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Sherwood

A
SERIES OF LETTERS,

IN WHICH
THE EFFECTS OF THE RECENT PROCEEDINGS IN THE
COURT OF KING'S BENCH, ON THE
TESTIMONY OF

COLONEL WARDLE,

AND

THE CHARACTER OF HIS ROYAL HIGHNESS

THE

DUKE OF YORK,

ARE CONSIDERED:

WITH

AN ADDRESS

TO THE

SPEAKER OF THE HOUSE OF COMMONS.

London:

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NOSTER-ROW; JOHN RICHARDSON, ROYAL EX-
CHANGE; AND C. CHAPPLE, FALL-MALL.

1810.

TO
THE SPEAKER
OF
THE HOUSE OF COMMONS.

IN printing the following Letters in a connected form, the Author humbly conceives that the plain statement of interesting facts which they contain ought to be addressed to the Speaker of the House of Commons.

The subject is one which cannot be considered as tending in the most remote degree to excite party animosity. The adherents of those who are now honoured with his Majesty's confidence—the friends of those who cannot conscientiously support their measures—even the many who seemed to give credit to the purity of the motives that dictated the Investigation of last year, must alike feel deeply interested in maintaining the dignity of the Commons House of Parliament; and it is but a cold expression of that

enthusiastic attachment the nation has displayed towards their aged Sovereign, to say that all must be equally animated with a desire to do justice to his son.

There seems therefore a peculiar propriety in addressing to you, the organ of the united voice of the Commons, a detail of circumstances which cannot fail to excite the universal indignation of those over whom you have been selected to preside.

Since the last Session of Parliament, a Member of your House has been found by a jury of his fellow-citizens liable to discharge a demand made against him for payment of a large sum, in consequence of an engagement he had entered into to induce a witness to assist in an investigation to be conducted at the bar of the House of Commons.

He has solemnly denied his guilt, and publicly implored his countrymen to suspend their judgment on the case till the forms of law would permit him to vindicate his character by proving his innocence.

In endeavouring to effect this, he has abandoned the "correct course," and resorted to means the most favourable to himself, and the most oppressive to those who had established his guilt; but, notwithstanding these artifices,

that judgment, on the justice of which he had requested a temporary suspension of public opinion, is now confirmed by the verdict of a second jury.

Even this is not all. It appears that this Member of your House has on oath confessed giving money, and concealed acceptances for which money was procured, as a bonus to a witness he called to the bar of the House of Commons, to establish a foul charge against the son of his Sovereign; for such is the transaction, as characterized by the Chief Justice, before whom he attempted to prove his innocence.

It was in the course of these proceedings the Letters were written which are now addressed to you. In them all appeal to the passions has been carefully avoided. The Author's aim was without ornament to elucidate the inference which justice authorises, by detailing the artful testimony of a Member of your House, given to support the false evidence of a witness he had corrupted; and to retrace in the recollection of the nation the injury that has resulted to the family of our Sovereign by the imposition too successfully practised on its Representatives.

He feels it however now a duty to remind

you, that the baneful mischiefs of this scandalous transaction did not stop here. Throughout the kingdom, the disinterested virtue of the man, who seems to have modelled his evidence to support the credit of a witness whose assistance he had purchased, became the theme of enthusiastic applause; whilst motives the most scandalous and corrupt were loudly attributed to those, who, in your House, dared to express their honest sentiments on the charges he had brought forward.

He whose character has now been so distinctly commented upon, by the verdict of two juries of his countrymen, was, in the moment of enthusiasm, described as having commenced his exertions without consort or aid, relying solely on the purity of his motives, and *the never-failing support of truth*; whilst the exertions of those Members, who in your House had attempted to detect the frauds that were practised, were painted as exhibiting how little the sophistry of the law availed against the *omnipotence of truth*; with the aid of which Colonel Wardle was said to have triumphed over opposition and obloquy*.

* See the Speeches made at various public meetings, as reported in the Newspapers.

In the inflated harangues which distinguished meetings almost universally held, the House of Commons (with the exception of those he had misled) was libelled by his admirers, as composed of men lost to all sense of honour and feeling of patriotism, governed by views of self-interest, and solely occupied in defending the system of corruption on which they fattened; whilst the great question of Parliamentary Reform, on which the wisest men have differed was decided by acclamation; and the necessity of a change in the constitution of your House inferred, from what is now known to have been the testimony of a corrupted prostitute.

This, Sir, is no exaggerated description of the ferment created by a man, who, though now, under the blessing of Providence, detected by a jury of his countrymen, seems still to have some desperate adherents, willing to pardon the infamy of the means to which he resorted, in compliment to the magnitude of the mischiefs he endeavoured to effect; and ready to transfer the unqualified abuse they bestowed on your House to that admired judicial establishment by which his guilt has been detected.

It is under these circumstances the honest and upright part of the nation anxiously expect from their Representatives that marked

censure of this infamous transaction which the justice of the case seems so seriously to demand.

In the last Session of Parliament, the Inquiry, which so long occupied your attention, gave a proud proof, that, in this country, rank and connexion, even the highest, furnish no protection, where misconduct is suspected; and that there exists in our happy Constitution energy sufficient to call the most powerful to account, where the public interest is concerned.

It now remains for the House of Commons, in this Session of Parliament, to vindicate their own honour by stigmatizing with just severity an imposition of such an alarming tendency; and, by calling the public attention to the late important disclosures, to give a true impression of those specious pretences to disinterested patriotism by which the nation was so generally deluded.

LETTER I.

Printed in the Morning Chronicle, Aug. 19, 1809.

MR. EDITOR,

THOUGH I am certainly one of those who gave credit to Colonel Wardle for firmness and integrity, in bringing forward his Charges against the Duke of York, I cannot approve of the recent Resolutions of the City of London, or join with them in declaring that no circumstance has transpired, since the Inquiry, "to impeach his motives, or affect the merits of the case."

On the motives by which Colonel Wardle was actuated, the late trial in the Court of King's Bench has undoubtedly shaken my opinion. I am still, however, unwilling to believe that he was really guilty of suborning a witness, and of having supported that witness's testimony in what he must have known to have been untrue, by the statement he deliberately made to the House of Commons.

It is therefore with anxiety I wait for the issue of that prosecution he has pledged himself to institute against Mrs. Clarke, as necessary for the vindication of his character; for, on the result of that trial depends, whether Colonel Wardle is to be considered

as deceived and betrayed (in the manner many people believe the Duke of York to have been) by an artful and treacherous woman, or as being a conspirator against the son of his Sovereign, a suborner of false testimony, and himself a false prevaricating witness.

That this Gentleman has no less an interest at stake must appear evident from various passages in the evidence before the House of Commons, when compared with the testimony given on oath, on the late trial; and to this comparison I am equally urged to call the public attention by attachment to the Family of the Monarch, and regard for the honour of Parliament, as by honest zeal for the cause of truth and justice.

In the evidence before the House of Commons, it must be recollected that Mrs. Clarke, far from stating that she came there in consequence of any negotiation, represented herself as an unwilling witness, from whom Colonel Wardle had taken away some of the documents by force, and who threatened to leave London to avoid examination, being only prevailed upon not to abscond by his persuading her that she would meet with that imprisonment, which even Sheriffs have heretofore experienced*. On that occasion all negotiation was pointedly denied, and in this statement she was supported throughout by the Colonel.

Now it must at once occur to any one, who will

* Minutes of Evidence, taken before the House of Commons, p. 17.

peruse the evidence, how incompatible this story is with the statement lately made by Mrs. Clarke, in the Court of King's Bench, concerning the negotiation that took place, and the remuneration she was to receive for her assistance in the investigation*.

Colonel Wardle's interest in convicting her of perjury can therefore only escape the observation of those who have forgot the evidence given by that Gentleman in the House of Commons; for, on the supposition that a negotiation really took place, and that she was to receive a remuneration, the following extracts from the Minutes will display the manner in which both he and Mrs. Clarke prevaricated; whilst they will serve to enable the public to judge how far the opinions once so generally diffused, of the criminality of the Duke of York and of the merits of Colonel Wardle, are founded on justice.

In the course of the investigation before the House of Commons, a letter from Mrs. Clarke to Mr. Donovan, dated 28th of January, 1809, was given in evidence, of which the following is an extract:—

“ DEAR SIR—I am much mortified in seeing, in
“ this day's Paper, the free use of your name and
“ mine, in the Debate last night. I, however, took an
“ opportunity of seeing Mr. Wardle on the sub-
“ ject, and I found he is by no means so ill-disposed
“ as his speech seemed to evince; but he tells me, as
“ I have committed myself and my papers, he is de-

* See Trial, taken in short-hand, published by Gillet, p. 15 and 19.

“ terminated to make every possible use of them that
 “ to him seems proper. *I must be candid, and tell*
 “ *you, that, in order to facilitate some negotiations, I*
 “ *had given him a few of your letters.* In one you
 “ speak of the Queen, in another the two deaneries.
 “ As to myself, I must of course speak the truth, and
 “ I shall be put *on oath* *.”

If the evidence given by Mrs. Clarke, on the late trial, is true, it is now perfectly obvious what she alluded to by the phrase, “ *to facilitate negotiations,*” as used in this letter. Neither can any one doubt that the letters mentioned in the passage above quoted were those of Mr. Donovan, concerning the deaneries of Hereford and Salisbury, for Mr. Glasse and Mr. Baseley; and the place of Inspector of the Customs, which the Queen is there said to have applied for †.

* Printed Evidence, p. 132.

† The following is a copy of these letters, as printed in the Minutes of Evidence, p. 146—7.

Charles-street, St. James's Square,

DEAR MADAM,

Oct. 8, 1808.

The deanery of Hereford is vacant, and in the sole gift of the Duke of Portland; can you procure it for the Rev. G. H. Glasse? I would myself, unknown to him, give 1000*l.* for it. It must be filled by next Saturday; at least so a Gentleman, who has just given me the information, said. Mr. G. is my most particular friend, and I would make great sacrifices to serve him. He is not in town at present. I can with confidence assure you he is a very good scholar, a man of good fortune, and an *extraordinary* kind friend; of excellent connexions, well known to the Dukes of Cumberland and Cambridge. He is Rector of Hanwell, Middlesex. His town-house, No. 10, Sackville-street.

It is indeed clear from the proceedings in Parliament that some negotiation, of the nature recently described

The money will be deposited, on Wednesday next, for the Landing-Waiter's place.

An Inspector of the Customs, whose duty is rowing in a boat about the river, visiting and placing officers on board different ships, is about to be superannuated: the salary is 400*l.* per annum. I am applied to for the appointment, on the resignation taking place: 1000*l.* is offered for it.

Yours, very truly,

Mrs. Clarke.

J. DONOVAN.

Charles-street, St. James's Square,

Oct. 20, 1808.

DEAR MADAM,

Some friends of the Rev. T. Baseley, M. A. are extremely desirous of procuring for him promotion in the Church; and it appears to them a very favourable opportunity, the vacancy of the deanery of Salisbury, to make application to the Duke of Portland; and in order to secure an interest without his knowledge, a party of Ladies, at the head of whom is Lady Cardigan, have subscribed a sum of money, 3000 guineas, which is ready to be deposited, to carry into execution their intended plan.

Mr. Baseley is well known to his Grace, and was particularly recommended to her Majesty, by Lady Cardigan, on the publication of his pamphlet, The “Claims of the Roman Catholics constitutionally considered, &c. &c.” This Chaplain to the Duke of Gloucester and the Bishop of Lincoln went *with his Grace*, upon some occasion, to serve the Marquis of Titchfield: would be very strongly recommended by many persons of fashion; the Bishops of Norwich and Salisbury. I have a letter from each, to Mr. Baseley, in my possession, which would show the estimation in which he is held by them. The Ladies are very anxious, and at the same time desirous that he should not know through what channel the money is raised, much less the application; nor do

by Mrs. Clarke, was suspected; though, at the time of the examination before the House of Commons, it was strenuously denied both by her and Colonel Wardle; whose evidence clearly displays how, if it really existed, they co-operated in deceiving the House on this important subject.

The Colonel, when first examined, alleged his complete ignorance of what Mrs. Clarke meant by negociation, as appears from the following extracts:—

“ Are those the letters Mrs. Clarke alludes to in her letter to Mr. Donovan, in which she says, “ I

they wish to know any thing further than that he shall succeed, and then to agreeably surprise him: or rather that his Grace, without any preface, should have the whole merit of having selected so worthy a man to fill the vacancy. Your answer will oblige

Yours, very truly,
J. DONOVAN.

Lord M. and Mrs. J—n are in town.

Charles-street, St. James's Square,

Nov. 16, 1808.

DEAR MADAM,

The place of Inspector of the Customs is now vacant, by the death of Mr. Booty; and I learn that the Queen, and the Duke of Dorset, are about to apply for it. I hope you will procure it for Mr. Henry Tobin, the Gentleman you were so good to say you would serve when an opportunity offered. I will do myself the pleasure of waiting on you, whenever you shall appoint, on the subject. Can you procure the Paymastership to a Second Battⁿ. for 500*l*.?

Yours, very truly,

Mrs. Clarke.

J. DONOVAN.

“ must be candid, and tell you, that, in order to facilitate some negociation, I have given him a few of your letters?—Those are part of the letters I had from Mrs. Clarke.”

“ Are those the letters to which this letter of Mrs. Clarke alludes?—It is impossible I can answer that *.”

FURTHER EXAMINED.

“ In folio 132 of the printed Minutes of the evidence, there appears a letter, written by Mrs. Clarke to Mr. Donovan, in which is the following expression. The date of the letter is Jan. 28, 1809.

“ I must be candid, and tell you, that, in order to facilitate some negociations, I had given him a few of your letters; in one you speak of the Queen, in another the two deaneries. Did Mrs. Clarke give you any letters, in order to facilitate any negociation?—*I never had any negociation with Mrs. Clarke, about letters, in my life; I do not know what she means by the expression of a negociation.*

“ Are these the letters which she stated you had taken away from her?—I took some of Mr. Donovan's letters, in the way I have before described, which I have produced to this House; *but what she means by negociation I do not know †.*”

From the evidence, as taken at the bar of the House of Commons, it appears that Mrs. Clarke was next pressed for explanation on the same subject. After

* Minutes, p. 145.

† Minutes, p. 320.

what she has stated on oath, in the late trial, it is impossible to conceive she could have any doubt concerning the meaning of the passage in the letter she had written to Mr. Donovan. Aware, however, of the consequence of disclosing the truth at that moment, she, with her characteristic quickness, at once chalks out the scheme of deception to be pursued; which, clumsy as it now appears on revision, seems, from the artful manner in which she prevaricated, and the confidence with which she was subsequently supported by Colonel Wardle, to have imposed upon no inconsiderable portion of the House.

MRS. CLARKE'S EXAMINATION.

“ Look at that letter (the letter to Mr. Donovan, of the 28th January). That letter speaks of delivering some letters to Mr. Wardle, in order to facilitate some negociation?—I sent that letter to Mr. Donovan.

“ Did you give these letters to Mr. Wardle, in order to facilitate any negociation?—Yes; not the letters that Colonel Wardle ran away with, but letters of Field-Officers to recommend two or three Lieutenants to companies; they were to give more than the regulation, three or four hundred pounds. I understood from Mr. Donovan that Greenwood was to have some part, Froome another, himself a share, and me. These young men were to pay, I think, four hundred guineas over the regulation; and that it was the last job Greenwood was to give Froome; that it was to complete a very old

“ promise of the Duke of York. Mr. Donovan told me he must have the recommendation of a Member of Parliament, or a General Officer, to cover himself.”

“ If you refer to a passage in your letter, it will appear that the letters you allude to were, one in which Mr. Donovan speaks of the Queen, and in the other of two deaneries?—Those were the letters Colonel Wardle took away, and which I told him were in his possession; that letter, I think, mentions as far as that.—(*The passage in the letter was read*)—I had not given him those letters; he took them, and what I gave Colonel Wardle to facilitate was the other three, the Lieutenants for the companies; and he has two or three of them now, and General Clavering the other; and when I represented one of the young men as Mr. Sumner's nephew or cousin, I believed it, because Mr. Donovan had told me so, and declared it in every way possible.”

“ How could the delivery of any letters whatever to Mr. Wardle facilitate any negociation?—I thought that they might, because he told me that he could do it by men that were not in the Opposition, because I knew that a man on that side would not do to recommend to the Duke of York any military man.”

“ Who told you so?—Colonel Wardle.”

“ What sort of negociation did you think the delivery of these letters might facilitate?—To get a letter of recommendation for the young men, the

“ same sort of recommendation as General Clavering
“ was to give me for Sumner*.”

The moment Mrs. Clarke was removed from the bar, after broaching this explanation of the passage in her letter to Mr. Donovan, which Colonel Wardle was previously unable to comprehend, the Minutes of Evidence shew that he, in his place, asked permission of the House to make the following statement:—

“ I wish to say, that I am now aware what
“ Mrs. Clarke means by her negociation. The
“ letters that I before alluded to her having received
“ from Mr. Donovan, and my having examined him
“ upon them in this House, were sent to her by
“ Mr. Donovan, as I understood, for the purpose of
“ her getting them signed by a General Officer or a
“ Member of Parliament; she stated having sent one
“ of them to General Clavering to be signed; the
“ other three or four (I forget which it was) I got
“ from her; she gave them to me. I remember her
“ stating at the time, that, if I could get a Member of
“ Parliament to sign them for her, it would be just
“ what Mr. Donovan wanted. I said my friends
“ were in Opposition, and Opposition men would not
“ do. *I kept the letters ever since, and till this mo-
“ ment never could make out what she meant by the
“ term Negociation †.*”

If the negociation Mrs. Clarke has since sworn to really existed, the art with which she imposed on the House is now obvious; nay, in that case, it is

* Minutes, p. 321.

† Minutes, p. 322.

equally apparent, that Colonel Wardle, by his voluntary declaration, intended to support the imposition; and this, indeed, seems but too probable, from his having previously said that Mrs. Clarke had declared “ to him that Mr. Donovan was a friend of hers, and “ that HE must not be touched*,” in a manner which plainly implied there was a negociation between them about touching some other person.

Even at the time of the examination before the House of Commons, amidst all the puzzle that existed upon this subject, it seemed clear that the negociation in question could not be a negociation concerning the letters recommending two or three Lieutenants to companies; as, in that case, Mrs. Clarke never could have commenced the passage in her letter of the 20th January, by saying, “ I must be candid, “ and tell you, that, in order to facilitate some nego- “ ciation, I have given him a few of your letters;” for these words imply that they were his letters, and not letters to be signed by other persons, which she had given up; and as they clearly express that she was informing Mr. Donovan of something he would dislike, they could not have been used in allusion to her having taken the means he required for the promotion of the Lieutenants he had recommended.

Further, it is obvious that these could not be the letters to which she alluded on the 28th of January; for she distinctly says, “ in one you speak of the two “ deaneries, in the other of the Queen,” circum-

* Minutes, p. 23.

stances which alone point out the letters she did allude to, and prove the fallacy of her explanation, though the Colonel, as the following extracts will show, uniformly supports the truth of it throughout his subsequent examination.

COLONEL WARDLE'S EXAMINATION,
On producing the Letters to be signed, recommending Lieutenants to Companies.

“ Are the letters, which you have now delivered in,
“ the letters which are alluded to in Mrs. Clarke's
“ letter of 28th January?—I presume they are; they
“ are the letters of the Officers she was to have got
“ recommendations for; I know of no other letters,
“ and I possess no others.”

“ Are they the letters stated to have been delivered
“ to you with a view to facilitate some negociation?—
“ Yes, I suppose so; they are letters of recommen-
“ dation of Officers for promotion, which I under-
“ stood from Mrs. Clarke were sent to her by
“ Mr. Donovan, for her to get further recommenda-
“ tions upon *.”

Again.—“ Did Mrs. Clarke put any letters into
“ your hands, avowedly for the purpose of facilitating
“ the negociation, and stating that to be the object?—
“ She put them into my hands, and said she wished
“ that I would get them signed for her; but, till she
“ made known the circumstance last night, I really
“ did not know what she meant by the term Nego-
“ ciation.

“ Did Mrs. Clarke put any letters into your

* Minutes, p. 347.

“ hands, avowedly for the purpose of facilitating the
“ negociation, and stating that to be the object?—
“ She put them into my hands, and said she wished
“ I would get them signed for her; but, till she made
“ known the circumstance last night, I really did not
“ know what she meant by the term negociation.

“ What answer did you make to this proposal?—
“ Really, I believe, I said my friends were on the
“ wrong side of the House, or some answer of that
“ description, and that very little more passed; and
“ I took the letters, and kept them ever since.

“ Then, if you stated that your friends were on
“ the wrong side of the House, what led you to make
“ that statement, not understanding what she meant
“ by facilitating the negociation?—Certainly, when
“ I heard her note read, I had not the most distant
“ idea of what she meant, nor had I till I heard her
“ state the circumstance last night.

“ Were the letters she put into your hands, for the
“ purpose of facilitating the negociation, the three
“ letters you have delivered in this evening, or the
“ letters referred to in her letter to Mr. Donovan of
“ the 28th of January?—I believe the letters referred
“ to in her letter of the 28th of January were on
“ the table of this House at the time she wrote that
“ note, or very nearly so; I had the letter she refers
“ to in that note a long period before that letter was
“ written: I had the letters respecting the deanery
“ and the Queen, I believe, long prior to my having
“ those I have delivered in to-night.

“ Then the Committee is to understand that the

“ letters referred to in Mrs. Clarke’s letter to Mr. Donovan of the 28th of January, as having been put into your hands for the purpose of facilitating the negociation, were not the letters described by Mrs. Clarke in her letter to Mr. Donovan?— I should conceive it impossible, for I had had them a long period before, and I believe they were upon the table of this House at the time she wrote that letter*.”

Such is the testimony given by Colonel Wardle, as reported in the Minutes printed by order of the House of Commons, which, at all events suspicious, must appear to be throughout a tissue of falsehood and prevarication, if credit is due to the narrative of Mr. Wright, or if the jury judged rightly in believing Mrs. Clarke’s evidence in the Court of King’s Bench; for, if the negociation existed which she has described, it is quite impossible the Colonel could have been ignorant of what she meant, when, in her letters to Mr. Donovan of the 28th January, 1809, she said she had given up some of his letters for the purpose of facilitating a negociation.

I must, therefore, deprecate the recent proceedings in the Common Council, and conclude by repeating that Mr. Wardle’s character is at issue; as, unless he can disprove the negociation, by Mrs. Clarke’s being

* See Minutes, p. 351. Mrs. Clarke’s letter is dated January 28th:—the letters concerning the deaneries, &c. were laid upon the table of the House by Colonel Wardle, February 10th, as appears from the Minutes of that day.

found guilty of perjury, he stands convicted of deliberate falsehood; and the House of Commons must feel themselves bound to deal out the same measure of justice to him as to General Clavering and Captain Huxley Sandon.

A FRIEND TO JUSTICE.

LETTER II.

(COPY.)

Printed in the Morning Chronicle, Sept. 8, 1809.

MR. EDITOR,

LIVING in a remote part of the country, your Paper of the 19th of August reached me only a few days ago.

The trial which has occasioned the letter of your correspondent, signing himself a Friend of Justice, had lately occupied much of my attention, as well as that of some of my neighbours, who meet weekly to read the Papers, and to discuss the politics of the day, at a club which assembles every Saturday night.

Amongst us, it is certain that nothing in my memory has attracted more attention, or occasioned more debate, than the whole affair of the charges brought by Colonel Wardle against the Duke of York.

The majority, like your correspondent, were originally impressed with a very favourable opinion of the Colonel. They considered it impossible to assign any other motive for undertaking a task of the most invidious nature, which must necessarily expose him to much ill will, and which, in its execution, required

the suppression of those nice feelings that are usually supposed to predominate in the mind of a Gentleman, than an overruling desire to promote the public welfares; in him, therefore, they thought they discerned a pure and disinterested patriot.

To me, and to some others, who, at that time, constituted a very small minority at our weekly meetings, it appeared, on the contrary, that there was a degree of indecent eagerness in the manner of urging an accusation, in which few men would have engaged, if compelled to it by a sense of painful duty, without some manifestation of reluctance; nay, we thought that there was something in the manner that strongly indicated a vindictive spirit; and, though we could not assign any cause for it, we were inclined to suspect the existence of some lurking motive, that would not bear exposure.

What was called a noble and disinterested defiance of power, and a determination to expose abuses in whatever quarter they might be detected, appeared to us to be more properly an effort of that description of patriotism, which, in its nature of the meanest and most vulgar growth, derives a malignant gratification from debasing a superior, and aims at acquiring a cheap applause by applying to the passions of the mob, through those common arts which a really generous and disinterested spirit would disdain.

These sentiments, originally impressed on us by an attentive observation of the most striking features in Colonel Wardle's conduct, were strongly confirmed by the means which he stated himself to have em-

ployed for obtaining the proofs by which he was to support his case. These, we contended, no man of honour would have resorted to; for to us he appeared, by his own description, as a man mixing in the society, and courting the intimacy, of a woman of the most abandoned character, in order either to surprise secrets, which she wished to conceal from him, or to induce her to betray the man whose unsuspecting confidence she had abused.

Such a man, we argued, might render an important service to his country by his discoveries; and so might a spy, or an informer; but the characters of both, we insisted, stood on the same grounds.

These opposite opinions produced at the time no small degree of heat and controversy amongst us; but since the publication of the trial, Wright *versus* Wardle, the harmony of the club has been in a great measure restored.

There are not now above two or three who adhere to their old opinions: and when your correspondent's Letter was read at our meeting on Saturday last, it immediately obtained an almost unanimous assent and approbation. Even those, who still maintained a sullen dissent, advanced nothing that is worth repeating, either to confute its reasoning or to contradict its facts.

At the same time with your Paper, however, came others, and particularly Mr. Cobbett's, which still endeavours to uphold the sinking character of the Colonel, or, at least, to prevent the effect of the late trial (admitting it shewed Mr. Wardle undeserving of

the character he has obtained) from operating favourably for the Duke of York.

In these Papers, it is said, (and these arguments were immediately caught up with the greatest avidity by our opponents in the club,) that whatever may have been the merits of Colonel Wardle, the case, as it affects the Duke of York, remains clearly the same; that Mrs. Clarke's evidence is not only unimpeached, but that it has received an additional sanction from the verdict of a jury, who, by giving her credit for what she has alleged against Colonel Wardle, have added weight to the testimony she gave before the House of Commons in the case of the Duke of York.

Now this mode of reasoning, Mr. Editor, though I am told it has obtained a considerable currency with the public, only proves to me that Mr. Cobbett, who (to use his own language) accuses the Society for the Suppression of Vice, of pursuing the poor whores with their day-light lanterns, and of never thinking of a lantern for Gloucester-place, does not choose to illuminate the transactions of Westbourn-place with that day-light lantern which his inveterate malignity often commands. Besides, it appears to me so totally unfair, that I cannot forbear troubling you with a few very short remarks upon it, by way of supplement to the excellent Letter of your correspondent, which, on this point alone, appears to me to have been deficient.

I apprehend that there are no two points with respect to oral evidence more clear than these:—

1st. That, to entitle it to full credit, it should be given entirely free from the bias of any strong personal interest.

2dly. That if, in one point, a witness shall be found to have deposed falsely, the whole of his testimony that is unsupported must be set aside as altogether unworthy of belief.

Let us then apply these two rules to the evidence of Mrs. Clarke, and let me ask,

Whether, if it had appeared, in the course of the examination before the House of Commons, that she had bargained for her evidence with Colonel Wardle, or rather (to use her own words, which are remarkable) *for the assistance she was to give him in the investigation*; and if it had further appeared, that, instead of being an unwilling witness brought before the House under an apprehension of its compulsory powers, she was at their bar in the character of a person consulting and contriving with Colonel Wardle, in consequence of a clandestine remuneration, the best means of assisting him in an attack which was at once to gratify her own revenge, and to place the Colonel on a pedestal of popularity.

If all this had been as evident when the case was before the House of Commons as it is now, is it possible to believe that the impression there, or on the public, would have been the same? or could there in that case have been found any one man who would have permitted himself, even in the heat of Debate, to expatiate *on the fine feelings, or the beautiful evidence of Mrs. Clarke?*

But if this reasoning is correct, as applied to the first point, how much stronger will it appear when we come to the second?

Why did the jury, why do the public, believe the evidence given by Mrs. Clarke on the trial of Wright *versus* Wardle? Certainly not from any reliance on her character; but because it was clear and consistent in itself, because it was supported by other unimpeached testimony, and by circumstances that it is said cannot lie, such as the five-hundred-pound bill paid to Illingworth; and, lastly, because it was not contradicted by any of those proofs or witnesses which we know it was in the power of Colonel Wardle to produce.

But it by no means follows that the belief we may find ourselves compelled to give to a suspected witness, in a case so supported, is to establish universally the credit of the same witness even where her testimony is found to be directly at variance with that which has convinced our judgment.

A more extravagant proposition than this cannot I think be maintained, yet nothing less than this must be maintained by Cobbett, Waithman, and all those disappointed eulogists of Colonel Wardle, who, in their writings and in their speeches, assert that the verdict of the jury has confirmed and sanctioned the former evidence of Mrs. Clarke.

What is it that the jury believed? Is it not that Mrs. Clarke had a negotiation with Colonel Wardle upon the subject of the assistance he required from her in the investigation before the House of Commons? that

the result of that negotiation was, Colonel Wardle's undertaking to furnish her house in Westbourne-place, and her engaging to supply him with the letters and the *assistance* which she afterwards gave in the course of the inquiry before the House of Commons?

This is what she swore in a court of justice, and what a jury believed, first because it was under the sanction of an oath, and next because it had the support and corroboration of other unimpeached witnesses, and of the clearest and most unequivocal circumstances.

What, on the other hand, was the assertion of the same Mrs. Clarke, when not under the obligation of an oath, for which she obtained credit from the House of Commons? Directly the contrary: she there stated that she had no negotiation with Colonel Wardle (as appears from the quotations of your correspondent), except to procure recommendations of Officers for promotion; that those letters, which it now appears were given, as truly stated in a familiar letter to Mr. Donovan, to facilitate a negotiation, were taken from her against her will; and that she came to the bar of that House as a reluctant witness, only prevented from running away and hiding herself by the dread of those compulsory powers which Colonel Wardle (the Gentleman who had bribed her to come) had assured her would otherwise be exercised against her.

Here then we have a direct contradiction between the evidence given before the House of Commons,

and that which was delivered by the same witness at the bar at the Court of King's Bench. Both cannot be true. But the latter stands supported, as I have before stated, by other witnesses and circumstances; whilst the first (I mean as far as relates to the charge of connivance) rests exclusively on the authority of the Lady who was to *assist* in the inquiry. Besides, the latter was given under the obligation of an oath—the former not so; and though a person of nice feelings, which Mrs. Clarke was once represented as possessing, might feel the same obligation to speak the truth at all times and under all circumstances, yet we know that the law attaches no small importance to the solemnity of an appeal to God; and it is well worthy of notice, that in the letter to Mr. Donovan (quoted by your correspondent), Mrs. Clarke herself gives the greatest weight to this obligation, as appears from her saying, “As to myself, I must, of course, speak the truth, *as I shall be put on oath.*”

Upon the whole, therefore, Mr. Editor, it appears to me, as well as to many persons on whose impartial and dispassionate judgment I have the greatest confidence, that so far from its being true that the event of the trial in the King's Bench can have no effect, as to the opinion which the public appear (I think very hastily) to have formed against the Duke of York, that it follows irresistibly, if we give credit to the evidence in that trial, that we cannot believe the same witness when asserting the very contrary; and that having convicted her of a deliberate falsehood, uttered purposely to deceive the House of Commons,

that she might avoid the discredit which at the time would have followed from a discovery of the truth; the whole proof before that House, as far as it is confined to the personal allegations of Mrs. Clarke, must be rejected as unworthy of belief.

We come then at last to this dilemma:—Mrs. Clarke, in her evidence upon Wright's action, either spoke the truth or was perjured. If she spoke the truth, I have endeavoured to show what must be the unavoidable inference with respect to her former testimony. If, on the other hand, it shall turn out, on the prosecution with which, I think, as your correspondent does, that Colonel Wardle is bound to proceed, that she is convicted of perjury, it would only be a waste of time to argue on the effect which such a conviction must have as to what she has said, or may say, on any occasion, past, present, or to come.

Her evidence, in either event, as applied to the Duke of York, is equally discredited: and I have already ventured to give my opinion, that on her evidence alone the charge of personal connivance will be found to rest; but this is a point that I am aware will not be conceded. I wish therefore that your correspondent, who seems so familiar with the evidence, could be induced to add some illustrations on this subject to the observations he has already made.

A LOVER OF TRUTH.

LETTER III.

Printed in the Morning Chronicle.

MR. EDITOR,

ON reading Colonel Wardle's declaration, that he would take the earliest opportunity the forms of law allowed to prove that the verdict in the action brought against him by Mr. Wright was procured by perjury, I confess I was one of those who considered this Address to the People of the United Kingdoms as a mere effusion of momentary disappointment, and who believed that prudence would induce that Gentleman, and his adherents, to persevere in that style of loose insinuation in which they had dealt with such success, rather than bring the question directly to issue in a court of law.

It was under this belief I addressed to you my Letter of the 19th August, with a view to assist in forcing on this proceeding, by shewing that what the country had mistakenly applauded as an effort of unexampled patriotism must appear a conspiracy of the foulest nature, if the evidence in the Court of King's Bench was true; and by pointing out the indisputable duty of an impartial House of Commons, with respect to a Member of its own body, convicted of a far more

aggravated offence than that which it had so severely punished in General Clavering and Captain Huxley Sandon.

The event has proved the justice of the apprehensions I then entertained; for this friend of liberty—this reformer of abuses—this patriotic enemy of oppression—instead of attempting to defend his boasted purity in the manner in which he had pledged himself to proceed, by a direct prosecution for perjury, has endeavoured to prop up his tottering reputation by availing himself of an abuse the law unfortunately permits (but which every true patriot must wish to see reformed), for the purpose of attempting to swindle a verdict against those who had established his corruption of a witness to deceive Parliament.

On the nature of this proceeding it is needless to comment. We have heard the severe censure pronounced upon it by Lord Ellenborough. We know to what extent a similar proceeding, in the case of William Burgess, drew forth the execration of Mr. Cobbett. How universally it must be condemned is therefore apparent; for, to the honour of the Chief Justice, the public must be convinced there are no two men whose characters and pursuits are more widely distinguished.

The attempt was, however, becoming the man who resorted to it. A disregard of all honest principles, concerning the means of oppressing those who obstruct their sinister designs, is almost uniformly connected with an inordinate affectation of love of liberty. It was with the cry of Liberty and Equality

that Robespierre insulted the victims he led to the scaffold; and we have seen the Colonel, pent up in his narrow sphere, vainly attempting to exhibit a poor epitome of the character he would like to imitate, by his tavern-harangues on the liberty of Englishmen, at the time he was devising this indictment for conspiracy, to deprive his fellow-subjects of their just means of defence.

The result, however, affords a prominent example of that fortunate distribution in the tide of human affairs, which often makes the mischiefs attendant on a strained exertion of the law recoil on the heads of those who have recourse to it.

In consequence of this oppressive measure, the certainty of Colonel Wardle's having suborned a profligate witness to assist in his investigation no longer depends on the confession of Mrs. Clarke, or the evidence of Mr. Daniel Wright. For this meritorious purpose, the Colonel has himself acknowledged the payment of 120*l.*—whilst he stands convicted of having defrauded the witness he had corrupted out of the larger sum he had agreed to advance, by the verdict of a jury, proceeding on evidence which another jury of his countrymen has pronounced unexceptionable, though, by resorting to legal trick, he has artfully contrived that they should have only his own witnesses to examine.

Was it in hopes of being whitewashed by the eloquence of Mr. Waithman, and Mr. Gale Jones, that Colonel Wardle entreated the People of the United Kingdom to suspend their judgment on his conduct?

Whatever he may think, neither their libellous attacks on the administration of justice, nor their foolish declamation about the rags of Threadneedle-street, can obliterate from the minds of his enlightened countrymen that verdict which has been the result of his artful efforts to vindicate his character.

On the lost reputation of this short-lived patriot, it is now, therefore, no longer necessary to expatiate. The disgraceful manner in which he modelled his testimony to support what Mrs. Clarke, in her examination on oath, has clearly shown to have been on her part an imposition on the House of Commons;—his address to the people of the United Kingdoms, which stands contradicted even by his own letter to Mr. Ellis;—and, lastly, his examination on oath in the late trial, disbelieved by a jury of his countrymen, must, to the feelings of every honest man, render all comment on the atrocity of his conduct superfluous.

But the senseless and reiterated malice, with which it is attempted to impress the public that all that has now come out makes not the slightest difference in the case of the late Commander in Chief, cannot, consistently with any feeling of justice, be allowed to pass unnoticed.

What has been the object of all this proceeding? Has it not been to ascertain whether Mr. Wardle had, or had not, corrupted Mrs. Clarke to give what she calls her assistance in the Investigation; and has he not been convicted of corrupting this profligate woman by evidence which it is now impossible to impeach?

On what grounds then can it be argued, that all

these proceedings ought to have no effect on the public opinion, concerning the Inquiry of last Session?

Is there any man who can really think it a matter of indifference, in considering the guilt or innocence of a person accused, whether the accusation was supported by a witness whose veracity was unsuspected, or by a witness corrupted to assist in the Investigation, who on oath has contradicted what, in the course of that Inquiry, she had, when not on oath, asserted?

If, Sir, there is to be found an individual, whose mind is so strangely constructed as to be capable of entertaining the smallest doubt on this subject, let me direct his attention to the Letter of your Correspondent, under the signature of a Lover of Truth, printed on the 8th of September last.

That Paper has hitherto remained unanswered; for though I have read Varius's silly pert criticism upon it, published by Mr. Cobbett, I really believe for no other reason but its being accompanied with a note abusing you, for not giving it a place in your Paper, yet I cannot regard it as an answer, for it confirms, in direct terms, all your correspondent wished to establish.

It is there admitted, that Mrs. Clarke's general credit as a witness is affected by the proceedings in the Court of King's Bench, and that it has certainly impaired the credibility of her unsubstantiated testimony. He asserts, however, that as long as it is left doubtful whether the proof rested on her unsupported testimony, it could not go to the acquittal of the Duke of York; and then triumphantly observes, that this

task was wittily devolved by your correspondent upon another.

To Mr. Cobbett and his correspondent it may be perhaps impossible to explain why he has been so long permitted to enjoy this triumph. For it cannot be supposed, that men who have no regard to the propriety or even the morality of the means, provided they can obtain their end, can easily comprehend why, in conformity to the uniform practice of your Paper, it was thought proper to abstain from all discussion which could in the most remote degree prejudice the mind on the subject, the moment it could be believed that Colonel Wardle seriously intended in a court of law to vindicate his character.

Since the event of the late trial, however, there is no longer any feeling of delicacy which can suggest the propriety of delay in doing justice to a character in which the people of this country, from his near connexion with the Crown, must feel so deeply interested. Before long, therefore, I will endeavour to accomplish the task devolved upon me by your correspondent, and to satisfy *Varius* and the public that the character of the late Commander in Chief has suffered solely from the too-hasty credit given to the purchased and unsupported testimony of a profligate prostitute.

A FRIEND OF JUSTICE.

* LETTER IV.

MR. EDITOR,

IN attempting to show the effect of the late proceedings in the courts of law, in vindicating his Royal Highness the Duke of York from all suspicion of the most remote connivance at the scandalous practices of which Mrs. Clarke has confessed herself guilty, your correspondent, a Lover of Truth, has left me a plain and an easy task.

He has indeed made it perfectly clear that Mrs. Clarke's testimony, in the action brought by Mr. Wright against Colonel Wardle, must have destroyed her credit as a witness; and the reasoning by which this proposition is established is as plain and simple as it is forcible and convincing. If what, in the Court of King's Bench, she stated on oath was true, her confession that she was corrupted to assist in the investigation before Parliament, and her contradicting, on oath, what in the course of that Inquiry she had asserted, must have deprived her of all pretensions to credibility: whilst, on the other hand, if she was really guilty of perjury, those, who perse-

* This and the following Letter, though sent to the Editor of the Morning Chronicle, never were inserted in that Paper.

were in asserting that credit is due to her statement before the House of Commons, must maintain the whimsical paradox, that though on oath she is undeserving of credit, her inclination to prevaricate strangely vanishes the moment she is relieved from that sacred obligation to speak truth.

It seems, therefore, impossible not to agree with your correspondent in the conclusion to which his argument leads—that estimating Mrs. Clarke's evidence, after her examination in the Court of King's Bench, by the usual rules, no weight could be given to any assertion of her's that was not either corroborated by credible witnesses, or by circumstances which, as he well observes, cannot lie.

It only remains for me therefore to show—first, that the witnesses brought forward to support Mrs. Clarke's evidence are not entitled to belief;—and, secondly, that no inference in favour of her credit can, with justice, be drawn from the circumstances that have been relied upon as corroborating her testimony.

It is material, before preceeding to this discussion, to remark, that the agreement established in the Court of King's Bench is of the utmost importance in duly estimating the character and testimony of the principal witness, and indeed of all the witnesses who were brought forward to confirm the assertions of Mrs. Clarke.

Abstracting from all other circumstances, it cannot be disputed that more credit was due to the friend of Mrs. Clarke, when that lady was believed to have

been compelled to give a reluctant evidence upon charges of which she had no previous knowledge, than to the friend of the same Mrs. Clarke, when, in addition to other motives by which she might be supposed to have been influenced, it has been proved that she had entered into a corrupt agreement to give her active assistance in that Investigation.

Since the trial in the Court of King's Bench, it would indeed appear a feeble statement of the suspicion that attaches to Miss Taylor to say that she was the intimate friend and companion of a profligate woman. She is now to be viewed in the far more suspicious character of being a needy dependent on the person whose assistance had been purchased, and whose eagerness in the cause was such, that she, on oath, describes her unwillingness to enter into the corrupt agreement, fearful that her associate Colonel Wardle *had not been long enough in Parliament, and was not sufficiently known to the public*, to make the concerted attack with the desired effect.

Neither are these observations exclusively applicable to Miss Taylor: Mr. Pearson must now be regarded not as the confidential servant of Mrs. Clarke during her prosperity, but as the confidential servant of the person corrupted to assist in the Investigation; and the same cause of suspicion, superadded to the other unanswerable objections to his evidence, strongly applies to Mr. Dowler.

It is to be observed, too, that these immaculate witnesses, relied on to prop up the testimony of the profligate and corrupt agent, in the conduct of this In-

vestigation, strangely agree in the circumstances under which they recollect the various facts to which they speak; for, as Miss Taylor informs us that what she relates was retraced in her mind by a conversation with Mrs. Clarke, so also Mr. Pearson's recollection was enlivened by a communication with her in York-place; and we cannot forget the powerful means she used to refresh the memory of Mr. Dowler the moment he landed in England.

These remarks are made neither with a view to the bearings they may have on the credit of Pearson, or that of Dowler, but as material, previous to the consideration of Miss Taylor's evidence, to show that Mrs. Clarke having undertaken, in return for a pecuniary reward, to give her active assistance to the Investigation, was proved to have sought out all the witnesses who were called to support her testimony, and to have had previous communications with each of them respecting the evidence they were to give.

Mr. Pearson, indeed, has so contradicted himself, that he is entitled to no credit; but, if he could be believed, he would only corroborate what was established by Mr. Knight and others, that Mrs. Clarke's corrupt proceedings were carefully concealed from his Royal Highness, as his evidence proves (if it proves any thing) that the Duke of York must have advanced her money to go to the country the very day she had received a bank-note of two hundred pounds from Mr. Knight.

Mr. Dowler stands also so thoroughly discredited

in public estimation, that it would be waste of time to comment upon his evidence; Miss Taylor is therefore in reality the only witness called to support Mrs. Clarke's credit whose evidence requires the smallest consideration.

For the better understanding this lady's story, which has attracted so much attention, it is necessary shortly to state, that a letter of service, of date 30th of April, 1804, was issued at the War-Office, empowering Colonel French, (who had successfully conducted a former levy,) and Captain Sandon, on terms therein expressed* to raise five thousand men for his Majesty's service, within a limited time, which levy was discontinued by the Commander in Chief on the 16th of April, 1805, on its appearing that it had been less productive than was expected.

By Captain Sandon and Mrs. Clarke we are told, that, through an agent employed by this lady to conduct her corrupt practices, these gentlemen had been induced to purchase Mrs. Clarke's interest for the sum of five hundred pounds paid down, to be made up to two thousand pounds gradually as the levy succeeded; and, if credit can be given to Mrs. Clarke, it was in consequence of her interference, and of her communicating this agreement to his Royal Highness the Commander in Chief, that this levy was approved of.

To corroborate this assertion was the object of the following examination of Miss Taylor:—

“ Did you ever hear the Duke of York speak to

* Evidence p. 193.

“ Mrs. Clarke respecting Colonel French and his
“ levy?—Once only.

“ Relate what passed at that time?—The Duke’s
“ words were, as nearly as I can recollect, I am con-
“ tinually worried by Colonel French—he worries
“ me continually about the levy business, and is al-
“ ways wanting something more in his own favour.
“ Turning to Mrs. Clarke, I think he said,—How
“ does he behave to you, darling? or some such kind
“ word as he used to use; that was all that was said.

“ Do you recollect any thing further passing than
“ what you have stated?—Mrs. Clarke replied,—
“ Middling, not very well;—that was all that she said.

“ Was that the whole of the conversation?—No.

“ Relate the rest.—The Duke said, Master French
“ must mind what he is about, or I shall cut up him
“ and his levy too. That was the expression he
“ used*.”

Again,—“ Are you sure that the words that were
“ used by Mrs. Clarke, on the occasion of the Duke of
“ York’s referring to her upon the conduct of Colonel
“ French towards her, were, that his behaviour was
“ middling, but not very well?—Yes.

“ You are sure those were the words?—*Those were
“ the words* †.

It is evidently not a general impression retained in
her memory, of the substance of a conversation that
passed at the distance of four years, of which Miss

* Minutes, p. 120.

† Minutes, p. 472.

Taylor here gives an account. She states the precise
words used; and the whole force of the circumstance
depends upon an accurate recollection of the phrase-
ology, as a small variation would make the conver-
sation innocent.

Now it cannot be denied that this species of evi-
dence, which consists in a detail of words spoken at a
remote period, has by lawyers been always deemed
what ought to be received with the greatest suspicion.

It is incapable of being disproved by negative evi-
dence; and the belief of it requires not only a reliance
on the veracity, but a confidence in the memory, of the
witness: and it does so happen, that the following
extract of this lady’s evidence makes it impossible for
her most sanguine admirer to give her credit for both;
her memory must be given up if her veracity is relied
on, and her veracity becomes more than questionable
if her memory is thought to deserve confidence.

“ Did you, at any time afterwards, have any con-
“ versation with Mrs. Clarke relative to the observa-
“ tions of the Duke of York upon Colonel French’s
“ business?—Not till within these three weeks or a
“ month.

“ What was the conversation you had at that
“ time?—She asked me if I recollected the Duke of
“ York mentioning Colonel French’s name in my
“ presence.

“ Did any thing else pass upon that occasion?—
“ I immediately recollected the circumstance, and
“ told her.

“ Did Mrs. Clarke make any reply to that observa-

tion, and what?—*I do not recollect what she said*.*”

Again—“ Can you recollect what passed with Mrs. Clarke three weeks ago, upon the occasion of this conversation respecting Colonel French?—*No, nothing.*”

“ Not one expression or circumstance that passed three weeks ago with Mrs. Clarke?—*No, I do not recollect any †.*”

At the time this conversation passed, the investigation on the conduct of the Duke of York had commenced. Indeed the witness unwillingly admits, that the conversation on which this incident recurred to her memory related to that business.

It is difficult, therefore, to conceive any thing which ought naturally to have created a greater interest, and impressed itself more forcibly upon her recollection, than this communication with Mrs. Clarke, which must have opened to her view the probability of appearing as a witness in an investigation of such importance.

If her memory, therefore, is so deficient, as not to be capable of retaining such details for three weeks, I ask how is it possible to give her credit for the recollection of precise words at the distance of four years?—On the other hand, if she possesses that retentive memory which she pretends to, can the sacrifice of truth to her desire of concealment be doubted when she pleads total want of recollection of a recent

* Minutes, p. 472.

† Minutes, p. 474.

conversation, which must have been one of the most interesting incidents of her life?

Conclusive as this dilemma must appear against Mrs. Clarke's credit deriving any support from Miss Taylor's evidence, it is however, in justice, impossible to make the smallest sacrifice of that lady's memory to the forlorn hope of protecting her veracity; for, certainly, a more suspicious witness never was brought to the bar of any court.

Let me ask who is this Miss Taylor?—Does she not state herself on the one hand to be the bosom friend of the witness, who had sold her assistance in this Investigation, and as bound in gratitude, for recent pecuniary assistance, to this abandoned woman? Does she not, on the other hand, describe herself as intrusted with the charge and education of young ladies, whose moral conduct it was her duty to superintend? Does not then the very diversity of these her duties involve the daily and continued practice of fraud? and yet we are called upon to believe this person under circumstances in which the purest witness could not gain credit.

For what witness could be believed, who speaks to an improbable fact that indicates uncommon stretch and accuracy of memory; professing at the same time not to recollect things which could not escape those who are the most imperfectly endowed with this gift?

I call it an improbable fact, because, independent of the many grounds on which this epithet appears appropriate, it contains internal evidence of its own improbability.

The question said to be put by the Duke of York

involves his having a knowledge of the extortion this profligate woman was practising on Colonel French; whilst even his enemies must allow, that, if he had been acquainted with it, it is impossible he could have broken up the levy in the manner in which, it finally terminated. But it is still more improbable from the answer said to be made by Mrs. Clarke; for it appears in evidence that her gains were, by bargain, to depend on the number of men raised; and that shew as only to have received two thousand pounds, if the whole levy of five thousand had been obtained.—Now, surely, she could not say that Colonel French had behaved *not very well* to her, when she is proved to have received one thousand, three hundred, and fifty pounds, before five hundred men had been recruited.

The story, indeed, which Miss Taylor relates, is such as must revolt the most credulous, and can only be accounted for on the supposition that Mrs. Clarke had prevailed on her friend, as she certainly did on her lover Mr. Dowler, to co-operate in that *species of assistance*, which she was daily giving to the Investigation.

Then, indeed, Miss Taylor's accurate recollection of the precise words—her forgetfulness of every thing else that passed at the time—her never having since mentioned what must have created so deep an impression on her mind—her total want of recollection of the conversation with Mrs. Clarke, in which she probably received her instructions, must appear only the natural and necessary result of the task she had undertaken.

During the time that this unfortunate business occupied so much of the public attention, I recollect hearing many well-meaning, but I certainly thought short-sighted commentators, dwell on the word *darling*, and found on that expression their belief of the impossibility of her inventing the conversation she rehearsed; though this circumstance would surely lead a mind possessed of the least discernment, or of the smallest knowledge of Mrs. Clarke's character, to a very opposite conclusion.

Consider the cunning that distinguishes this vicious woman, and then let me ask if there could be a suggestion more natural for her to make, or more useful to her mischievous object, than that of introducing this very word *darling*, as she well knew that this peculiar expression would be found over and over again in the letters she was in a few days determined to produce.

But it is needless thus to accumulate circumstances to destroy the credibility of a witness, who, independently of the general suspicion attaching upon her character, gives a testimony so utterly irreconcilable with what are the acknowledged tests of truth.

It appears, from the evidence, that, when examined concerning the time this conversation took place, Miss Taylor can neither state the day, the month, nor the season of the year. She, however, does recollect that it was about the time she was changing her residence from Bayswater to Islington; it becomes, therefore, of the utmost importance to ascertain at what period this took place, which fortunately cannot

be doubted, when the result of the following extracts from her evidence are considered.

“ How long did you live at Islington?—A little more than a year *.”

Again—“ How long did you reside at Islington?—More than a twelvemonth.

“ How much more than a twelvemonth?—Seven or eight months †.”

Again—“ Was that before you went to Kentish-town?—Immediately preceding it.”

Again—“ How long had you lived at Kentish-town?—Not above three quarters of a year.”

Again—“ How long have you lived at Chelsea?—Last Michaelmas twelvemonth.”

Again—“ How long have you kept a boarding-school?—Two years.

“ At the same place (Chelsea)?—No.

“ Where before?—At Kentish-town ‡.”

Thus it is evident that this lady went to Islington, on removing from Bayswater;—to Kentish-town, on removing from Islington;—and it is most material to observe, that she speaks positively as to her different residences not exceeding the time to which she limits each of them.

She began her residence, therefore, at Chelsea, at Michaelmas, that is, the 29th of September, 1807. She had resided at Kentish-town not more than three quarters of a year, which fixes the date of her removal from Islington to Kentish-town to be the 1st of

* Minutes, p. 123. † Minutes, p. 124. ‡ Minutes, p. 123.

January, 1807. And as she resided at Islington a little more than a twelvemonth, which she afterwards explains to be seven, or, at most, eight months, she could not have removed from Bayswater to Islington before the month of May, 1805.

Now, Sir, as this is the date at which, if we believe this witness, the incredible conversation she rehearses took place, I am confident that there exists not a mind so strangely formed as to give her the smallest credit, when it is recollected that it is perfectly impossible the Duke of York could, in the month of May, 1805, be talking about *cutting up a levy*, the fate of which was decided on the 2d of February preceding, at the time the Inspector-General for the recruiting service wrote to Colonel French *; and finally announced by the Commander in Chief to the Secretary at War, in his letter of the 16th of April, 1805 †.

The proof of an *alibi* has always been regarded as capable of doing away the most direct evidence of guilt. It is plain, however, that there must at all times exist a chance of misperception on the part of those by whose testimony it is established.

But that impeachment of evidence, which arises out of an inconsistency in respect of date, admits of no possible apprehension of error: it does not only impress the mind with a strong probability that the facts sworn to are false; it creates an absolute impossibility of believing them to be true.

* Evidence, p. 210.

† Evidence, p. 212.

Thus, if five hundred witnesses were to swear that they had seen our gracious Sovereign married on the 1st of September, 1761, their credit and their numbers could avail them nothing. There exists not the mind so framed as to be capable of believing what on oath they had averred.

Where then is the man, even amongst those impudent and disgusting libellers who attempt to poison the public mind with their daily or weekly effusions of scurrility, who can now have the shameful effrontery to assert, that credit is due, when not on oath, to this pretended instructress of virtue, and mean dependent on vice, who has subjected her testimony, in relation to words (the most suspicious of all evidence), to such means of detection.

I feel, Sir, that it is impossible to accomplish in one Letter the duty your correspondent has imposed upon me. I shall therefore here close for the present, and resume the consideration of the subject at no very distant period.

A FRIEND OF JUSTICE.

LETTER V.

MR. EDITOR,

To fulfil the task devolved upon me by your correspondent, a Lover of Truth, it now only remains to consider the bearings of the circumstances relied upon as confirming the testimony of Mrs. Clarke, whose evidence, when unsupported, is, since the late trials, strangely admitted to be undeserving of credit, even by those who maintain that these proceedings can have no influence on the case laid before Parliament.

In executing this comparatively easy task, it is of importance to distinguish between those circumstances, which, exhibiting the intimate connexion of the late Commander in Chief with this profligate woman, may be deemed injurious to his moral character, and those which have been dwelt upon as corroborating the foul charge of conniving at her corrupt practices.

This, indeed, becomes more essentially necessary from the nature of the attack, which, perhaps, owed its temporary popularity to the artful practices of his Royal Highness's accusers, in blending inflammatory comments on the general immorality of the scene with that direct charge which they had undertaken to establish.

It has been truly observed, that no man, however great, could appear a hero in the eyes of his valet-de-chambre; but it would be a still more singular circumstance if there existed the man, however correct in his duties as a servant of the public, whose open and inconsiderate conversation—whose warm and unstudied correspondence with the woman to whom he was attached—afforded no details of circumstances which could not meet the public eye without exciting ridicule, or of unguarded communications which could not be brought to his own recollection without inflicting severe regret.

There can be no intention, on the part of one who is a stranger to those habits that reconcile the mind to the immoral practices of the age, to justify, or even to extenuate, the unfortunate connexion he so sincerely laments. It is indeed to be regretted, that the illustrious person, against whom this conspiracy seems to have been formed, should not have benefited by the great example of adherence to his moral duties which our Sovereign has given to his children.

Perfection, however, is not the lot of humanity; and it is impossible to forget that history displays moral imperfections peculiarly incident to the different spheres wherein mankind are born to act; amongst which the predilection of a Prince for his mistress does not now, for the first time, present itself to censure; though it can hardly be doubted that the minute details of a connexion of this nature never were antecedently subjected to a similar scrutiny.

A charge is made against the Commander in Chief of connivance at the distribution of military promotion, for corrupt motives. An Inquiry is, on this pretence, instituted before a popular assembly, whose proceedings are daily published to the world. A person of consummate art, provoked by the interruption of a connexion with one whose confidence she had abused, and corrupted as it now appears to assist the accuser in the Investigation, is brought forward as a witness. Her examination, far from being confined to the object of supporting the charge, appears only to have been limited by the curiosity of the numbers who questioned her, and the fertile malice of her own mind. By these she is induced to produce letters, to narrate whatever could tend to vilify, to make new charges, and to suggest witnesses to support them, whose evidence, whether of hearsay or of their own knowledge, whether relevant or irrelevant to the accusation, is alike submitted to the nation at large, under the imposing circumstances of its having been received by Parliament.

It is impossible not to feel sensibly the hardship of such a proceeding, though it is certainly not for the purpose of exciting censure that this epitome of what has passed is here retraced. It is the natural consequence of that inquisitorial power in the House of Commons, which every lover of freedom must with gratitude revere, when he reflects how often it has served to protect that Constitution of which we enjoy the blessings.

But the existence of this invaluable privilege, like

that of all others, is best secured by the prudence with which it is exercised; and it is impossible not to doubt how far the details of a connexion of this nature could, consistently with a due regard to decorum, be made the subject of such an investigation.

That it was resorted to is perhaps more to be attributed to the zeal of those who felt indignant at the charge, than even to the malice of the few who were concerned in bringing it forward; but, from whatever cause it proceeded, it must be a subject of deep regret to all who are animated with those feelings which distinguish a man of liberal education, and whose knowledge of mankind makes them conversant with the natural consequences of such an attachment.

These regrets, however, only extend to the disgusting details thus authoritatively brought before the public eye, unconnected with the criminal charge; for the latitude given in the course of the Investigation, productive of no one circumstance which connects the Commander in Chief with the knowledge of the infamous practices which have been avowed, only impresses the mind with a more sincere conviction of the falsehood of the accusation.

The changing of the bank-note in the case of Knight; the circumstance of the five hundred pounds paid to Birket, as bearing on the case of Colonel French's levy; and the existence of the short note concerning Captain Tonym's promotion, found in Sandon's possession, might all be admitted, even as stated by the most prejudiced, without in the least contributing to establish the belief that money was

received with the knowledge of the Commander in Chief.

Far from corroborating this assertion, on the truth of which depends any thing like criminality, a very short detail of the evidence on these several topics must suffice to show that it uniformly tends to discredit the witness whose testimony it was intended to confirm.

It is true that Mrs. Clarke, on her first examination concerning the two hundred pounds she had taken under pretence of effecting, by her interest, that exchange between Lieutenant-Colonel Knight, and Lieutenant-Colonel Brooke, which seems antecedently to have been assented to *, repeatedly stated, first, that the money was paid to her in *one bank-note* of two hundred pounds; secondly, that the Commander in Chief must have known the amount of the compliment she had received, because, through his means, it had been changed by one of his servants †.

But this detail is completely disproved by the Duke's man, Oramin ‡; nay, more, it is on re-examination disavowed by Mrs. Clarke, when she falsely asserts that she did not say it was his Royal Highness's servant who changed the note, but only that his Royal Highness had had something to do with it §; and then proceeds to a narrative which is obviously formed for the purpose of agreeing with the evidence of a witness she knew was to be examined.

* P. 27. † P. 9, 10, and 19. ‡ P. 141. § P. 108.

Whilst there remained a doubt of Mrs. Clarke's credibility, it might have been of importance, in considering this second edition of the story, to show that her statement of its having been a fifty-pound note, for which change was procured at Stevens's *, is directly contradicted by her butler †. But, now, when by confessing, on oath, her having been corrupted to assist the accuser in the Investigation before Parliament, she must, in the estimation of all, be completely discredited, this line of argument becomes superfluous.

It is sufficient, therefore, to observe, that, if there was no note changed (which from the evidence seems most probably to have been the case), the inference from the circumstance of the two-hundred-pound bank-note, as confirming her testimony, is completely done away; and it is equally disposed of whether we believe it to have been a bank-note of one hundred pounds, as stated by Pierson, or a bank-note of fifty pounds, as on second thoughts it is represented by herself.

But if these details concerning the bank-note, in the case of Mr. Knight, serve only to discredit Mrs. Clarke's evidence, she is not more fortunate in the circumstance relied upon to corroborate her declaration concerning the Commander in Chief's knowledge of her taking money from Colonel French.

An account of goods bought by Birket and Co. shows that a small service of plate was purchased by

* P. 108.

† P. 147-8.

Mrs. Clarke, in the month of April, 1804, for thirteen hundred and sixty-three pounds, who also obtained from them, in the course of the summer, other articles to the amount of four hundred and fifty-eight pounds, making in all eighteen hundred and twenty-one pounds*.

On the credit-side of the account, the Duke of York appears to have paid thirteen hundred and twenty-one pounds; that is, within forty pounds of the value of the service of plate, the only article concerning the purchase of which there is the least reason to think he was informed.

Mrs. Clarke states herself to have paid the remaining five hundred pounds on the 18th of April, 1804, with the Commander in Chief's knowledge, out of the money she had received from Colonel French †.

From this short statement it is evident, that though the account produced proves Birket and Co. to have received five hundred pounds in the month of April, 1804, it in no degree corroborates the assertion that this was paid out of the fruits of the transaction with Captain Sandon and Colonel French, which rests solely on the evidence of Mrs. Clarke, as much as if Mr. Birket's executor had never been called to the bar.

It would indeed have been extraordinary if any circumstance could have been adduced to prove the truth of a story, which it is demonstrable, from the

* P. 128.

† P. 101.

proceedings, this artful witness must have invented, nearly about the time of her examination.

Colonel Wardle declares that he made his original statement to Parliament from a book in which he had entered, in the form of notes, the details he had received from Mrs. Clarke.* The following extract of this statement, therefore, completely proves how recently the idea must have occurred to that lady, of appropriating Colonel French's five hundred pounds to the payment of Mr. Birket's bill.

“ This sum of five hundred pounds (received from
 “ Captain Tonyn) was paid by Mrs. Clarke to a Mr.
 “ Birket, a silversmith, in part-payment for a service
 “ of plate, for the establishment in Gloucester-place;
 “ the balance for which plate was afterwards paid by
 “ his Royal Highness the Commander in Chief. The
 “ positions which I hold to be clearly deducible from
 “ this case are these:—first, that Mrs. Clarke pos-
 “ sessed the power of military promotion; secondly,
 “ that she received pecuniary consideration for such
 “ promotion; and, thirdly, that the Commander in
 “ Chief was a partaker in the benefit arising from
 “ such pecuniary consideration. To establish the
 “ truth of this case, I have the following witnesses:
 “ Major Tonyn, Mrs. Clarke, Mr. Donovan, Captain
 “ Huxley Sandon, and Mr. Birket's executors †.”

* P. 21, 22.

† See Colonel Wardle's Speech, as published by Mr. Cobbett, Feb. 4th, 1809, and the other Newspaper accounts of this Speech.

It is needless to comment on the forcible manner in which this statement tends to discredit the evidence of Mrs. Clarke, who, within a few days of her examination, must have asserted that the five hundred pounds paid to Birket was received from Major Tonyn.

In thus altering the scenery of her accusation, her ingenuity is to be praised; for the discovery that Major Tonyn's promotion took place in August, 1804* must have been fatal to a narrative that connected it with a payment of five hundred pounds in the month of April preceding. It is impossible, however, not to wonder at her effrontery in asserting that the Commander in Chief was in the knowledge of this having been paid out of Colonel French's money, when it appears that this edition of the story must have been invented within a few days of her appearance at the bar of the House of Commons.

In considering the circumstances that have been stated, as confirming the testimony of Mrs. Clarke, it is hardly necessary to dwell on the short note said to have been in the Commander in Chief's handwriting, which was found in the custody of Captain Sandon.

It acquired a degree of importance at the time, from the foolish parade with which it was brought forward, though it can only now serve to elucidate the gross mismanagement from which his Royal Highness so severely suffered.

Admitting it to be the hand-writing of the Comman-

* P. 175.

der in Chief, there is no difficulty in conceiving how Mrs. Clarke, by pretending friendship for Captain Tonym, and anxiety to know whether he was to be Gazetted the day it was intended, could contrive to make inquiries in writing which might lead to the Commander in Chief's giving her the information (innocent in itself) which this note conveys.

But it is impossible from thence to infer any thing which can confirm the testimony of Mrs. Clarke; for this note is in truth not only inconsistent with the story she narrated, and with the letter she wrote from Weybridge *, two days before Major Tonym's promotion took place, (the falsehood of which is also detected by the names of the two Majors she mentions leaving the regiment in which he was to be placed,) but its having been used for the purpose detailed by Captain Sandon is even impossible, because, by his account, he received it folded in the cover of a letter, which, from the post-mark, appears to have been written after Major Tonym was Gazetted.

Such, Sir, is the result of a fair investigation into the principal circumstances relied upon as corroborating Mrs. Clarke's testimony, concerning the Commander in Chief's knowledge of her corrupt practices, in the particular cases on which she was examined. It now only remains shortly to consider the expense at which this lady seems to have lived, which, when compared with the amount of the allowances she received, is, perhaps, the thing of all others (however

* P. 378.

unjustly) that has made the greatest impression on the many, who, content with the superficial account they receive from others, of what they have not themselves time or industry to examine, repeat, as the grounds of their opinion, that which they can with the greatest facility explain.

Early in the course of this examination, Mrs. Clarke gave a detail of her extensive establishment, attended with a declaration that she had received only a thousand a year, badly paid, which was hardly sufficient to defray the wages of her servants *.

From this it was inferred that the Commander in Chief must have supposed she had some means of acquiring money beyond what he supplied, and on this inference a presumption was grounded that he was in the knowledge of all the corrupt transactions she had detailed.

But this presumption is divested even of the appearance of plausibility, when, from the subsequent part of her examination, we learn, "that his Royal Highness, if any thing unpleasant had happened (*which was always happening*), contrived to bring a "little more money" †. That a house and furniture were procured at a great expense, which, when sold, produced four thousand four hundred pounds ‡. That wine, plate, and a landau, had been paid for §. And that jewels and trinkets were bought to relieve, which from pawn-money was repeatedly advanced. From the particulars of all, of which as given in the

. * P. 104, 5. † P. 105. ‡ P. 259. § P. 119.

evidence, it is impossible not to conclude, that a sum exceeding seventeen or eighteen thousand pounds must have been advanced to her during this unfortunate connexion.

Is it then possible to believe that the Commander in Chief could decide whether, in the space of three years, her expenses had exceeded the sum of seventeen thousand pounds he must have advanced? Or can it be reasonably inferred that he must at once have concluded that she had other means of supply from an expenditure of three thousand more, which is nearly the amount of the profit she seems to have acquired by this infamous traffic?

Before this conclusion can be adopted, we must attribute to his Royal Highness a degree of accuracy, inestimating her expenditure, which few possess without the aid of accounts, in calculating their own. And even then it could not be justified, for it is evident, that, if the account of what Mrs. Clarke expended had been submitted to him, he could not have made this inference, unless the extent of her debts (of which she seems herself to have been ignorant) * had been stated, and unless he had been also aware of the sum borrowed on the security of her house, which appears only to have been mortgaged to the extent of twelve hundred pounds, whilst it was worth four thousand four hundred pounds, and might therefore, alone, have furnished means of raising a sufficiency to cover this extra expenditure, from whence

* P. 119.

it has been attempted to infer his knowledge of her infamous practices.

Let me now, Sir, conclude this examination of the evidence, and of the circumstances relied on to confirm the testimony of Mrs. Clarke, by shortly stating what appears to be the result.

Of her being guilty of the corrupt practices established by her own confession, and by the witnesses who have been examined, no one can doubt. Two distinct opinions, however, have been maintained on the motives that gave rise to her criminal conduct.

By the supporters of the accusation credit has been given to Mrs. Clarke's assertion, that his Royal Highness was in the knowledge of her infamous practices, to pursue which she was encouraged, as affording a means of supply, by his directly telling her, "that if she was clever she would never ask him for money."

Whilst by others, who have, perhaps, more dispassionately considered the subject, it has been maintained, that these practices, originating in the depravity of her own mind, were pursued under the constant dread of his Royal Highnesses's discovering them; and that her profits arose from her artfully persuading the few she duped that the promotion they would at all events have obtained was procured by her interest.

In favour of the former opinion there is the evidence of Mrs. Clarke, avowedly actuated by a desire of revenge against the Commander in Chief, and undoubtedly corrupted to assist in the Investigation,—which, grossly contradictory in itself, has since been

contradicted by her upon oath ; and this testimony is only supported in one solitary instance by a friend and needy dependent, on whose credibility it is unnecessary to make any further comment.

The justice of the latter opinion, on the contrary, is impressed on the mind by an accumulation of circumstances, as well as by direct evidence, in a manner that appears perfectly irresistible ; for the nature of the facts charged,—the conduct of the accused,—the character of Mrs. Clarke, the chief actress in this conspiracy,—her practices subsequent to her connexion with his Royal Highness,—and even the descriptive catalogue of her iniquitous sales, which exhibits only a few instances of men foolishly deluded to give money for promotion it has been proved they would have attained without her interference, unite in confirming the direct evidence of Dr. Thynne * and Mr. Knight †, of Mrs. Havendon ‡, and of the Corris §, that her infamous practices were carried on under constant fear of being discovered by the Commander in Chief.

A FRIEND OF JUSTICE.

* P. 4. † P. 7. ‡ P. 241. § P. 75, 365.

THE END.

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