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*With the Author's most profound Respects*

**AN ADDRESS**  
 TO THE  
**Proprietors**  
 OF  
**EAST-INDIA STOCK,**  
 ON THE  
 IMPORTANT SUBJECT  
 OF THE  
**RENEWAL**  
 OF THE  
**Company's Charter ;**  
 IN WHICH  
 SOME PLANS ARE SUGGESTED

FOR  
 RECOVERING, DISSEMINATING, AND SECURING TO THE MERCHANTS OF  
 THE UNITED KINGDOM, (CO-OPERATING WITH THE COMPANY)  
 THAT ENVIED BRANCH OF BRITISH COMMERCE,

**THE EAST-INDIA TRADE.**

*By Means of the Surplus Produce hitherto taken up by other Countries on  
 British Credit previously obtained, to the experienced Injury of*

**THE COMPANY AND THE PUBLIC ;**

AND FOR  
**DISPOSING OF EAST-INDIA PATRONAGE**  
*For the Repair of the Concern,*

AND THE BENEFIT OF THOSE WHO RISK PROPERTY THEREIN, ACCORD-  
 ING TO THE QUANTITY OF STOCK THEY HOLD AT THE TIME.

By **A. M. K. SHEE,**

PROJECTOR AND AUTHOR OF THE ORIGINAL PLAN IN THE YEAR 1783 ;  
 Of the Benevolent Society of St. Patrick in London,—since so parentally matured  
 to shelter the roofless Infant Wanderers from the Sister Nation,  
 under the benign Auspices and Bounty of  
 HIS ROYAL HIGHNESS THE PRINCE REGENT.

London :

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*Beaufield Square*

## AN ADDRESS

TO THE

Proprietors

OF

*EAST-INDIA STOCK.*

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At a period when the affairs of the East-India Company are become topics of such general discussion, when the public opinion is pondering between the policy of continuing that great chartered body as it is at present constituted, and the expediency of throwing open the East-India trade to the nation at large, it cannot be considered irrelevant to offer a few facts referring to the individual patronage of those persons who have been entrusted with the administration of

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East-India affairs in this country, the manner in which the patronage is disposed of, and the various subsequent objects it embraces.

It is understood that the charter of the East-India Company expires in 1814. An imperious necessity, therefore, demands a clear and ungarbled adjustment of their commercial concerns antecedent to that period, with a distinct account of debtor and creditor, pointing out by what means the present enormous current debt, payable with interest, is to be liquidated. And it is hoped, that the territorial resources of Hindostan may furnish a sedative to the minds of the proprietors and the public; for, should the company be deprived of a renewal of the charter, *any other mode of settlement* might create infinite dissatisfaction to all who are not in the Secret Committee.

It has been found that a very general system of corruption has prevailed in the distribution of patronage, and which seems to pervade the body of directors, though, certainly, not unexceptionable, or in the same degree of incautious confidence.

All appointments within the gift of directors have, no doubt, occasionally been subjected to barter, in the true spirit of merchandizing.

“ The actual value of a thing  
“ Is just as much as it will bring.”

All places civil or military, naval, medical, or clerical, have probably been seldom disposed of, by those the Directors generally gave them to, without an expectation of an equivalent from those who were to receive the benefit.

To positively aver to what annual product the patronage might amount would be difficult; but it has been a common practice, ever since the institution of East-India patronage, to publicly offer places and appointments within the controul of Directors at fixed marketable prices, and, therefore, affords a standard correct enough to justify a calculation. For example:—

Some few years back, the following article appeared, from the India-House, in the public papers.

Yesterday, at a Court of Directors of the East-

India Company, the following writers and cadets were voted for the service of the present season :—

36 writers for Bengal ..	} at £4000 each, £144,000
36 ————— Madras ..	
12 ————— Bombay ..	
1 ————— China ...	
200 cadets for Bengal )	} did, and would now, sell for
200 ————— Madras )	
200 ————— Bombay )	
600	at £300 each
	— 600 — 180,000
	Per Ann. £ 461,000
	Exclusive of other civil, military, naval, medical, clerical, preferable voyages, warehouse-keepers, clerks, elders, labourers, &c.

The number of proprietors who have embarked *their* property in the concern is now about 2300. It requires no argument to prove decisively the benefit which would accrue to every member, by adding the sum of FOUR HUNDRED AND SIXTY-ONE THOUSAND per annum to their dividends, to enable them to pay the annual purchase of their exclusive monopoly, or to form a sinking fund to reduce their debts to that public, which

otherwise must sooner or later take the loss on their backs, without sharing the profit.

It is plain that the proprietors have most grossly neglected their own interests, to have stopped so long, with such supine indifference, under the pressure of a monopoly within monopoly.

It will not escape the reader, that many subsequent advantages, exclusive of these appropriations, will result, not the least of which will be to raise the prostrate character of the direction, diminish the foul and wide-spreading streams of corruption, and restore them to their pristine celebrity.

Should the foregoing estimate of the patronage be questioned, the evidence of the Company's books, (if called for,) with the examination of Mr. Toone, Mr. Woodford, Shee, and other agents, before the House of Commons and the Committee, as to the market-prices, will bear out the calculation of writers and cadets, exclusive of what the other items have brought, and will bring, if put to sale.

It would add much to the respectability and

security of the Company's service, if the candidates for the writer-ships were continued to be examined by the court, those for military employments by the commander-in-chief and master-general of the ordnance or board of general officers, the medical candidates by the medical board, naval by the admiralty, and clerical by the primate of England, or by such bishop as his grace may appoint.

It may be injurious to the interest of certain characters who look for re-election *durante rite*; but this first rate vessel, stupendous as she is admitted to be, requires no such stationary pilots, or any such *fixed* officers: the hackneyed reasoning in favour of this monopoly is fallacious, and will sap the foundation without the most serious attention.

The old system of obtaining votes with patronage should be abolished, and a new system adopted; for it is this re-election that combines the separate interests and enormous benefits derived from the patronage, which will, at any time, "*find its level*" through England, Ireland, and Scotland.

Government has availed itself of the suggestions of the commissioners nominated for the reduction of the national expenditure.

In some cases the salaries have been increased through the treasury, customs, excise-offices, &c. and the extra fees abolished. It has proved very salutary; and why should not this reform be extended to those who direct the affairs of the East-India Company?—Why not put them on a footing with the commissioners of public boards?

If the twenty-four gentlemen are necessary to conduct the business of the multifarious committees, let them have salaries proportioned to their situation,—nay, equal to his majesty's commissioners of the treasury; and let them share the benefits of the patronage with the other proprietors, in proportion to the stock they hold in the East-India funds. Suppose the salaries amount to £24,400 per annum,—that is, £1000 for each of the twenty-four Directors, and £200 addition to each chairman; fifty times that sum will accrue to the proprietors by this alteration alone, and their civil and military of-

ficers be more capable, respectable, and firmly attached to the service of their country and the Company's interest, having a stake in it. If £1000 per annum is considered too insignificant for the acceptance of these wealthy proprietors, they may be informed there are thousands of gentlemen, as adequate to the duties of the situation as themselves, who would gladly bestow their talents and labours for half the money.

Nothing has appeared, that I know of, to prove that any Director has himself taken direct money from the obligé; but a multitude of writerships and cadecties have been sold by public army, commission, and private, agents, both male and female, four and five deep, and the money paid into the hands of the second person, but this second person may have "*abused the Director's confidence.*"

Much has been said of the delinquency of public agents. Before any criminal intention is preferred against men acting openly in their profession, it should be asked,—Did they violate any oath? If they were employed by the friend of

any Director, to transfer or sell a writership or cadetcy, was it the agent who committed the breach of confidence? or was there *at the time* any existing law relative to East-India patronage that forbade their interferences? *Lord Kenyon, in summing up the case of Hogan versus Shee, Hiliary Term, 1796, said,—“ I see nothing criminal “ in the conduct of Shee, the agent; if he was not “ enabled to perfect the bargain in the time, the “ money must be returned.—Verdict £100.”* It is evident the Company's consulting council could find none when they were ordered to search; and, not until then, Mr. Perceval was ostentaciously requested (in 1809) to introduce a clause in his Place-Bill, to restrain them in future.

An agent who was unconscious of offence most certainly ought not to have been accused of criminality; for if there was no existing statute, forbidding persons to traffic for their livelihood in East-India commissions, there could be no illegality in persuing his employments in 1800. Agents and brokers are the most useful men in society, especially in a commercial country; they facilitate business; they are evidence between

buyer and seller;—without such men the business of government loans and foreign remittances could not be executed; merchants could not carry on their business, nor attend to their books and correspondence. Some wholesome regulations, it is true, are wanting, and might be adopted, which I am certain the respectable part of those agents and brokers will cheerfully subscribe to:—there is a precedent in the City-of-London brokers, they petition the Court of Aldermen to be admitted, and, if approved, take out a silver ticket, and pay a rent of forty shillings a year to the city-chamber, and none other are supposed to act, under a penalty. This plan, if adopted by government, would not only be salutary, but more palatable, than many other imposts; and a very productive revenue, under certain regulations, with little expense, would be derived from it.

To return from this digression.—If there was no law before 1809 against agents selling East-India patronage unmolested, and even *unadmonished*, for a century, it follows, *that if any man was previously prosecuted, on such a charge,*

*the indictment must be wrongly laid, the grand jury some way most grossly imposed upon, the laws abused, and the salus populi, (especially of individual families, who cannot resist great and powerful bodies,) utterly endangered by the precedent, and no man is safe in his character, his property, or his person.*

If it should be asked whether these queries have any reference to the case of A. Shee, senior, the answer is obvious, it has: the replication may be, that he was indicted for receiving money under false pretences; saying, “*he would do (viz. get a cadetcy) what HE KNEW at the time (the East-India season of 1799) he could not do, for any person whatsoever.*” But, nine years after, this indictment proved to be a gross subornation and falsehood, and it came out, by *the inconceivable revolving of divine justice,* before a Committee of the House of Commons on East-India patronage, and on *their Report* of the evidence given by Sweeney Toone, Esq. an East-India Director, “*That Shee was competent at the time, (in the season 1799,) for that he (Toone) gave a cadetcy to Mr. Evans,*

“ he afterwards found Mr. Evans gave it to Mr. Sanderson, Mr. Sanderson to Mr. Wright, (who employed Shee, as a public army commission agent, to sell it,) and that Shee did sell it (for his employer Wright) for three hundred guineas, to Mr. Lewis.” And it appears by the Company’s books, to this day, that Mr. Samuel Lewis did go out a cadet in their service, on that very nomination, that very season. But previous to and upon Shee’s precipitated trial Mr. Toone was not to be found. But when it was found necessary for the Directors to make a defence themselves against the charges of Mr. Tyrwhitt Jones, it then became also necessary, previous to *their* prosecution, for their crown solicitor to make a display and fix on somebody (out of the many hundred of agents) to prosecute for selling cadetcies, for the first time, *taking care that it should be well-known to be at the Directors instigation and expense.* By the printed report of the Committee of the House of Commons *and never until then,* could Shee discover the reason why he could not find the man he first sold the cadetcy to; Kinnaird, the man

who employed him to sell it; Wright, nor the director, Mr. Toone, from whom it was obtained; at last it came out, on cross-examining Mr. Davison, one of the company’s principal clerks, before the Committee, that Kinnaird was suborned, before trial, with £ 32 to go into concealment, *without any order or custody of court,* but merely to prevent Shee returning him his deposit-money, on the re-sale, to Mr. Lewis, thereby to fabricate the charge; and he was farther rewarded, after trial, with a commission in the Company’s service worth £ 300, and £ 100 to fit him out of the way of discovering the trap of going into concealment and tutorage, until the season expired, and then, (as Davison confessed to the Committee, he was a man that would do any thing they bade him;) coming forward as prosecutor at the Directors expense, for not having had his deposit returned, which lay for him, after the resale, at Hammersley’s. Although he knew and the report of the Committee states, that Davison acknowledged repeatedly that both Shee and his son were diligently inquiring for him to return him his deposit,



after the re-sale to Mr. Lewis, but he was nowhere to be found, until he was brought out of illegal concealment into court, as prosecutor. They also knew, that Mr. Willey, Shee's attorney, as soon as it was discovered that Kinnaird had any representative, tendered the deposit to his solicitor, Mr. Chatham, deducting only the expenses of the re-sale, £2:10s. as is usual when the first purchaser fails to make good his bidding: this tender Chatham rejected, saying "*the money was not the object, the East-India Directors were the prosecutors.*" Upon this unhappy man's affidavit were the bills found, the trial precipitated, and the joint\* affidavit of Shee, and his attorney to postpone it rejected; neither Shee's employer, Wright, nor the Director, Mr. Toone, being to be found for Shee.

By these manœuvres Mr. Tyrwhitt Jones's charges were successfully rebutted, and by this fabricated *maiden*-prosecution the Directors saved their *immense patronage* ever since;—vide Woodfall's Report of the debates at Leadenhall-street,

\* Vide The Case, &c.

Quarterly Court, September, 1800, and the Report of the Select Committee of the House of Commons, appointed to investigate East-India patronage, 1809; then the reader's inference would be—what man in business is safe against such traps, such practice, such a treasury, and so immense an object to be retained?

I shall finish here on the corrupt disposal of East-India patronage, a subject which has been the occasion of so much notoriety of late.

Calumnious reports have gone abroad, calculated to injure many gentlemen who justly stand high in public estimation, and whose reputations ought not to have been assailed or the lustre of their virtues tarnished, by the sombre shades that *did* distinguish their delinquent colleagues *at that time*; however, certain gentlemen recovered from the agitation of the rumour, *recommended a few resignations*, and, on deliberate reflection, have qualified the unpopular and inhuman resolution of requiring *all* the young men to return, whose relatives or friends obtained their appointments by pecuniary means, instead of which, I understand, those are only to be sent back who were

privity to the transaction, which it is to be hoped are very few.

Now the curtain is drawn, indisputable evidence appears, to confirm unprejudiced minds that very unwarrantable practices have prevailed in the distribution of East-India patronage, and very dangerous means resorted to and introduced *as legal practice*, to screen the real delinquents from the indignant proprietary: artifices so gross and deceptions so multifarious on the streams of justice were not likely to escape the rod of investigation; and, in the process of the examination, it has been rendered manifest, that the most intriguing manœuvres and duplicity have marked each step of the parties concerned.\*

This finesse and malversation ought to prove demonstrative to the proprietors that the patronage and executive power over appointments should be no longer in the body of Directors, neither is it with better reason that they exclusively monopolise the emoluments thereby derived, but whatever advantages can consistently

\* Vide the Committee's Report on East-India patronage, 1809.

be accepted should be dedicated to the proprietors at large, or publicly sold, as there are so many eager purchasers, to redeem the affairs of the Company.

The *optime merenti vel quantum speculationis* should be the measure adopted in the distribution of patronage, without favour or affection to seniors or juniors, an innovation not likely to diminish either the respectability or consequence of the Directors; this would, doubtless, not only excite a laudable ambition in the rival candidates who might become competitors at the elections; but, what is more important, restore East-India stock and credit to estimation, proportioned to 1683, when the stock rose from 360 to 500 per cent. and by these *equitable means*, in their own hands, supersede the exposure, year after year, of the Company going begging to parliament, or with-holding a statement of their affairs.

If, on the contrary, the proprietors will shut their eyes to this seven-headed hydra of corruption, the monster will change his shape and return with renovated strength, augmenting devastation and undermine the commercial interests

of the company, involving in its destruction the civil and military establishments both in England and Indostan; neither is it problematical, should such a prophetic calamity be realised, that the prosperity or possibility, the existence of her kind and fostering mother, would be endangered by the warmth of affection, in attempting to rescue this crippled child from the perilous conflict.

Is it to be imagined that the insatiable eagle of France, ever hovering over the destinies of this country, will suspend his usual vigilance and neglect the favourable crisis for pouncing on the British lion,\* already languishing under domestic exertions?—that noble guardian of those imperial isles, who, when unshackled and in vigour, has proved invincible, when not injudi-

\* It is remarkable that when the Emperor of France has occasion to inveigh against this country to his senate, he seems disconcerted that this emblematic figure should adorn and be emblazoned on the British standard; and, appalled by its characteristic and noble qualities, wishes the world to believe that the subtle and crafty qualities of the leopard would more appropriately represent the prominent features of Great Britain.

ciously led forth or curbed, has, uniformly exhibited, on the waving banners of Britannia, multiplied and distinguished achievements of honour and glory.

Sufficient has transpired of late to occasion very serious apprehensions, tending to shew that the complicate government of India is too unwieldy for its rulers. One hundred and fifty thousand soldiers must be considered formidable at home when under the most judicious discipline, even in the seat of government; how much more so a body of men composed five-sixths of native troops and 10,000 miles distant? It surely then becomes an object of vast importance, that no jealousy should be excited between the natives and regulars, that they should have one common object, and that there should exist no real cause of discontent; their religious and local habits or manners should not be broken in upon, and respect should be borne as far as relates even to costume.

Any variation of customary allowances to the army is equally injudicious at such a moment; it causes dissatisfaction, it may produce a mutinous

disposition; when men have enlisted to serve in a tropical climate, devoting themselves to voluntary exile for 23 years from their native country, who only look forward, at the termination of that period, to retire from the service with their pay; when it is considered that, in the lottery of human life, only one in sixteen, returns in 28 years with the blessings of health, a reward they might expect if they remained in their own country.

When all these facts are reflected on, prudence and state policy equally demand that no means should be omitted to attach the Indian army, consistent with military obedience.

It has been said, that if the affairs of the East-India Company were fairly wound up, and the balance struck, it would appear that there would be a sum not short of £35,000,000 of debt.—It is hoped the next budget will dispel those rumours.

The debt, under the present system, must be annually augmenting; and it seems by the reports to have been officially stated, that a loss has been sustained for some years by balance on all the

establishments, except China, including Bengal, Fort St. George, and Bombay; the capital being diminished, the extent of domain at such a crisis may prove an additional source of misfortune.

In such proportion, as these remarks may be verified, in a comparative degree, will the friendship of the natives be less to be relied on.

It has been remarked that, when private or public commercial companies feel themselves foundering, they are too apt to try very desperate remedies, in order to procrastinate mischief which is not to be averted. Individuals composing secret committees are afforded opportunities, by prescience, of diminishing their respective interests, before the accounts are made public.

The managers who exercise the controlling power over the expenditure of this commercial Leviathan have probably perceived their danger; and, after deep pondering, have concluded, possibly, that no fair prospects could be expected of ameliorating the Company's affairs, by augmenting the trade, which has induced them to try the hazardous experiment of bridling expen-

diture. If this experiment has been tried on the Madras army, the result has proved the folly. If Sir G. B. assumed, as chief-in-command, to restrain any part of the usual allowances, it is a weak order,—the source will be traced home, the facts will be published, and the real cause elucidated in one word,—*incapacity*.

An officer, to whom such a command was entrusted, should have felt the pulse of the army: 4000 officers, commanding 150,000 men, ought to be respected, as a contumacious disaffection might have brought down the native princes, so that the extent of the catastrophe could not be estimated.

To be brief:—The state of the Company's funds,—the annual increased debt and interest,—the magnitude of the territory,—the interference of other powers who can navigate cheaper, particularly Americans, who are already making most alarming strides in Eastern commerce and research,—the imbecility of the rulers of the concerns,—and their incapacity to proceed with any advantage to the Mother Country,—all evince the necessity of a change in the

system. I shall therefore proceed, most humbly, and with profound deference to the wisdom and justice of the legislature and the Proprietors of East-India stock, to suggest a plan, or plans, for ameliorating the condition of the Company's finances, and extending their commerce immediately, or Buonaparte, having failed by the way of Egypt, will explore a road to our East-India settlements *via* America, for which he will make great sacrifices.

With respect to the East-India Company, and the exclusive privileges they possess, as affecting the British empire at this crisis, it must be considered a morbid excrescence, which has taken deep root within the bosom of her parent, whose existence is endangered by its rapid growth, and many other unfavourable appearances. If this was contemplated on abstractedly, and divested of minor considerations, no doubt could be entertained, but the most eligible treatment would be extirpation: yet, if performed without duly probing and preparing, the whole frame might be dangerously convulsed; it is therefore expe-

dient to administer palliatives the most safe and effectual, with a view of suspending the disease, rather than hazard the life of the mother, until some radical cure can be finally determined upon.

### THE PLANS.

THE Company to have their charter renewed for seven, fourteen, or twenty-one years, in proportion to the former conditions, excepting as to the patronage being at the disposal of the Directors; and the licences, under certain regulations, to proprietors of East-India stock, to form commercial firms, in *any part of the United Kingdom*, for the purpose of trading to the Company's settlements, to take off the superfluous produce, after the Company's ships are supplied. Thus giving a running charter, to try the first experiment, by opening only the surplus trade, and that by means of known capitalists, who could qualify by becoming (if not already) proprietors of India stock. Should this experiment be approved for seven years, the Company may, du-

ring that time, be winding up their concerns preparatory to a dissolution, making arrangements for their property to meet the demands, gradually reducing their establishments of clerks and civil officers, artificers and labourers, which amount, abroad and at home, to some thousands, with their families dependent on them, and who will have other masters to seek.

Then, if the wisdom of the legislature, having prudently paved the way by this experiment, should decide upon *entirely* opening the trade, an abandonment of that delusive *last grasp*, a corporation, and a cordial surrender of the sovereignty to THE PRINCE REGENT AND HIS SUCCESSORS, AS EMPERORS OF HINDOSTAN, will probably be the result. Government, guaranteeing the debts and interest, counter-securing the public by the territorial possessions of the Company, either by mortgage or sale, possibly instituting a state department for East-India affairs, with a Board of Commissioners, formed of persons who, by education, study, and experience, are fitted to superintend the civil, military, and commercial, affairs of so extensive an ultra-marine empire,—persons

*who have explored the interior resources and "capabilities" of that extended territory.* The political temper and bearings of the country powers with and upon each other, the most probable means of reconciling them to a sincere cooperation and participation in a pure, enlightening, and vigorous British constitution, without trenching in the least on their religious persuasions; but attentive, for the good of all,—first, to the restoration and encouragement of the commerce of the United Kingdom.

But should the charter be renewed on any terms or plan, the patronage,—for which there always have been so many eager purchasers,—to be openly sold as commissions in the regulars, places under the judges, lord-steward of the household, &c. are; and the produce appropriated in aid of the liquidation of the Company's debts:—Or,

One-half the patronage to be distributed among the proprietors, according to the stock they hold; the other to form a sinking fund towards the regular payment of their annual rent to the public in future.

The Company's mercantile and shipping concerns to be conducted as usual by the Directors, who should have, in lieu of patronage, as follows:—

The 24 Directors £1000 per annum	
each, . . . . .	£ 24,000
The Chairman, additional, . . . . .	200
Deputy, . . . . .	200
	<hr/>
	£ 24,400

Licences to be granted to stockholders only, and a premium per ton to be levied, and applied to payment of the rent for the charter, and to the sinking-fund for reducing the debts.

Thus gradually and experimentally opening the trade, which to do hastily and universally might prove irretrievable ruin to many speculative individuals, who would rush into it with slender capitals or credit, to the destrucion of it, themselves, and those connected with or dependent on them. *Exempli gratia* :— Buenos Ayres, the dangerous and deplorable consequences of which

have been visible twice a week, and heard every post since, from our starving manufacturers and prisoners for debt, throughout the United Kingdom.

There can be no doubt, by these plans, of excluding the Americans, &c. who, by navigating cheaper, undersell the Company, from the surplus trade, that the Company's sales and exports will revive, and its credit raise proportionally to what it was in 1683; for, thus, stock will be bought with avidity, and every proprietor keep what he buys for share of patronage.

Should these plans meet the approbation of government, and the necessary co-operation of the proprietors, whose families will derive extensive advantages from them, the projector will suggest two additional plans:—one, introducing the superfluous produce to all parts of the globe, in defiance of foreign decrees, edicts, ukases, &c. to the contrary,—giving it a decided preference over all other carriers at every market in the universe, where East-India produce is in use or estimation.



The other for erecting a splendid asylum and comfortable retreat (totally divested of mendicity or degradation) for such of the East-India merchants and their families as choose to claim it, having been less successful than others.

Note.—This Address, and these Plans, were in the press two years ago, and would have been published sooner; but the author has been swept down by the irresistible force of a hidden overwhelming cataract, (from every resource and remnant of domestic happiness,) which, after its devastating fall, smoothly insinuating through the land, spreads wider as it flowed, emitting a noxious vapour of nine years calumny, vainly thinking to drown thereby "The rumoured abuse of East-India patronage."

THE  
CASE  
OF  
MR. A. M. K. SHEE,  
WITH THE  
*Directors of the East-India Company,*

(Referred to from Page 14.)

"The poorest worm that crawls upon the face of the earth, struggling to extricate itself from injustice, oppression, and calumny, deserves to be respected in the eyes of God and Man."

MR. BURKE.

To prove the means by which the grand jury were induced to find the bill, and the subsequent conviction, it would be unnecessary to state more than what was reluctantly extracted, by the Committee, from the lips of the principal agents. To prove Mr. Shee's innocence

of the crime sworn to him, or his intent to commit it, it will be briefly sufficient to state in contrast, under one view, debtor and creditor.

The words of the Affidavit, on which the grand jury were induced to find a true bill,— viz. “ That, in month of October, 1799, Shee took from Kinnaird £ 100, to obtain for him a cadetcy in the Company’s service for that season, (ending July, 1800,) when, in fact, Shee knew at the time he could not get such an appointment for said Kinnaird, or any person whatsoever!” On this the bills were found, without any notice given Shee or his attorney.

And the Report of the Committee of House of Commons, expressly to the contrary, states:— “ That Mr. Sweeney Toone, the director, gave Mr. Evans a cadetcy for the season 1799, which he found had passed to Mr. Sanderson, from Mr. Sanderson to Mr. Wright, that Wright employed Shee, who sold it for 300 guineas to the father of Mr. Samuel Lewis,” who, it appears by the Company’s book of that season, went out a cadet in their service, on the very nomination in the disposal of Shee, from Oct. 1799, to July, 1800. Positive evidence of Mr. Shee’s competency to do what he undertook at the time.

Had Mr. Shee’s trial been put off until he could have found Mr. Toone, to give the evidence in the preceding page, the indictment must have been found completely false and malicious, and Shee must have been acquitted. Instead of which, he was forced to trial, contrary to the general practice of all courts of law and equity, though his solicitor joined him in an affidavit, that they could not safely proceed for want of material evidence, meaning Mr. Toone and others.

*Copy of the joint Affidavit, sworn in Court the Morning of Trial, to put it off.*

(The KING against ANNESLEY SHEE.)

Annesley Shee, of Lower Grosvenor-Place, in the county of Middlesex, sworn-broker.—The above-named defendant and William Willey, of Basinghall-Street, gentleman, severally make oath, and say:— And first this defendant, Annesley Shee, for himself sayeth, that John Mathew, of Lower Harley-Street, in the county of Middlesex, gentleman, and Thomas Wright, of Size-

Lane, Buckler's Bury, London, merchant, are both, as he is advised and believes, necessary and material witnesses for this defendant on the trial of Travers; and that he cannot with safety to himself proceed to the trial thereof without the benefit of their testimony: And this deponent farther saith, that, on inquiry, about ten days ago, of Mrs. Gwinn, who lately lodged and boarded with said John Mathew, for the purpose of subpoenaing him as an evidence for this defendant: he was informed by her, that the said John Mathew had, about three months before, gone to Ireland on business of consequence; but that he was expected to return from thence about the beginning of November next: And this deponent farther saith, that, in consequence of this honourable court refusing to put off the trial of this cause, and being, by his solicitor, (the other defendant Willey,) informed, that it was materially necessary to subpoena the said Thomas Wright, this deponent and his said solicitor, immediately on their departure from court on Tuesday last, went to the house of the said Thomas Wright, whom they found at home, and whom the said William Willey then served with a sub-

pœna to attend this trial as an evidence for this defendant, when the said Thomas Wright seemed much chagrined at being so subpoenaed, alleging that his appearing as an evidence might materially affect his future interest; and, in positive terms, declared he would not attend on such trial whatever might be the consequence: And this deponent farther saith, that he yesterday, by the desire of the said solicitor, carried a letter from him to the said Thomas Wright, which this deponent left at his house, to assure him the questions he feared being asked, were not such as were necessary for him to answer. When this deponent was informed, by the daughter of the said Thomas Wright, that her father was gone into the country, and had left word that he could not attend as a witness for this defendant: And this deponent, William Willey, for himself saith, that he did, on Tuesday last, personally serve the said Thomas Wright with a true copy of a subpoena in this cause, whereby he was required to appear at the Sessions-House, for the said county of Middlesex, on Monday, the 15th day of September instant, to give evidence in this matter; and at the same time shewed him the original

subpœna, and paid him the sum of one shilling as conduct money; and then apprized him that it was necessary he should attend this honourable court, on Saturday morning then next, at two o'clock precisely, as the day and time fixed by this court for the proceeding to the trial of this matter, when the said Thomas Wright made use of the language and expressions before stated, by the other deponent, to excuse his attendance; to which this deponent replied, that he thought his evidence so material for the defendant that he could by no means consent thereto; and that, if he contumaciously refused to attend the court, this deponent should call him upon his subpœna, and he must abide the consequences: And this deponent farther saith, that for himself, and he verily believes for the defendant, neither of them had, or have, any wish or desire to put off the trial of this cause, but from a full conviction in the mind of this deponent, and the opinion of the defendant's counsel, that the testimony of the said Thomas Wright and John Mathew, but more particularly of the former, is absolutely necessary for the defendant's defence herein.

*The following is the Evidence which Captain Mathew would have given, had the trial been put off until next Sessions.*

I do hereby certify, that, in the month of September, 1799, I applied to Mr. Annesley Shee, to procure a young man who would be willing to make a compliment of a sum of money for the appointment of cadet, to any person who had, and would exert, interest to obtain it, having myself been requested by a friend to whom a pecuniary consideration would be an object.

The said Mr. Shee, in consequence, agreed for the appointment for a Mr. David Kinnaird, a certificate of whose age, and of his having served in the Lieut. Volunteers, he left with me. Some delay taking place, in the month of December following, Mr. Shee called upon me, at my house in Harley-Street, and requested me, if the appointment had not already taken place, that I would return the certificates, as Mr. Kinnaird had failed in his engagements with him; upon which I returned the certificates to the said Mr. Shee.

This statement I am ready to verify on oath, if required. In witness whereof I have hereunto fixed my hand, this 17th day of October, 1800.

(Signed,) J. MATHEW,  
A Deputy-Lieutenant of Middlesex, and formerly of his Majesty's 13th Regt. of Foot.

Mr. Thomas Wright, Mr. Shee's other employer, was called in court upon his subpoena, but did not answer, so that the jury could not avoid giving a verdict of Guilty, *on the sole evidence of the prosecutor*, who, the agents of the directors, Davison acknowledged before the Committee of the House of Commons, *was a man that would do any thing they bade him*, and who, their crown-solicitor, Chatham, acknowledged to Mr. Willey, he had secreted several months before trial.

FINIS.