

LAW INTELLIGENCE.

COURT OF KING'S BENCH, LONDON, NOV. 16.

The King v. Sir F. Burdett.

Mr. Denman said, that it was his duty to support the argument of his learned friend, Mr. Scarlett, calling upon the prosecution to show cause why a new trial should not be had, on the ground that no offence had been committed within the jurisdiction where the trial took place; and the first proposition which he had to establish was, that the mere writing of the libel did not amount to an offence. His learned friends, the Attorney and Solicitor-General, found it essential to their argument to maintain that the writing in itself was a libel.

Mr. Justice Bayley.—But here has been a publication.

Mr. Denman.—But there was no proof what way that publication took place; and although he might admit, for the sake of argument, that the letter had been written with the intention of publishing it, yet even that intention, if it were not put into execution, did not amount to any offence. There was not a single authority for a contrary opinion, with the simple exception of the case of "the King and Berr," and in that case Chief Justice Holt not only did not rely on antecedent authorities, but his position was at direct variance with all former authorities. Before their Lordships came to the same conclusion, they also should get rid of those authorities; they too would find it necessary to say, that the opinion of Lord Coke, in Lamb's case, was erroneous. Of course, it became extremely important to look to the wording of that case, and the mode in which it was supported. (The learned Counsel here referred to the precise words of the indictment itself—compositi, scripti, et fecit, &c. quos quidam divulgavit et publicavit; and in that case the Jury found—quod collectionem et scripturam culpabilis, quod publicationem non culpabilis; and yet the doctrine of Holt would make the collection of libels a crime, because, after the death of the collector, they might fall into other hands, and thus be promulgated to the world. There was nothing like that doctrine in the whole law of England, with the exception of forgery, which in itself was a criminal act; but the two cases were so decidedly opposed to each other, that no analogy could be instituted between them. In the case of forgery, the right of property was equally affected; and if the addition of a cipher, or the alteration of a word, could make a man liable for £5000 instead of £200, the offence consisted in that addition or alteration. But if a man were to be considered guilty of libel because he happened to have in his desk or library what, if published, would amount to libel, he knew not who could be considered beyond the power of this visitation who had a copy of Gibbon or Hume in his possession. Some chapters might be selected from these writers, and a man found guilty of libel for having and keeping in his possession certain libels. But whatever might be the maxims in other countries, where the press was subject to the inspection of the police, yet in England no man was subject to the laws of the country for having such works in his possession. That being the case, then, and the obligation which Chief Justice Holt was under of dispensing with the case in Coke, and his quoting no authority, but saying that the mere writing was punishable, he was assured that their Lordships would never recur to that case, except as an example to be avoided.

Mr. Justice Best.—In what sense was the term writing used in the case of the King v. Berr? Mr. Denman.—In the sense of copying, I apprehend, my Lord. But my learned friend the Attorney-General has said, that writing with a view to publication, or collecting libels with a similar object, was an offence, and he referred to cases in the Star Chamber; but on looking into these cases, it turned out that the persons who were there convicted were not only guilty of writing, but of publishing. He did not mean to lead their Lordships through the Roman law on this subject, but it was quite evident, from the cases which had been cited from it, that the libels were either published or proved to be published by the writer. He remembered that the Attorney-General said, he did not go to the Roman law, because he could not find authorities in the English law; but though his learned friend might select examples from the practice of the Emperors, yet he apprehended such authorities would have even less weight with their Lordships than the case of "the King and Berr," where the Lord Chief Justice laid down law for which there was no English authority, and nothing but the Roman law to resort to, which, when examined, appeared most equivocal, and, when examined, implied the publication. There was the case of Doctors Edmonds and Hooper, where one of them libelled the other, and sent a letter to him alone; but he to whom it was sent made it public by his own fault; as, however, it tended to a breach of the peace, he might, at the suit of the King, be indicted for libel. In order, however, to be made liable, he must take steps tending to a breach of the peace, which alone would constitute the offence. In the reign of Chas. II. there were some doctrines never acted on before, and never recognised since. In the case of the King v. Harris, Sir Wm. Scroggs said, that all persons writing, printing, or publishing libellous pamphlets, were liable to have such books seized, and themselves prosecuted.

Mr. Justice Bayley.—That was the opinion of the twelve judges.

Mr. Denman.—Yes, my Lord, in Charles the Second's time; and further, that all writers in newspapers were indictable, and punishable on that account.

The Lord Chief Justice.—I never, until the present argument, heard one insinuation against the character of Chief Justice Holt. He passed his whole life in opposing those doctrines that made against the liberty of the subject, both before and after his elevation to the situation of Chief Justice.

Mr. Denman said, that it was extremely painful for him to be compelled to cast any reflection on the character of Chief Justice Holt, but it was the misfortune of the time in which he lived, that the best minds, after obtaining the principal object of their ambition, unconsciously sunk under the influence of those principles, in opposing which their earliest and best days were passed. So late as 1678, it was laid down by Sir G. Jefferys, that the writing or publishing any intelligence, without the King's permission, was an offence against the State; and soon after the Restoration an Act passed, prohibiting that any book should go forth to the world without the permission of the licenser; and it was not until after the Revolution that this law was dispensed with, and that, too, after an attempt was first made to renew it. The doctrine was extremely different from what it is in these days, since not only did the right of licensing exist, but the general warrant of searching for all papers continued until the year 1767, when Lord Camden pronounced against it. In the State Trials, Lord Camden expresses as clear an opinion as a Judge could on the subject of general warrants; and if the right of search no longer remains, and if the right of search no longer remains, the mere writing cannot constitute libel. The very supposition implies the right of search. If the writing only were punishable when the paper was published, then in its simple state it is no offence; but the Attorney-General went the whole length of saying, that the mere writing did constitute the offence of libel. Now, if he was not mistaken, it was the general feeling of Westminster Hall, that the case of "the King and Berr" had become obsolete. Certainly this was not the first occasion upon which its merits had been questioned, for there was in Mr. Starkie's book upon the law of libel (a book which was published in 1813) a very long, though very modest argument, which proved to demonstration, that the case of "the King and Berr" was not law, and that there were cases by which the law laid down in it was directly contradicted.

Mr. Justice Best.—If the case rested solely on the authority of "the King and Berr," I should think, after what Lord Camden has said on the subject, that the law is at least questionable; but the letter here was written with the intention of publication. The writing, in itself, was one step towards the crime, and every step towards a crime constitutes a misdemeanour.

Mr. Denman did not remember hearing this doctrine stated at the Assizes.

Mr. Justice Best did not think it necessary to state it.

Mr. Denman, at all events, was now disposed to agree with Mr. Justice Best; for if the Court should now decide that the writing in itself should amount to a crime, he should, upon that very decision, be entitled to a new trial, because Mr. Justice B. had held differently upon the trial of the cause. The learned Counsel then proceeded to argue, that upon every principle of law or of justice, so long as a libel was withheld from publication, so long no offence against society had been committed. There would be no end to the pernicious consequences which would result from the establishment of an opposite doctrine. To say that a libel, even while locked in a man's desk, subjected him to spies and informers, to offer a bounty to domestics for breaking locks and betraying their masters. Suppose the case of a man writing, in a moment of passion, a violent letter, afterwards repenting and forbearing to send it—was that man to be punished for having written such a letter, even although he afterwards retracted it? With the exception of "the King and Berr," there was not a single authority for such a proceeding; and that authority, he trusted, would not be strengthened by the sanction of their Lordships. It had been said, that the writing and the publication constituted one offence, and that, when publication had taken place, the writer became liable where the libel had been written.—This he altogether denied, because, according to that doctrine, if a servant broke open his master's desk, and thus, in his master's wrong, gave publication to a letter, in which libellous matter might be found, then the very crime of the servant entailed punishment on the master. No doubt Sir F. Burdett might have been tried in Middlesex for that which he wrote in Leicestershire; but it did not follow he could be tried in Leicestershire for the circulation which had taken place in Middlesex.

Mr. Justice Best.—If, living in Northampton, I write to a newspaper office in London, and desire them to send me a paper, and they send me a paper containing libellous matter, where should the venue be laid?

Mr. Denman.—In this case, my Lord, there is no proof that any thing was sent from Leicestershire by Sir F. Burdett. The cases of nuisance, the learned Counsel went on to contend, which had been relied on by the other side, were regulated by a principle apparently, perhaps, but not really, different. With respect, however, to the third point, and one of the most material points on which he had to address the Court, he would remind their Lordships of the presumption attempted to be set up, that the publication of the letter had

taken place in Leicestershire, because that letter was received open in London. In his (Mr. Denman's) opinion, presumption ought to be very guardedly dealt with in a criminal case, and particularly in this case, because a witness might have been called who could have told the whole story. The person to whom the letter was written could have given decisive evidence as to this fact; and there was this remarkable circumstance—that the letter, when seen in the hands of Mr. Bickersteth, was contained in an envelope, on which directions were written as to its disposal—a circumstance which, as far as presumption was good for anything, afforded the strongest ground for presuming that Sir F. Burdett did not himself hand that letter to Mr. Bickersteth. The learned Counsel on the other side, with all their skill and attentive research, had been hard driven to find authorities for the position which they set up; and the learned Solicitor-General had cited one very important point, as from the State Trials, which, upon examination, that work did not appear to contain. Upon the whole of this case, he trusted that he had offered sufficient to convince the Court, that the writing alone did not constitute an offence, and that publication was essential to the completion of the crime. He trusted that it had also been made evident, that no publication was proved in the County where the indictment was laid, and that consequently the Defendant was entitled to a new trial. There was no evidence at all that a criminal act had been committed within the jurisdiction of the Court where the venue had been laid; and he trusted to find their Lordships of opinion, that, under all the circumstances of the tedious and extraordinary case before them, sufficient doubt existed to send the matter again to the decision of a Jury.

Mr. Philips followed on the same side. If he was to understand from their Lordships, that the mere writing was sufficient to constitute an offence, he would not upon that part of the case trouble their Lordships with a single observation.

The Lord Chief Justice.—As in the present case the libel was not only written, but published, we do not think ourselves called upon to decide what would be the effect of a man's writing a libel, and keeping it in his desk.

Mr. Philips would not, as such was the opinion of their Lordships, occupy their time in observing on that point. The learned Counsel then proceeded to observe upon the various cases cited by Mr. Denman, and to urge their applicability to the present argument. With respect to the dictum in Paine's case, he observed that, as it was stated to have been pronounced in one of the reports, it was an extra-judicial opinion. He then proceeded to remark upon the authorities derived from the civil law, and contended against the remark of the Solicitor-General accompanying the quotation from Vinerus, *nam utrumque est criminatum*, since Vinerus proceeded to say, that this opinion was questioned, and he adds, *et merito*. In cases of forgery it was contended that the very act amounted to a crime, and the putting forth the document, however it might increase the moral, did not add to the legal, guilt; but, as had been justly observed by his Learned Friend Mr. Denman, the crime was then committed in the first instance. It had been said, that the publication was not a medium of proof; but it was beyond all doubt, that the publication was necessary, and a medium was not essential for the purpose. The commentary of Lord Coke was decisive. The laws of Edgar spoke of such persons only as of their own heads propagated false intelligence, and punished such conduct by the loss of the offender's tongue. As to the point of publication, the cases were all of one character, proving that the offence must be completed in the county where the person committed it. The learned Gentleman then went on to contend, that there was no evidence upon which it fairly could be presumed that Sir Francis Burdett had with his own hand delivered the letter in question to Mr. Bickersteth. In fact, the presumption fairly was that Mr. B. was in London at the time. There was just the same evidence to show that Bickersteth received the letter in London, as that Sir F. Burdett wrote it in Leicestershire. Sir F. B. was seen in Leicestershire the day before the letter was dated. Mr. B. was seen in London a day or two before it was received. Mr. Philips then remarked at considerable length upon the summing up of the learned Judge on the trial; and, after citing a variety of authorities, through which our limits will not allow us to follow him, he concluded an ingenious speech by reminding their Lordships, that the administration of justice ought not only to be pure, but that its purity should be unimpaired.

Mr. Blackburn was not disposed to trouble the Court a moment longer than was absolutely necessary. His object was rather to present to their Lordships the opinions of others than to address to them any observations from himself. As he took it, either the mere writing of libellous matter was an offence; or writing with publication was an offence, which he did not mean to deny; which last proposition, as well as the preceding one, he was prepared to admit. It was an established principle of law, that every offence must be tried in the place where it was committed, and he should be able, he thought, to show the Court, that, between felony and misdemeanour, there was, as regarded the venue, no difference. In the case of death in one county, occasioned by a stroke given in another, there was no doubt as to the situation of the venue, which must be laid in the county where the death happened. The case of Lacy was similar, or perhaps stronger in its ef-

fect, where a man striking another at sea, and he dying on shore, the culprit was discharged as not triable at all. The case of Mandus was an important decision upon offences having two or more distinct parts; and it was settled as law, that it was not possible to try a misdemeanour with the same latitude as to place of venue as had been allowed in cases of penal indictment. In the present case, the broad facts of the case pointed out the true situation of the venue. The obvious inference was, that the offence should not be tried in Leicestershire, where no one had even seen or heard of the letter which constituted it; but that it should be tried in Middlesex, where the thing attempted, and where the consummation, the completion, of the offence took place. The learned Counsel then proceeded to urge the total absence of all proof as to a publication in Leicestershire; and asserted, that, as far as presumption could be taken, the presumption was at least equally strong that it had been published in Middlesex, when, at all events, it first made its appearance, in the hands of Mr. B., who was not shown to have been in Leicestershire, or even out of London, about that time. Now although the facts of the case of the seven Bishops were different from that of the present case, the situation was precisely the same.

Mr. Justice Best.—There was no proof in that case of the writing in Middlesex.

Mr. Blackburn then went on to contend, that the causing and procuring to be published was the same thing as publication.

It being half past three, and Mr. B. about to enter upon a fresh topic, he was stopped by his Court.

The Lord Chief Justice said, that as Mr. Justice Holroyd was obliged to leave the bench, it would be impossible at present to proceed further with the case.

The Attorney-General then requested to know when it would be convenient to the Court to hear the remainder of the argument.

Mr. Justice Bayley said, that there were 51 cases upon the special paper to-morrow.

No day we believe was fixed for resuming the argument.

The following intelligence has been received at Lloyd's:—

"Santiago de Chili, August 7.

"The following ships of war, and fourteen transports, with 5680 men on board, will be ready for sea by the 15th inst. at latest, and proceed for the liberation of Peru:—

Table listing ships and their crews: San Martin (50 guns, 880 men), San Maria (36 guns, 400 men), Lautara (36 guns, 400 men), Independencia (32 guns, 400 men), Gabriela (18 guns, 200 men), Aracana (16 guns, 200 men), Purydon (10 guns, 200 men), Montezuma (10 guns, 200 men).

236 guns, 1538 men, of which one-third are Englishmen, one-third Chileans, and one-third Spaniards.

It is supposed that Arica, or one of the intermediate Ports, will be the place of attack.

Honour Monner.—Early on Tuesday morning last it was discovered that a cottage house near Sutton Bridge, in this county, inhabited by a woman named Judith Pearce, had been broken into, during the preceding night, and the poor woman most inhumanly murdered, by repeated blows and wounds on her head. A gypsy, named Edward Buckland, whom she had refused to receive a short time past, and who had, in consequence, set fire to the thatch of her house, was suspected, and apprehended for the murder, of which he is found guilty by the Coroner's Inquest, and committed for trial at the next Assize.—Salisbury Journal.

Died, on Monday evening, at his Marine Villa, in Sussex, the venerable poet Wm. Hayley; he passed the last thirty-five years of his life in retirement from the world. His juvenile productions are chiefly in the hands of his particular friends; he scarcely published any work before his judgment was matured; he was a polite scholar. His chief works are—the Lives of Milton, Cowper, and Romney; Triumphs of Teupis; Odes to Howard, Flaxman, and Romney; his dramatic works in rhyme—Lord Russell, Marcella, Connoisseur, (they were attempted on the stage, but without success); Old Mault, and various fugitive pieces; he was a smooth versifier, but no poet. On the Thursday preceding his death he had reached his 75th year.

At Chichester, on Sunday evening, in the afternoon, when the Prayer for the Royal Family was repeated without the Queen's name, a great number of the congregation left the church! This sudden departure caused some alarm; several females screamed, others were seized with fits, and the congregation, for a while, was such as cannot be described.

Most remarkable circumstance.—On the morning of the 12th inst. about 25 minutes before one o'clock, a Meteor was observed by several persons to pass over this city. It had the appearance of a large ball of fire, but was not completely round, and was first seen in the south-west, passing in a north-east direction, and was visible about four seconds, during which time the streets were light as at noon day. About three minutes after its disappearance, a loud peal of thunder was heard, and darkness then continued as before, without any other meteoric appearance.—York Herald.

The Spanish Government has resolved to build a bridge over the Bidassoa, at its own expense.

The advices from Germany and Italy speak of an extraordinary activity that prevails in the war department of the Austrian Government, and of the constant interchange of couriers between Vienna and Milan.

The number of pieces of cannon of all calibre in the army exceeds 2000. "Everything," says a letter from Vienna, "promises the immediate occurrence of great events in Italy; and a letter from Troppau states, that "great and powerful measures have already been adopted by the Sovereigns. Europe will be saved from the horrors of anarchy." The English ships of war, which were said to have assembled by mere chance in the Bay of Naples, are increasing instead of diminishing. The squadron has been joined by the Vengeur, 74 guns, in nine days from Lisbon. This does not appear to have happened by chance; nor is it the result of accident, that Admiral Moore should, at the departure of the latest intelligence from Naples, be in hourly expectation of the Glasgow frigate from Gibraltar. The Neapolitan Government is striving to raise four millions of ducats by way of loan, at the rate of 12 per cent. interest.

A letter from Genoa announces that a Congress is to be held at Florence, where Plenipotentiaries will meet from all the Powers of Italy.

The Paris Papers contain no domestic news of any general interest. The elections of Deputies are not as yet terminated in all the departments.

We have received Hamburg Papers to the 15th instant. Nothing has transpired respecting the conferences at Troppau. The first intimation of them will probably be received from the movements of the Austrian troops on the frontier of Italy.

The Austrian Observer contains the following intelligence from the Kingdom of the Two Sicilies:—

"The King continues at his Castle de Capo di Monte, near Naples, where a remarkable event has recently occurred. A man, employed in the Royal Gardens, had lately returned from Sicily. The Carbonari suspected him of having taken part in the resistance of the Palermitans, and, in consequence, an armed group of this faction posted themselves in front of the Castle, with the design of seizing the unsuspecting gardener, and dragging him to Naples, to give an account of his conduct before their Committee, which resemble the ancient secret tribunals. They, in fact, seized him; he resisted, and called out to the King's Guards for assistance, who have always been distinguished for their attachment to their Monarch. A conflict took place between them and the Carbonari, during which the latter penetrated into the interior of the Castle; but they were finally repulsed, and compelled to abandon their prey.—Several of the Chiefs in this revolting transaction have been arrested."

We have received Hamburg Papers this morning to the 12th instant, from which we make the following interesting extracts:—

"Strasburgo, Nov. 2.—Our Gazette contains the following from France:—

"Two most remarkable documents are in circulation here. One of them is called, 'Precis Sommaire des entretiens avec M. le Prince de Cimille,' from which it seems all hope is vain, that the present Government of Naples can come to an amicable arrangement with the Court of Vienna. 'Because the Neapolitans do not support themselves on the only allowed principle, that of stability, the kingdom of Naples is in a state of moral pestilence, against which all state not infected must be on their guard. ('Blood is going to flow, I cannot dissemble it.') When the Nobility affect a counter-revolution; when the Carbonari are declared traitors; when Pope, Morrelli, Minichini, have been condemned by a military tribunal; when all the ordinances published since the 5th of June are revoked; then, and not before, the only way can be remedied, and in this case 80,000 or 100,000 are ready to be sent to the assistance of the King of Naples.'

"BERLIN, Nov. 7.—The following circumstance may easily lead to various misrepresentations. On the 18th of October, two inhabitants of this city, one of them formerly manager of a theatre, the other a citizen, informed the Police that a certain publican, named Schulze, had plotted to murder several persons of distinction, and had for this purpose procured two daggers, and also a dose of poison for himself, in case he should be arrested; that he kept the dagger and the poison in a chest of drawers, which was particularly described.

"Though the police had not much confidence in the two informers, it, however, should not disregard such a positive assertion. The house of Schulze was examined, and the articles found as described, as well as eleven ball cartridges. As Schulze could give no sufficient reason for having these things in his possession, and contradicted himself in his examination, and as it was also known that he used inconsiderate language, he was put into confinement. The two informers also, who were found to have evaded an arrest to which they had been condemned, were detained. There has been no farther examination, nor any other persons arrested."

The Duke of Clarence arrived in town on Sunday evening from Chatham. Yesterday his Royal Highness paid his respects to the King at his Palace in Pall-mall.

Yesterday Count Munster had an audience of his Majesty.

The following distinguished persons dined with her Majesty, at Brandenburg-House, yesterday:—

Table listing names of guests: The Duke and Duchess of Leinster, Mr. Denman, Mr. Home, Mr. Alderman Wood, Lord Duncannon, Professor Tomassini, Hon. H. G. Brougham, Colonel Louat, Mr. Brougham, Chevalier Vassall, Mrs. Brougham, Monsieur and Madame Fiebel, Hon. Mrs. Damer, Lady Ann Hamilton, Chevalier Molinari, Hon. Keppel Craven.

Mr. Henry, the head of her Majesty's Commission for Italy, arrived in town last night, from Milan.

A Requisition to the Lord Mayor, to call a Common Hall on an early day, to congratulate her Majesty on the late defeat of her enemies, in the expulsion of the Bill of Pains and Penalties, is in a course of signature.

WEDNESDAY, NOVEMBER 22.

At a late hour this morning, we received a series of Madras Gazettes to June 25. They contain no intelligence of much public interest. The news of the deaths of his late Majesty, and of his Royal Highness the Duke of Kent, had reached that Presidency on the 12th of the above month.

By a Mail which arrived this morning we have received Hamburg Papers to the 16th inst.

"HAMBURG, Nov. 15.—An account from Naples, of the 21st October, states, that the Palermitans required the English Consul General (M. Lindemann) to have the English flag hoisted on all the forts, and to declare the whole island under the protection of England. They imposed upon him so much, that he thought it advisable to leave the city and retire to the country.

"STOCKHOLM, Nov. 3.—A few days ago, 40 merchants and bankers of this city were sent for by the Secretary of State of Finances and Commerce, in order to explain how the unexpected rise of our course of exchange on foreign countries (upon Hamburg, from 122 to 128 in one week) could have been caused, and to hear what the Government was disposed to do, in case they could not, or would not, guarantee that the operations should be more steady during the winter. M. Schwan, of the house of Schon and Co., in the name of all the merchants present, answered the remarks and representations of the Secretary of State, point by point. On the following yesterday, the course remained the same as it had been, but there were few bills to be had."

By letters from India, brought by the General Palmer, from Madras, we learn, that some disturbance has broken out in Kutch, which, though of little moment, may eventually lead the Supreme Government to establish a position on the Indus, to keep the Sindians in order, and to be a watch on the Russians and Persians; though any attack from that quarter must be fatal to the invader.

We regret to learn, that twenty-six persons perished in the Oaks, West Indianman, lately lost on Mygate Sands, of which, besides the Captain and Pilot (Evans), seventeen formed the crew, and seven were passengers. It was reported yesterday (Monday, 20th instant), at Margate, that the bodies of Capt. Alderton and his wife had been picked up at Reculver, lashed together; but the truth of the report we have not been able to ascertain.—Kentish Gazette.

At PACHA.—The famous Ali Pacha, in order to conciliate the favour of the English, and save himself from the fury of the Turks, has had a whole-length portrait of himself painted, which he intends to send to the King of England. He is represented holding in his hand a modern Greek manuscript, which he has dictated in a pure style, although he never learned to read or write. The manuscript, when translated, runs thus:—"I was born in Albania, of noble parents, and am the son of Barcha. My father, like all his ancestors, rendered important services to the inhabitants of that country. He died when I was six years of age. Then, alas! the friends and enemies, to whom my father had been a benefactor, declared against me, like hungry wolves seeking to devour their prey; but the Almighty, who had destined me to long life and glory, snatched me from their teeth, and preserved me from evil. Not only did he shelter me under his powerful arm, but he enabled me to combat with and destroy my enemies by a bloody war, even at a time when I had scarcely any means of my own; so that, with the will of God, I rose into glory, and received from my King honours, riches, and innumerable treasures. The Franks, my neighbours, thought that I had not obeyed my King, but they were mistaken, for I have been always devoted and submissive to his great power. Arrived at the height of riches and honours, I combated my enemies, destroying and persecuting some by fire and steel, and others by divers methods. I subjugated all Albania; I governed other countries, even some of those belonging to the Franks; I have destroyed and exterminated 400,000 men, and assassins; I have loaded the just with honours, and advanced the humble, enriched the poor, and abased the wealthy. Although become immensely rich and glorious, I have never been content and satisfied, never having had enough—I have appeared, I have seen, I am passed away. I have fled, I have lost glory and riches. I acknowledge that everything in this world is vanity—all is vanity—everything is as nothing—vanity of vanities!"—Paris Paper.

The late Bill of Pains and Penalties was opposed by those who did oppose it, and relinquished by the Ministers, from motives, in general, sincerely conscientious, we have no right to doubt; but there can be no little doubt, on the other hand, that if the matter rests here, the result of the measure will have a very bad effect on the public mind. A considerable majority of the Peers, either by speech or vote, has declared the Queen guilty. If, then, they decide that she is to be in no way punished, the natural inference is (and the character of the persons most active in rejoicing on the occasion proves that this inference is actually drawn) either that adultery is, in their Lordships' opinion, no great crime, or that the highest court of judicature in the realm dares not punish it. Either of these impressions must be most ruinous to the public welfare. Impurity, thus encouraged, must increase, and mobs will gather, where Nobles fear. Vice and anarchy

will inevitably prevail, and unless some strong countervailing force be set in motion, we shall soon have to mourn over a polluted and falling Country. To prevent this calamitous result, every Peer is loudly called upon (and the more loudly in proportion to his activity in opposing the late Bill) to prove, by some decisive measure, to his Country, and to posterity, that he neither is, nor is afraid to avow that he is not, a patron of adultery. Some measure of this sort must be devised.—Courier.

THURSDAY, NOVEMBER 23.

We have this morning received the Paris Journals of Monday last. The accounts from Spain are important, and show that revolutions do not spread beds of roses for their promoters or their victims.—Courier.

"PARIS, NOVEMBER 20.—We have received the Spanish papers too late to be able to translate their contents for this day's Journal. Our Bayonne correspondent writes us, that the Madrid courier was stopped about a league on the other side of Vittoria by a band of about a dozen individuals; it is thought they are the head of a counter-revolutionary party. The continued stay of the King at the Escorial has produced some agitation at Madrid; the Cortes, nevertheless, terminated their Session on the 9th, without the presence of his Majesty.—Gazette de France."

"IRAX, Nov. 13.—The courier from Madrid was stopped yesterday between Miranda and Vittoria, by a troop of twelve armed men, who seized the despatches of which he was the bearer.

"Our political situation is such as to excite the most lively disquietude. The above event may convey some idea of the disorders which begin to alarm the peaceable. It is asserted that various armed bands are already traversing different provinces. A great majority of the Clergy, whose interests are annihilated by the constitutional system, are making, it is said, every effort to organize a formidable opposition, and the struggle between the two parties may be productive of very deplorable consequences.

"P. S.—At the moment that I close this letter, a messenger is passing, charged to convey to Bayonne the Commercial Correspondence, which has been delivered up by the armed band who stopped the courier. They have retained the remainder of the despatches.—Journal de Paris."

"MAONIN, Nov. 9.—During the last two or three days, some agitation has been observed in the public mind. Alarming rumours are in circulation respecting some of the Provinces, but they are, as yet (as far as our knowledge extends) enveloped in an impenetrable veil.

"It is said, that the extraordinary Cortes will be promptly convened.

"An extraordinary sitting was held during the night of the 8th, which commenced at 11 o'clock, and lasted until 5 o'clock a.m."

A letter from Vittoria, dated the 13th inst., inserted in the Quotidienne, after giving an account of the stopping of the courier near Vittoria, adds, 'the man was treated in the most mild manner. As soon as intelligence of the event reached the Chief Magistrate resident here, he gave the most peremptory orders for the apprehension of the authors of it. Several companies of the National Guard were put in motion, and detachments of troops of the line were despatched in different directions.'

The Journal des Debats contains a private letter from Vittoria, relating the seizure of the despatches, in nearly the same terms as the others. It adds:—"This event has set various reports afloat. It is said, that immediately after the close of the Session was pronounced, the Cortes declared themselves partisan. The King continues at the Escorial. The execution of the Decree against the regular monastic orders, in some places meets very serious obstacles; the mendicant orders, though not disturbed, begin to apprehend that it will be their turn next year. The roads are every where infested with troops of armed individuals."

The Constitutionnel contains the following intelligence:—"The prolonged absence of his Majesty from the capital excites some disquietude; nevertheless, Madrid continues tranquil. It is generally conceived, that the Deputies intend waiting some time ere they withdraw to their homes. The permanent commission can assemble when it is in a course of necessity."

We have received, this morning, Hamburg Papers to the 17th inst., Madrid to the 9th, and Brussels to the 21st.

We extract from them the following article, as the only interesting one which they contain.

"TROPPAU, Nov. 8.—Yesterday afternoon, at five o'clock, his Majesty the King of Prussia arrived here. His Majesty the Emperor went out some miles to meet him. The town was illuminated by the evening.

"The Ministers have had several conferences within these few days, but the subject of them is wholly unknown."

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