot draw from it any precise or distinct charge—I cannot collect the character of the measure, or the intentions of those who framed it. Perhaps I should state in this place, that I address your Lordships under an election, which I have been compelled to make. I do not state this in the way of complaint—I do not complain of that which appeared just to your Lordships; but it is necessary and proper, at the outset, to state to your Lordships, that I have been compelled to make this election, in order that we may not be bound by it, should circumstances render it necessary for your Lordships to introduce any change in this measure; and in that event I may state, that my Learned Friends who appear here to support the Bill will make no objection. I should also state another point. In other cases common lawyers and civilians have been heard, but in this case, it seems, her Majesty is only to be allowed the assistance of one common lawyer and one civilian, or two common lawyers. Such, it seems, is to be the rule on a question of this unspeakable importance—a question which involves all the great principles of common law, which is of the greatest importance to the well being of society, to the interests alike of the Throne and the Country. Such a question, my Lords, requires the aid of talents and information much greater than mine. I shall, however, proceed to state arguments, for some of which I am indebted to my Learned Friend, who would, indeed, do much more justice to them than I can. In coming before your Lordships to perform an important duty which my office imposes upon me, I may safely declare, that I feel more true pride, more real heartfelt satisfaction, in this hour of trial and of difficulty, in performing my duty to her Majesty, than I would feel by pursuing a different line, even though all the favours of power awaited me, even though all the wealth and honours that could be conferred upon a subject were to be my reward. I shall, I trust, perform my duty to her Majesty and to the English Bar; if I fail, that failure will proceed from the want of talent alone, and not from the want of zeal. In the first place, I may be permitted to inquire into the history of the Bill now before your Lordships. The Secret Committee, which your Lordships appointed for that purpose, sat upon documents of an unvouched character, the very hand-writing of which was not proved, containing allegations, said to proceed "*from a great number of persons in various situations of life, and residing in different parts of Europe, charging her Majesty with an adulterous connection with a foreigner, originally in her service in a menial capacity, and attributing to her Majesty a continued series of conduct highly unbecoming her Majesty's rank and station, and of the most licentious character.*" Those charges appeared to your Lordships' Committee "*to be calculated so deeply to affect not only the honour of the Queen, but also the dignity of the Crown, and the moral feeling and honour of the Country, that, in their opinion, it was indispensable that they should become the subject of a solemn inquiry, which it appeared to the Committee might be best effected in the course of a legislative proceeding, the necessity of which they could not but most deeply deplore.*" It thus appears that your Lordships' Secret Committee by no means recommended the introduction of any Bill of Degradation and Divorce. Their suggestion simply was, that a solemn inquiry should be entered into, for the purpose of ascertaining the truth or falsehood of the allegations against her Majesty. At any rate, the introduction of this Bill was not the act of your Lordships' Committee. It was laid before your Lordships by an individual Peer, certainly a very distinguished Member of his Majesty's Government, but as a Peer enjoying no title to pre-eminence, and therefore no further privileged in the preparation of such a Bill than any other of your Lordships who might have thought it proper to recommend such a measure, would have been. My Lords, I will not impute any motives for this proceeding; it would be presumption on my part to do so. I will not conjecture in what quarter this Bill really originated. I take it for granted, however, that the Noble Lord was not the draughtsman by whom the Bill was prepared. Whether your Lordships' Usher of the Black Rod served an order on his Majesty's Attorney-General to prepare the Bill, or in what way it was produced, I know not; but of this I am sure, that I need make no apology to your Lordships for treating it with as much freedom as that with which I should treat the commonest Bill of Indictment that might be found against the meanest person in the land. My Lords, when I look into the Bill for the motives of its enactment, I find no inconvenience, no necessity, no reason alleged for passing the Bill, except the sentiment existing in the mind of the Noble Lord by whom it was introduced, a sentiment founded on written and unvouched evidence, that it was necessary your Lordships should "manifest your deep sense of the scandalous, disgraceful, and vicious conduct on the part of her Majesty." To render such an ebullition of moral zeal incumbent on your Lordships, one would expect that some strong and distinct cause should be recited in the preamble of the measure. What do I there find? The preamble of the Bill states, that "whereas, in the year 1814, her Majesty Caroline Amelia Elizabeth, then Princess of Wales, and now Queen Consort of this Realm, being at Milan, in Italy, engaged in her service, in a menial station, one Bartolomo Pergami, otherwise Bartolomo Bergami, a foreigner of low station, who had before served in a similar capacity; and whereas, after the said Bartolomo Pergami, otherwise Bartolomo Bergami, had so entered the service of her Royal Highness, the said Princess of Wales, a most unbecoming and degrading intimacy commenced between her Royal Highness and the said Bartolomo Pergami, otherwise Bartolomo Bergami; and whereas her Royal Highness not only advanced the said Bartolomo Pergami, otherwise Bartolomo Bergami, to a high situation in her Royal Highness's Household, and received into her service many of his near relations, some of them in inferior, and others in high and confidential situations about her Royal Highness's person, but bestowed upon him other great and extraordinary marks of favour and distinction, obtained for him Orders of Knighthood and Titles of Honour, and conferred upon him a pretended Order of Knighthood, which her Royal Highness had taken upon herself to institute without any just or lawful authority." Now, my Lords, from the beginning to the end of that part of the recital which I have read, I am utterly at a loss to discover—not merely any thing "scandalous, disgraceful, and vicious," on the part of her Majesty, but any thing which any human being has a right to censure, or to allege as a crime either in an ordinary Court of Justice, or in this High Court of Parliament. Why then have all these circumstances been introduced? I know that the preamble goes on to make further statements. But if this Bill is to be regarded as a Bill of Indictment, why were not the strong facts on which the necessity for it was supposed to be founded, selected, and placed upon the record? Why were not all these petty and unimportant circumstances omitted, and the plain, honest, and intelligible charge at once described? Was there ever an instance in an ordinary Bill of Indictment, in which an attempt was made to ensnare and entrap the accused, by leaving him in doubt of the actual and distinct crime of which he was supposed to be guilty? No. The law of England—that "perfection of human wisdom," takes care that no individual shall be charged with an offence, the nature of which he shall not have the opportunity of distinctly understanding, and thereby of preparing the means for his defence. If I indict a man for murder, I only state that he, with malice aforethought, struck the fatal blow at such a time, and in such a place. Is ever any thing more than this stated in an ordinary Bill of Indictment? Why then, my Lords, I ask, are your Lordships, in this solemn and important proceeding, to allow the nature of the charge to be gathered from circumstances? In a case in which, with reference to her defence, it is peculiarly essential to the ends of justice, that the illustrious person accused should have the clearest and most distinct notice of the precise fact with which she is charged, why is that fact to be merely inferred from a statement of circumstances? Would any man in an indictment for murder say that "John Thomas, having been for ten years the enemy of the murdered man, and having frequently been heard to express malice against him, and having told his confidential friends that he would be revenged of him, and having been seen at various times watching for his return from work at dusk, and having" [Her Majesty, accompanied by Lady Ann Hamilton, at this moment (about a quarter after 11 o'clock) entered the House. The Peers immediately stood up. Her Majesty bowed, and took her seat within the Bar, close to her Counsel. After the pause thus occasioned, Mr. Denman proceeded.] Never is it the practice to state in a Bill of Indictment such circumstances as those which I have just described, and which, if proved, are to serve as the basis on which the accused person's guilt is to be established. On the contrary, the charge is specifically and distinctly made, & the evidence to prove the charge, whether circumstantial or otherwise, is reserved until the time of trial. What my royal client has, therefore, justly to complain of in the principle of this Bill, is, that it enumerates a number of doubtful circumstances, emanating from an investigation of an *ex parte* character, capable perhaps of answer, but assuredly calculated to excite undue prejudice. The Bill alleges, that her Majesty has been "unmindful of her exalted rank and station, and of her duty to the King." I entreat your Lordships to read the whole of the first page, and the first ten lines of the second page of the Bill. Is there a single fact there stated, which shows her Majesty to have been "unmindful of her exalted rank and station, and of her duty to the King?" Not one. There is not one fact which bears that character; although there is an accumulation of facts, from which the inference may be most unfairly and uncharitably drawn. Afterwards, indeed, the Bill proceeds to say, "and whereas her said Royal Highness, whilst the said Bartolomo Pergami, otherwise Bartolomo Bergami, was in her said service, further unmindful of her exalted rank and station, and of her duty to your Majesty, and wholly regardless of her own honour and character, conducted herself towards the said Bartolomo Pergami, otherwise Bartolomo Bergami, and in other respects, both in public and private, in the various places and countries which her Royal Highness visited, with indecent and offensive familiarity and freedom, &c. &c. &c." Now, my Lords, I wish to ask how such a charge can be made good? What is the precise meaning of "indecent and offensive familiarity and freedom?" And what is meant by the phrase "and in other respects?" We have not one fact stated to us to prove that her Majesty has been at all "unmindful of her exalted rank and station, and of her duty to his Majesty;" and we are called upon to provide arguments and witnesses against a vague charge of "indecent and offensive familiarity and freedom," and a mysterious intimation contained in the phrase "in other respects." Really, it would seem as if the individual by whom this accumulation of circumstances, from which an unjust and uncharitable inference may be drawn, has been brought together, had previously worked himself into a determination to impute crimes of which no positive evidence existed, in the expectation that by chance some suborned and perjured witness, tempted by the bribes which we know have been liberally bestowed in the countries which her Majesty has recently visited, might in the course of the examination turn up, whose testimony might establish the slander, purposely left in a doubtful and ambiguous form, in the hope that it might receive some such base and accidental confirmation. As the climax of this loose and injurious statement, it is declared that her Royal Highness had "carried on a licentious, disgraceful, and adulterous intercourse with the said Bartolomo Pergami, otherwise Bartolomo Bergami." Surely the epithet "adulterous" was sufficient. Is the strength of the expression increased by the addition of the words "licentious and disgraceful?" But it is further said, that this "licentious, disgraceful, and adulterous intercourse continued for a long period of time during her Royal Highness's residence abroad." No such crime, therefore, is imputed to her Majesty since her accession to the Crown. On these grounds, however, your Lordships are made to say in this Bill, that "to evince your just regard for the dignity of the Crown and the honour of the Nation," you "entreat his Majesty, that it may be enacted, that her said Majesty Caroline Amelia Elizabeth shall be deprived of the title of Queen, and of all the prerogatives, rights, privileges, and exemptions appertaining to her as Queen Consort of this Realm; and that her said Majesty shall for ever be disabled and rendered incapable of using, exercising, and enjoying the same, or any of them." And then, my Lords, follows that most remarkable clause, that postscript to the letter, containing all the interest of the epistle; that most touching and personally important circumstance which is nevertheless merely mentioned as *en passant*, by which a sentence of divorce is pronounced between the illustrious personages immediately concerned in this transaction, & liberty thereby given to her Majesty's Consort to contract another marriage. The circumstances described in the preamble of the Bill, and to which I have already alluded, resolve themselves principally into a charge of "unbecoming and degrading intimacy," and of "indecent and offensive familiarity and freedom." In speaking on this part of the subject, I wish to refer to one of the finest pieces of English composition that, in my opinion, ever flowed from the pen of man—I mean the letter which was written by her Royal Highness the Princess of Wales to his late Majesty, in 1806, on the subject of the inquiries into her Royal Highness's conduct, which had at that time been prosecuted. My Lords, the Bill talks of "indecent and offensive familiarities and freedom." It is obvious that the opinion of the existence of this "indecent and offensive familiarity and freedom" was originally founded on written and unvouched documents referred to various persons, ultimately to the Secretary of State, and only in the fourth or fifth degree serving as the basis of that opinion. Now, I defy any man to point out on what subject so great a variety of opinion must necessarily exist as on the point of to what particular conduct the charge of "indecent and offensive familiarity and freedom" is justly imputable.—On that subject, in the course of the inquiry in 1806, Mrs. Lisle, a lady of the highest honour and respectability, gave an opinion of the conduct of her Majesty, then Princess of Wales. Mrs. Lisle stated, that in her opinion her Royal Highness's conduct was "only flirting." That term "flirting," I ought to observe, is the strongest epithet that was applied to her Royal Highness's conduct throughout the proceeding to which I allude. I will now take leave to read to your Lordships two passages from the admirable letter from her Majesty, then Princess of Wales, to the late King, to which I have already adverted.—"*What Mrs. Lisle exactly means by "only flirting conduct," what degree of impropriety of conduct she would describe by it, it is extremely difficult, with any precision, to ascertain.—How many women are there, most virtuous, most truly modest, incapable of any thing impure, vicious, or immoral, in deed, or thought, who, from greater vivacity of spirits, from less natural reserve, from that want of caution which the very consciousness of innocence betrays them into, conduct themselves in a manner which a woman of a graver character, of more reserved disposition, but not with one particle of superior virtue, thinks too incautious, too unreserved, too familiar, and which, if forced upon oath to give her opinion upon it, she might feel herself, as an honest woman, bound to say, in that opinion, was flirting!*" "*Mrs. Lisle, it should also be observed, was, at the time of her examination, under the severe oppression of having, but a few days before, heard of the death of her daughter—a daughter who had been happily married, and who had lived happily with her husband in mutual attachment till her death. The very circumstance of her then situation would naturally give a graver and severer cast to her opinions.*" If such, my Lords, are the able and incontrovertible remarks made upon the evidence of that respectable and honourable individual to whose testimony they apply—if it must be admitted that in such a case great allowance ought to be made, not only for peculiar notions with respect to propriety of manners, but for the existing state of spirits of the person by whom such notions may be entertained, what weight shall we ascribe to the opinion that her Majesty has indulged in "indecent and offensive familiarity and freedom"—an opinion proceeding from nobody knows whom, and which must have been founded on information passing through a variety of channels? My Lords, the passage which I have just read seems to have a classical allusion to a sentence in which Hume describes the character of the unhappy Ann Boleyn. That sentence is as follows: "*Anne, though she appears to have been entirely innocent, and even virtuous in her conduct, had a certain gaiety, if not levity of character, which threw her off her guard, and made her less circumspect than her situation required. Her education in France rendered her the more prone to those freedoms; and it was with difficulty she conformed herself to that strict ceremonial practised in the Court of England.*" And let it be recollected, my Lords, that on the subject of "familiarity," there is something in Royalty which dispenses to the possessors the necessity of being so alert with reference to it, as may be requisite on the part of persons of less elevated condition. They cannot lose any rank by whatever condescension they may show. If they give way to generous kindness and sensibility—if, in moments of confidence, and absence from suspicion, they indulge in their native joyousness of character, they thereby diminish nothing of the true dignity which belongs to them. It is for persons of inferior station to feel a jealousy on this subject, to keep at a distance from what might be termed undue condescension, and to avoid that amiable familiarity which is inherent in all good minds, when at liberty to act from native impulse. Such, my Lords, is the character which was formerly attributed to an illustrious person, whom I must not here name. I may, however, be permitted to mention an anecdote of that illustrious person, which I believe rests on the authority of the late Lord Guildford. It is said, that that illustrious person, some years ago, so far forgot himself as to indulge in habits of familiar kindness even with persons of a rank so inferior to himself as waiters at taverns. From one of those individuals a note was addressed to that illustrious person as follows:—"*Sam Sprigg, of the Cocoa Tree, presents his compliments to his Royal Highness,*" &c. &c. To this his R. Highness returned an answer couched in these terms: "*This may do very well between you and me, Sam; but it won't do with your people of high dignity. For God's sake, do not speak so to Norfolk and Abercorn.*" (*A loud laugh.*)

My Lords, I beg leave also to remind your Lordships, that, but a short time since, it was by no means improbable that a proposition would have been laid before your Lordships, of a description very different from the present Bill; a proposition, which, instead of enacting that her Majesty should be dethroned, and her marriage declared null and void, would have recognised her Majesty as Queen Consort, would have continued her in the legal enjoyment of all her rights and privileges, would have secured to her an annuity for life of fifty thousand pounds, would have undertaken to convey her in a royal yacht to any part of the Continent, and would have entreated her to accept, in conjunction with her Royal Husband, the grateful acknowledgments of Parliament, for the facilities afforded to such an arrangement. If in any argument the conclusion shall appear to be false, and if that conclusion has been fairly drawn from the premises, then the premises themselves must have been false. If, therefore, your Lordships were within a hair's breadth of having the proposition which I have just described submitted for your sanction, it follows, that the charges against her Majesty are false, and that the premises on which those charges are founded cannot be true. Or, my Lords, take it the other way. How comes it that we are here? The whole of this unfortunate affair originated in his Majesty's Message to Parliament. What was the gist of that Message? That the Queen's arrival in this Country rendered some Parliamentary proceeding necessary. The honour and dignity of the Crown, the welfare of the State, were in no degree implicated, it seems, until her Majesty's arrival in this Country. Why, then, my Lords, the preamble of the Bill ought to have run thus:—"Whereas, in spite of the offer of £50,000 a-year made to her Majesty to stay away, and whereas, although her Majesty knew of the charges that were to be exhibited against her, and whereas, although a long negociation was carried on, of a nature the most favourable and flattering to her Majesty, she refused to become a party to her own degradation by silently acquiescing in her exclusion from the Liturgy, &c.; therefore, be it enacted, that her Majesty shall be degraded and divorced, and that her Royal Consort shall be at liberty to marry again." If your Lordships wish the preamble of this Bill to speak the truth, it must assume one of the forms which I have described. At any rate, it must not retain that in which it is at present moulded. My Lords, I do not like the introduction of levity on a subject of this grave nature; but I declare, that when I first heard this Bill read, I thought myself in a theatre, and fancied that the various parts were got up by different performers. One seemed to me to say, "Her Majesty engaged in her service a foreigner of low station;" another, "A most unbecoming and degrading intimacy commenced between her Royal Highness and Bartolomo Bergami;" a third, "Her Royal Highness placed him in high and confidential situations about her Royal Highness's person;" a fourth, "Her Royal Highness conducted herself in a manner that proved she was wholly unmindful of her exalted rank and station;" and then came *Mrs. Candour*, implying, in the phrase, "and in other respects," a something which even her kindness could not extenuate. Really, it appears to me that we are acting the *School for Scandal*; and that this solemn inquiry in which we are engaged is nothing more than a solemn farce. It appears to me that there has been a kind of Malvolio, expelled from his Stewardship by the combination of the servants, with whom he has quarrelled, & who have determined to wreak their vengeance on him, although the most distinguished person in their Mistress's household. What we complain of, my Lords, is, the absence of a distinct and definite charge, and the multiplication of circumstances, from which an inference is intended to be drawn, but against which no defence can be made. What we complain of, my Lords, is, that a motive is held out to your Lordships for passing this Bill, which would be inoperative in a Court of Justice or on an impeachment. In a Court of Justice a Jury would be sworn to determine whether the distinct fact alleged had been actually committed or not.—In the case of an impeachment, distinct articles would have been exhibited, and every one of your Lordships would have been severally called on to declare, upon his personal honour, whether, or not he believed that the specific charges were true. But, my Lords, under the present circumstances it is difficult—nay, it is impossible to say on what principle your Lordships will individually be guided in your decision. Some Noble Lords, who may be satisfied that no "adulterous intercourse" has taken place, may nevertheless entertain such high opinions with respect to "familiarity" as to be induced to convict her Majesty, and to think it therefore necessary to pass this Bill. My Lords, I know that all the Noble persons present who are lawyers will declare, "We must have the adultery distinctly and unequivocally proved." But there may be other Noble Lords who may be of opinion that a strong surmise will be sufficient. What security, therefore, can I possess of a just and legal decision? The Law Lords, from their professional habits, I may be sure of; but how can I tell on what other Noble Lords may be pleased to found their verdict? In an action for crim. con., or in a criminal Court, the Judge would say, "I must have the fact of adultery distinctly proved," and if it were not distinctly proved he would direct the Jury to acquit the Defendant. But the question is how we, her Majesty's Counsel, are to guage and measure your Lordships' opinions as to be able to do away with the various impressions which this Bill is calculated to make on your Lordships' minds?—Some of its allegations may appear to your Lordships to be true. There may have been frequent "familiarities," as they are called. There may have been frequent sittings at table together. There may have been frequent appearances of intimacy during the continuance of mutual hardships and difficulties, which under other circumstances would be improper. But how are we to know what evidence on such subjects will be satisfactory to all your Lordships? Some of your Lordships may be disposed to convict our illustrious client, on the ground of "unbecoming and degrading intimacy;" others on her having advanced the individual implicated with her "to a high situation in her Royal Highness's Household;" others on her having "conferred upon him a pretended order of Knighthood;" others on her having "received into her service many of his near relations." Every Noble Lord may discover some particular basis on which to justify his vote; and no two Peers may pronounce on the same grounds. There may even be some of your Lordships tempted by views of expediency alone to pass the measure. We all know that when great interests clash—when the highest characters of the realm are opposed to one another, this language will be held—this language has been held—that as one of the parties must be displaced, right or wrong, the one less important to the general weal must give way. One print has even dared to say, that if your Lordships do not feel justified in treating her Majesty as a criminal, the public interest requires that she should be made a martyr! Far am I, my Lords, from insinuating that such an argument can have any weight on your Lordships' minds; but the doctrine has been avowed, and we can therefore have no security with respect to the extent of its influence. If I am asked, what course of proceeding would be preferable to the present, I reply, that it is in the power of the House of Commons to call on your Lordships by an impeachment to enter into an inquiry into this subject. Certainly a Grand Jury could not investigate the nature of any acts alleged to have been committed at Milan. But your Lordships are not precluded from such an investigation. An impeachment would be a trial. A Bill of Pains and Penalties is no trial. It is calculated to defame the accused. It is calculated to excite suspicion against your Lordships—unjust, I allow, but certainly not unnatural—suspicion which, if the present proceeding be persevered in, the public will think they have a right to entertain. My Lords, in the most solemn manner I disclaim any, the slightest imputation on this high tribunal. I revere it from the depth of my heart. If on any occasion it should happen to appear to be influenced by a sinister motive, I would rather submit to that inconvenience than throw any odium on its general administration of justice. But if the Public see the Legislature of the Country, on a great and important occasion, depart from the principles of justice, and volunteer the support of charges, such as those which this Bill exhibits, the time will come when it will be difficult for the warmest advocates of our Constitution to justify your Lordships' conduct. I will not repeat the remarks offered to your Lordships yesterday on this Bill by my Learned Friend. The proceeding is, as my Learned Friend justly observed, a proceeding in which the accusers, the jury, and the legislature, are combined in one. In reference to the measure of former times, to which my Learned Friend alluded (and against which so able a Protest is entered on your Lordships' Journals), I will say, that I should consider the honour of the Peerage dearly bought, were it to be on the condition of finding my ancestor's name in the majority by which that measure was carried. Let your Lordships consider the evil consequences, with reference to your own dignity, which must be the result of persevering in a departure from the principle which I am advocating. In a judicial proceeding this House ought alone to pronounce. What will be the consequence of your Lordships sharing your high functions with others? Your Lordships examine evidence on oath, and you pronounce your opinions upon your honour. If, after passing sentence on her Majesty, by acquiescing in the present Bill, you send it down to the Lower House, it will there be exposed to all the indignity of popular clamour. In that House, witnesses are not examined on oath, and yet they may be subjected to all the scrutiny to which 658 Gentlemen, of various habits and tempers, may choose to expose them. I have certainly no inclination to disparage that House of Parliament; but I cannot forget, that it has been said by one of their most distinguished Members, that they never entered into any inquiry, but they disgraced themselves. Instead of expressing their own unbiassed judgment, every petty corporation will be entitled to instruct its Representatives on the subject of this Bill. But, my Lords, there is yet a third estate. The King must become a party to this proceeding; the King and the House of Commons will share with your Lordships that which has hitherto been considered the brightest and most valuable of your privileges. The King, in all cases a formidable auxiliary to a cause which he espouses, must, in the present instance, be an overpowering one. Let us examine, my Lords, the part which the King has hitherto taken in this affair. Has the King complained, or has he held his peace? If his Majesty has held his peace, will your Lordships set the first precedent since the canon law, of a dissolution of a marriage without any complaint from the parties to it? If his Majesty has been the complainant—if he has set all the machinery going which is now in such terrible operation—with what face can your Lordships call on the King, who, by that complaint, has already as emphatically pronounced upon the subject as if he had spoken from the Throne, to decide on a question in which his dearest wishes are so deeply involved? How can your Lordships call on the third estate to pronounce on that on which it has pronounced already? My Lords, permit me again to say, in presence of my Royal Client, that in now attempting to avert what is miscalled the Trial of her Majesty, there is no departure whatever from consistency. We ask for a trial—but we ask for a fair trial. We do not wish for a trial founded on scandalous imputations sealed up in a bag, and hinted at for the purpose of poisoning the public mind. We do not wish for a trial in which the Judges are not warranted in examining witnesses on oath. We do not wish for a trial in which the ultimate sentence is to be pronounced by him whose interest it is to condemn us. There was no inconsistency in thus attempting to stifle a disgusting inquiry, and to stop the progress of such an attack on the honour of the first subject, and perhaps the future Sovereign, of these realms. Their Lordships' decision, he trusted, would not tend to impair the foundations of society, or to weaken the force of those moral examples by which they were most effectually secured. Was this, in point of fact, a Bill of Divorce, or was it not? The last four lines would suffice for this object; and the sole object, he would venture to assert, of this Bill was to release his Majesty from the sacred obligations of marriage. If it were a private or ordinary Bill of Divorce, the husband would be called upon to make answer, upon oath, to all questions relative to his own conduct—to all inquiries whether he had ever consented that his wife should live apart from him, or abroad at a distance from him. Divorce was regarded by the law as a peculiar species of indulgence; and, in order to preserve the sanctity of the marriage vow, it was never granted except where the complaining party was himself free from blame. Let their Lordships, then, suppose the case of a young and accomplished woman coming to these shores from a foreign country, with prospects of splendour almost unparalleled; that on her arrival, instead of meeting an affectionate husband, she found an alienated mind; that the solemnities of marriage did not prevent his being still surrounded by mistresses; that the birth of a child, instead of affording a pledge of mutual regard, became the signal of aggravated insult, and was shortly followed by her expulsion from the husband's roof; that, even then, spies were placed over her to report or to fabricate stories of her conduct. If, after all these circumstances, an *ex-parte* inquiry took place and terminated in a complete acquittal; and, in consequence of that acquittal, she was restored to society and to the embraces of a father by whom she was never deserted; if, subsequently, she had been induced to go abroad, and that the same machinations were renewed against her, in the hope that what had failed in England might succeed in Italy, and the charges, which had been before blown to atoms by argument and ridicule, might at length avail, if not to convict, at least to blacken, to degrade and to destroy; in a case like this, where the husband had thus shewn himself indifferent to the honour & happiness of his wife—where he had abdicated all those duties which alone gave him the rights of a husband—would their Lordships listen for one moment to his case? Surely not; and he would be obliged to retire from their bar with feelings which it was unnecessary to describe. If, then, this matter were to proceed (which he prayed to God it might not—and he so prayed, not more for the sake of his Royal Client than for the sake of the Country, and of the Sovereign himself)—but if it were to proceed, he now claimed the fullest and amplest opportunities of recrimination. If by incontinence, unkindness, or brutality, the wife was driven from her home, and was afterwards charged with adultery, to refuse all inquiry into the husband's conduct was evidently to allow him to take advantage of his own wrong. Recrimination appeared to him the most important right belonging to a consort; unless then the rule of morality were made, not for the high, but for the low, and unless laws were to be suspended only for the powerful, and never for the weak, such an example, he was sure, would not be established. Bills of Pains and Penalties had but one justification—that of State necessity; and it was singular that in many cases of their adoption this argument pointed another way. In the case of Knight and Burton, in 1700, in which the offence was that of forging an instrument, the Bill was passed in the House of Commons by acclamation; the House of Lords divided equally, but the casting vote of the Duke of Leeds decided the question in favour of the Bill. The offence was afterwards tried at the Old Bailey, and a verdict of acquittal was found, he believed, upon the merits. But the case of Lord Strafford was a much more unfortunate and signal instance of the danger that attended all judicial proceedings carried on without the sanction of judicial forms. The same House which acquitted Lord Strafford on the impeachment, acquiesced in the Bill of Attainder against him for the same alleged offences. The language in which history spoke of that Nobleman's execution furnished a solemn warning to future ages of the necessity of adhering to strict rules in the administration of public justice. The case of Sir John Fenwick was, he acknowledged, a peculiar one; it was one attended with many criminal circumstances, and there was at least the appearance of necessity to justify it. But, with regard to the instances of Plunket, Kelly, and the Bishop of Rochester, he must observe, that, until he examined their Lordships' Journals, he was not aware that injustice had been carried to such an extent. The Bill against Dr. Atterbury was passed on the written evidence of a dead person; and the Bishop was not allowed to disprove the facts contained in the written statement. This evidence not admissible in a Court of Criminal Law was received, and all opportunity of rebutting it withheld. It seemed as if, when a State necessity was alleged to exist, there was no longer any question of guilt or innocence, and as if the sole object was to get rid of a certain party. Still the guiding precedents which had been pointed out for the measure under consideration afforded to hold out the full means of asserting and proving innocence. Now, in the first instance, let them consider whether there existed any shadow of public necessity for this measure, and whether an apprehension might not rather be entertained that its adoption would endanger the public welfare. He did not wish to influence their Lordships' minds by extraneous considerations; he was satisfied they would act on the principle, *fiat justitia, ruat cœlum*; but at least he might be permitted to observe, that those considerations afforded no additional reason for their taking upon themselves an unnecessary task. It appeared to him that this proceeding might eventually lead to a disputed succession. If his Majesty should again marry, and a child, the fruit of that marriage, be born, there might yet remain in moral and religious minds a doubt as to the validity of that marriage, and whether its offspring had a just title to the crown. Far was it from him, as a lawyer, to question the power of an Act of Parliament to regulate the succession; but disputes of that nature arose from feelings to which Parliament themselves were sometimes obliged to yield. The title of Henry IV. was recognised by as valid an Act of Parliament as was ever passed, as the title of Henry VI. also was on more than one occasion. In the reign of Henry VIII. the issue of Queen Katherine was excluded, as was subsequently the daughter of Anne Boleyn. Four years after the death of the Queen Jane Seymour, and upon the King's marriage with Ann of Cleves, a new settlement was made. The King, on this occasion, did not divorce his wife till he had provided another; and he was afterwards twice married, and had nearly again changed the succession. In 1553 it was altered in favour of Lady Jane Grey, and the titles of Mary and Elizabeth were restored. To recur, then, to the possibility of a disputed succession being the consequence of the present measure, he must now with infinite pain advert to certain proceedings which took place in the year 1809, relative to the conduct of an illustrious person, the heir-apparent to the throne. If scandalous or immoral conduct were to lead to the forfeiture of a Crown, and conflicting claims to arise as to the superior title of his Majesty's future child and the present heir, the latter might be told that his claim was gone, and that, to prove this, it was only necessary to send for the minutes of the House of Commons, by which it appeared that he was guilty of all that was imputed to the Queen, and of much more. So, with regard to the other Royal Dukes of the same illustrious family, the same objection might perhaps be addressed to them, if their conduct for six whole years were to be examined with a view of detecting scandalous freedoms or adulterous intercourse. In point of principle, this could not be regarded as a single measure. If a Queen-Consort were to be hurled from her station into beggary and exile, the same principle might apply to a Queen-Regnant; but there was not one word in this Bill which went to deprive her Majesty of her right of succession to the throne. She was not, however, so remote in blood as to make that succession an impossible event. There was at this moment precisely the same difference as existed at the time of the Revolution between William and George I. If this, then, were the case, how was it possible for them to avoid incurring the greatest dangers, by this proceeding? There was one question, one point which their Lordships could not have failed to observe, and that was, how many slanders in this case had been circulated against rank and authority. He should have thought that, instead of using the authority under which this proceeding had arisen to give a sanction to those slanders, there would have been a disposition upon the part of their Lordships to put down all those calumnies—and more especially those levelled against persons in authority—the dissemination of which had so long been the crying disgrace of the Country. If a proceeding of this kind was to be entertained in that House against the Queen, it was equally competent for it to entertain another one of the same description against the heir-apparent or the heir-presumptive; and he would add, justly so; they ought to be empowered so to proceed in the other case. If, again, by the introduction of a measure like that before their Lordships, one Peer could uncrown the Queen, another Peer might uncrown the King; and he would say further, that the public opinion, which, after all, must dispose of crowns, and sceptres, and kingdoms, would receive the same bias with equal facility. He did not say that, in the further progress of the present proceeding, no justice would be done; but he did affirm this—that its principle was one calculated to operate, and fatally, upon the monarchy of the Country. He well knew that there were numbers who maintained that the Queen should have equal justice done to her with any other person, being a subject of the realm. It was contended by others, that were she a subject, she would have had such steps taken against her out of doors, as should in principle be the same with the pending measure; but he must say, that in regard to this particular proceeding, the case of the Queen was not parallel to that of any subject of the realm. (At this part of his speech the tone and manner of the Hon. and Learned Gentleman seemed to indicate much exhaustion, and it was with some difficulty that we were enabled to collect the remainder of his observations.) This was a proceeding against the Queen alone; but he was sure that for that reason their Lordships would not think her Majesty the less entitled to that protection which every honourable mind must be ready to award her. That which was true with respect to subjects at large, was not true as of Princes of the Blood Royal; for the situation which they held in the Country necessarily made them objects of greater envy and detraction than individuals in a different sphere. If their Lordships would suppose for a moment, that upon this unfortunate occasion any degraded person had, by some secret means, found admission into the palace of the Queen, and it should appear he entered there with some treasonable intention of undermining her state and dignity, he would ask their Lordships whether, even in that case, any surer or more effectual means could have been resorted to for such a purpose? He would ask also, whether the case of the Queen might not be made the example for the deposition of the Throne also? He would ask another question—whether the experience of all former times did not bear upon the possibility of such a fact? It was very remarkable, but their Lordships would well remember, that the origin of the French Revolution was marked by calumnies and libels against the French Queen—imputations against that unfortunate woman, which were coupled with slanders and insinuations against all that was pure, and noble, and honourable, in France. Their Lordships would recollect that eventful and gloomy period, when the unhallowed hands of desperate men were raised against insulted royalty—a period at which, as had been observed by an elegant writer (Mr. Burke), all the beautiful delicacy of the female character was violated and despised—a period at which that modest sensitiveness, that sacred purity, which impose upon man "all those moral obligations which the heart owns and which the understanding ratifies," were lost in the licentious profligacy of the day; when it had become a common observation, that "a King was but a man—a Queen was but a woman—a woman was but an animal, and that an animal not of the highest order." But their Lordships would readily recal the glowing picture which that great writer had drawn of the illustrious family to which he (Mr. Denman) had alluded; and they would deplore the unhappy consequences which must at all times be entailed even upon the most moral, the most strict, the most virtuous persons that could ever sit on thrones, if those libels and calumnies were to be propagated, and inquiries instituted into the privacies of royal life, which were revolting to commanding understanding, united to correct feeling.—The Learned Gentleman then went on to eulogise those distinguishing ornaments of female character to which he had before adverted, and to ask their Lordships, what would be the consequence of encouraging a species of inquiry calculated to harm or destroy their delicate texture; and particularly as regarded their existence in this Country, in the persons of those whom the Constitution had vested with rank and authority? What, but the stripping of the throne of these, its most beautiful, most honourable ornaments, and the replacing it by that sort of Pharisaical Republic, which would then be erected upon the ruins of the English Monarchy? But he knew that the greatness of the female character consisted in throwing from it, to an immeasurable distance, that species of impertinence and intrusion which would presume to violate, by unwarranted inquiries, the sanctity of domestic privacy; and upon these grounds alone he might rest his only and general defence, if it were necessary, of the Queen, against a measure intended to exclude from the Throne her who ought to adorn it—who came here with every expectation, with every reasonable hope, of sharing it—and who, it was now attempted to be argued, had forfeited—not forfeited, indeed, but had lost—her just claim to it. There was another subject of great importance to which he would allude, and that was—to the argument which had been advanced by his Learned Friend (Mr. Brougham) on a former occasion, founded upon decisions not only of the common law, but of the Ecclesiastical Courts, to the effect—that marriage was a contract, not merely of a religious, but of a civil nature. He did trust that their Lordships would reconsider this important point, involving, as it did, so important and sacred a consideration. He did hope that their Lordships would be induced to-morrow to hear, upon this subject, his Learned Friend (Dr. Lushington), who would be much better able to explain to them the ecclesiastical law upon the matter than himself; but, if this indulgence should be refused, he should then ask the assistance of the Noble, and Learned, and Reverend Prelates, who sat in that House, to explain the subject more fully to their Lordships. He had particularly to request that their Lordships would consider the balance of evil upon this occasion; and that they would inquire what state necessity existed for the adoption of the present measure. In any result, he trusted, and he was sure that there would be, upon their Lordships' part, nothing like a disregard or undervaluing of the sacred obligations and the civil and religious character of the marriage tie; but that this inquiry, being one founded in justice to the moral feeling of the Country, that contract, and its grave and important nature, were never to be lost sight of. Comparatively speaking, such an inquiry could do no possible good; but, as their Lordships would perceive, in its termination might do much positive harm. Here he must repeat, that he did protest and object in the most solemn manner against Bills of Pains and Penalties; and especially against a Bill of Pains and Penalties, in which the scene was laid in foreign states, at a great distance from this Country, and carried through a term of six years; and upon which the illustrious party had been denied a list of the witnesses against her—a privilege which the usage of inferior courts sanctioned and established in every other case. In point of fact, the application to their Lordships originally was, that the substantial benefit might be given, and the inconvenience avoided; and this great principle might be recognised, it was submitted, but modified in any manner that to their Lordships might appear most suitable and convenient. Now he said, that before a Grand Jury the witnesses publicly presented themselves to be sworn, and the indictment was founded upon their evidence. No man was left in the dark about the charge brought against him, or deprived of the opportunity of knowing what was the character of those who appeared against him. He felt justified in saying, therefore, that so far from having received any thing like favour at their Lordships' hands, her Majesty had every reason to complain of the course which had been taken: those times, however, in which that complaint originated, were now passed. He again protested, in her Majesty's name, against all Bills of Pains and Penalties; but most solemnly against a Bill of Pains and Penalties in a case which admitted of impeachment. He protested against their Lordships' declining those duties which the Constitution had imposed upon them, and undertaking one which it was not competent for them, and which they were never deemed likely to perform; from which no good consequence was likely to result, and in the discharge of which they must subject themselves to the probability of receiving a check from the other branch of the Legislature. While he urged these considerations to their Lordships, however, he must also strongly protest against any imputation that himself or those with whom he was acting were declining the combat upon which they had entered. They pleaded against the manner, but they did not shrink from the trial. On the part of her Majesty, he might be allowed to observe, that it was painful for him to be compelled to allude to unpleasant circumstances affecting Royal and Illustrious individuals, or to revive the recollection of many past events; but he trusted that he should stand acquitted to their Lordships for the faithful discharge of his duty to the best of his means and powers. He felt, also, that he owed to her Majesty some apology, because, in the course of his argument, he had been necessarily, though hypothetically, led to suppose something like a possibility of guilt under circumstances which he was sure never could have existed, and from which her Majesty's high honour would have revolted.—"I beg to say, my Lords, (concluded the Learned Gentleman) that whatever may be enacted—whatever may be done, by the exertions of any individual, by the perversion of truth, or through the perjury of witnesses—whatever be the consequences which may follow, and whatever she may suffer, I will for one never withdraw from her those sentiments of dutiful homage which I owe to her rank, to her situation, to her superior mind, to her great and royal heart; nor, my Lords, will I ever pay to any one who may usurp her Majesty's station, that respect which belongs alone to her whom the laws of God and Man have made the Consort of the King, and the Queen of these kingdoms."

[Mr. Denman having finished speaking, her Majesty, accompanied by Lady A. Hamilton, rose from her seat, and retired to her apartment.]

After a pause of a few moments—

The ATTORNEY-GENERAL rose in support of the Bill. He commenced by observing, that his Learned Friends, her Majesty's Attorney and Solicitor-General, had no reason to regret the choice they had yesterday made of addressing their Lordships against this Bill. The very able speeches made by his Learned Friends, and particularly the last, gave them a considerable advantage; because they had an opportunity, under license of the House, by stating facts which were not before their Lordships in evidence—by assertions gratuitously made—by calumnies—he used the term with every respect to his Learned Friends—but he repeated, by calumnies—and by assumption unsupported, save by the assertions of the speakers, of making a strong impression on the minds of their Lordships. He was, therefore, placed in a situation of difficulty; for coming, as he was prepared to do, to argue what he conceived to be the only arguable point before their Lordships, namely, the propriety of proceeding with this Bill, he found himself under the necessity, from the course followed by his Learned Friends, to argue upon facts which were totally foreign to the main question. An additional difficulty was, that he was not then at liberty to contradict the statements made by his Learned Friends, as they were not in evidence before their Lordships, but were merely assumed. He had then to argue the dry facts of the case, whether the preamble of the Bill was sustainable or not. He therefore conjured their Lordships to banish from their minds those impressions which must have been made by the very able speeches which had been addressed to them both yesterday and to-day. With respect, however, to what had been stated in those speeches, he had only to observe, that nine-tenths of what their Lordships had heard was foreign from the question to be discussed; and, he felt, could not, would not make a deep impression on their Lordships. The question to be considered was, whether they would entertain the grave and solemn, but disgusting charges preferred against her Majesty—or whether they were prepared to say, that, notwithstanding the proof to be adduced, there was something in this Bill that it ought not to be followed up by the enactments contained in the preamble? This was his view of the question before their Lordships. But see how it had been argued by his learned friends. They had argued the question as if the preamble had not been proved, and yet they had indulged themselves in talking of spies, informers, perjured and suborned witnesses. When those witnesses had given their testimony, the time would come to speak of their character and the nature of their testimony. This line of proceeding was, in fact, nothing more or less than tampering with their Lordships' feelings, and doubtless it must have made an impression on their minds. His Learned Friends had also placed another difficulty in his way. They had found fault with the framing of the preamble, and not satisfied with that, had gone thro' its whole history. They had attacked the proceedings of the Secret Committee, and went on to shew the disadvantages under which her Majesty laboured, in consequence of not having her case brought before a Grand Jury. But their Lordships had decided that this was the only mode of proceeding; they had decided, that the crime with which her Majesty was accused, tho' if committed in England it would be treason, could not be so construed, having been committed abroad, and with a foreigner. They had in fact decided, that her Majesty was not amenable to any of our Courts of Justice, and that this was the only mode of proceeding which could be instituted. Their Lordships instituted this inquiry on the Report of a Secret Committee; this it was urged deprived her Majesty of the benefit derived from a Grand Jury. But did the Committee find her Majesty guilty of any one charge? They merely said, that from what had been laid before them, they were of opinion, that there was serious ground of charge against her Majesty, affecting the dignity of the Crown, and they recommended to the House to proceed to an inquiry. See, then, how the arguments of his Learned Friends were applied—first, they found fault with the preamble of this Bill—and, secondly, they quarrelled with the measure itself, which their Lordships, by their having read it the first time, had sanctioned. It was urged that the Secret Committee had reported upon unvouched documents. He had no means of knowing upon what statements the Secret Committee reported, nor did he know from whence his Learned Friends drew their information; but he was much mistaken if the Select Committee had not had the sworn testimony of witnesses in support of the statements laid before them. But whether they had or had not such testimony was not now the question; their Lordships had decided upon that Report, and that decision could not now be called in question. Next, he had heard a most singular and extraordinary attack, coming, as it did, from a Lawyer, such as he knew his Learned Friend to be. He (Mr. Denman) urged that the preamble of the Bill contained matter that is not inserted in Bills of Indictment at common law; that it, in fact, contained the evidence upon which the charge was to be supported. Did his Learned Friend not know, that in the case of the highest crime known to the law, in the case of High Treason, the evidence in support of the charge was detailed in the Indictment? But who ever heard of a person so accused complain of this? So far from being a hardship, it was a benefit to the accused?—Again, he (the Attorney-General) was accused of not daring to call things by their right names, of substituting the words "adulterous intercourse" for the word "adultery."—Now, in nine cases out of ten, it occurred in actions for adultery, that the terms "illicit intercourse," "criminal conversation," "adulterous intercourse," &c. were substituted for the word "adultery" itself. Why then, he said, that with respect to the preamble of the Bill, it stated what it was proper to state, namely, the facts that were to be proved.—His Learned Friend, Mr. Denman, had, on this part of the subject, enlivened his audience with many comments on the nature and character of the indecent and offensive familiarity and freedom which the preamble presumed, and of the titles of honour which the Queen had conferred. He had talked much of the different interpretations which would occur to different minds in judging of these terms. What might be thought an indecent familiarity with a menial in her Majesty's service by one person, might be viewed more indulgently by another. All he (the Attorney-General) should say to these arguments, if arguments they could be called, was that they were wholly out of their place. Let the time come when these facts were to be proved in evidence, and their character exhibited, and their Lordships would then have to judge whether the evidence justified the acts stated in the preamble, and of course the preamble itself. When his Learned Friend Mr. Denman arraigned that preamble on the ground that it stated facts that were to be proved, and not a distinct charge, he (the Attorney-General), in answer, should call the attention of his Learned Friend to all the Bills of Pains and Penalties, and Bills of Attainder, which were to be traced in our history. If he were correct in stating that it was the uniform practice, what other course of proceeding, he asked, should be pursued in the present case, where the Queen was proceeded against by Bill on a charge of an adultery?—an adultery not of an ordinary nature, but carried on under circumstances of peculiar aggravation, provided the facts stated in the preamble were substantiated by evidence. It was upon such grounds that the preamble of the present Bill recited the deep sense their Lordships felt "at such scandalous, disgraceful, and vicious conduct on the part of her said Majesty." Let his Learned Friend look again even at the case of Dr. Atterbury, and he will find the same course was followed; he will find the motives stated which induced its enactment, viz. the existence of a traitorous conspiracy within the kingdom, and the fears that were entertained for the security of the Protestant Succession. The grounds alleged in the preamble of the present Bill were of the same public nature and import as those stated in the Bill against the Bishop of Rochester. Thus much he felt it right to state in answer to the arguments which his Learned Friend, Mr Denman, urged