

0485

69-19

0 1 2 3 4 5 6 7 8 9 10

M

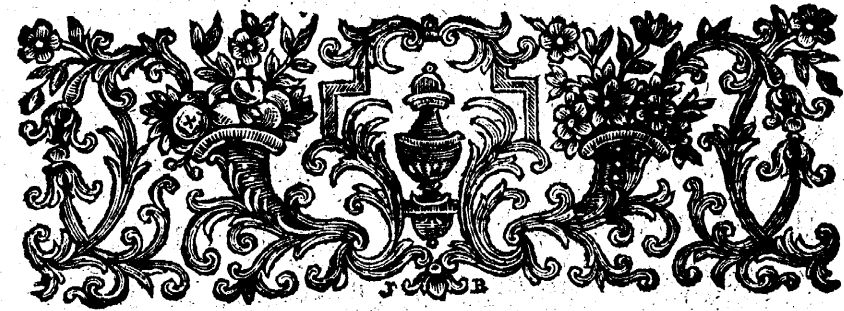
A
L E T T E R
 TO THE
M E R C H A N T S
 OF THE
Portugal **COMMITTEE,**
 FROM
A Lisbon **TRADER.**

WHICH CONTAINS
 An ACCOUNT of a late very extraordinary
 PROCEEDING.

*Have I not ever thought the meanest Subject,
 Opprest by Power, was, in his just Complaint,
 Above a King? What Brittish Bosom has
 By foreign Tyranny been griev'd, whose Wrongs
 I have not felt as mine, as mine redress'd?*

Queen Elizabeth, in the new Earl of Effex.

L O N D O N:
 Printed for H. CARPENTER, in Fleet-Street.
 M D C C L I V.



TO THE
MERCHANTS
OF THE
PORTUGAL COMMITTEE.

GENTLEMEN,



It is with infinite concern that many, nay I will say most, of your constituents hear of the delays you encounter from his Majesty's Ministers in the affairs you have to solicit. But the last, give me leave to inform you,
is

[6]

is more alarming than all the rest; since, it is said, you are now put off for an indefinite time: a circumstance particularly striking, to happen, under any pretence, so many months after it was reasonable to suppose the issue of one of your memorials at least must have been speedy and public; I mean that in behalf of Mr. S——.

THE Consul, it is evident, cannot invalidate the facts alledged, which indeed are too clearly known for even a doubt to hang on them. And Mr. S—— being not only injured in fortune but reputation also, and will be till satisfaction be given him, on his single account, therefore, justice I think, ought to have been more speedily done. But when there is to be added that the royal dignity, a public treaty, the law of nations, the liberty of the subject, the security of commerce, and the property of private persons have all been violated! what can

[7]

can be said for, — what can be thought of such unaccountable delays?

MANY persons, gentlemen, are likewise much surprized to find Mr. S—— has never been examined by any of his Majesty's Ministers, as well touching other matters as his own particular affair: since it is well known, and must be so even by Lord —— himself, that he has been chosen three years successively, by the Lisbon Factory, one of the twelve members of their national Committee; and therefore may reasonably be supposed the best able of all men in England to give a true account of the late transactions on that side of the water. What, I pray, can be concluded from this apparent neglect of searching to the bottom of things, but that there are those who seek to stifle truth, and, it is greatly feared, labour also to baffle justice.

I AM

I AM loath to credit a report that strongly prevails, and which you cannot be ignorant of, that a certain great and noble person is determined, at all events, to support Mr. C——; because I would not readily believe his Majesty or the nation can be so unworthily treated. Protection and a righteous administration of justice is as much due to the subject, as obedience and respect is from him to the government. This every Minister of his Majesty's daily allows; and I therefore cannot believe any one will ever be so weak as to risque his reputation, or even more than his reputation, by a contrary conduct; and that in behalf of such a wretch as the C—— at L——. The man who, forgetting his duty to his Sovereign, as well as that of his office (which manifestly is the protection of all his Majesty's subjects from extrajudicial violences) applied to the arm of a foreign absolute power to crush a British subject and

and a merchant, for what there was no law in any kingdom on earth to punish. Does story furnish an instance of such a violence done by any Christian power whatever? Merchants are in all countries protected by the law of nations, and in P—— by a solemn treaty; where, in case of their offending the laws of that kingdom, the method for their prosecution is prescribed. And for such a violence to be solicited by a British Consul, for what part in a British national assembly!—shame and punishment ought to be the instant rewards of such an act. And when that justice is done; may the fact be buried in oblivion; and as much forgotten by all mankind, as by all honest men it is detested and abhorred.

You were pleased in your memorial, gentlemen (through modesty I suppose) to represent Mr. S—— as an offender: and a very able writer, who has since appeared in

B print

[10]

print on the subject, has done the same: But perhaps neither he or you, gentlemen, were fully informed of the matter. And I appeal to some of your body if you were not blamed for so doing. However, as I have been very particular in my enquiries, and, I believe, am master of the Fact, I shall fairly state it to the public, and submit the determination to my candid Reader's judgement, as well as to your own.

In a national assembly of the British Factory, met to deliberate on a public and pernicious infringement of their stipulated rights, a letter from his Majesty's Envoy, directed to the gentlemen of the Factory, was read; in which he declared, that he thought the treaty violated in the article they had under consideration; and therefore any memorial they should think proper to draw up on that subject for the right honourable Earl of —, he would transmit
to

[11]

to his Lordship, and back it with all his power. This proposal was agreeable to a prior one of the Factory's, and therefore the merchants unanimously voted for its being done. But Mr. Consul, contrary to all precedent, singly persisted in opposing it; and pretended on that occasion, as he had before done on many others, a right to an absolute negative voice: A thing never thought of by any Consul before him in that place, nor, I am certain, in any other. In support however, of his unconstitutional resolution, he pretended to assert all grievances were removed, and that the Factory had nothing to complain of; urging falsehoods in so gross a manner, that gentlemen were provoked into indecorums; insomuch that he had flat assertions of *Sir, that is false* thrown into his face: And the falsehoods, from undeniable facts, proved upon him in public. In such circumstances, what figure must a Consul make! And who can

B 2

wonder

[12.]

wonder if, in contempt of the man, respect for his office was lost. However, such affronts did he tamely receive, as the man marked out for vengeance had not yet spoke in the debate. But there was reason to guess he would speak in it, because he was, in point of property, deeply interested in the issue; and Mr. President, accordingly took care that he should not want a thorough provocation. Why Mr. S—— was a marked man by Mr. Consul, you shall know, gentlemen, in its proper place. In fine; driven from all his shameful resources, by authentic vouchers, as well as unanswerable reasons (and even some written determinations of inferior tribunals of that very day were produced) Mr. Consul could no longer deny the truth of facts. But like —— himself! (and Heaven forbid there should be another human Creature like him) he scorned to submit, though fairly and absolutely vanquished. The national rights were proved

[13]

proved to be violated: The proofs were too plain to admit a cavil! And the Champion against his Country must have surrendered what he never parted with yet, HIS OBSTINACY, or catch at the desperate expedient of explaining the national rights away, by boldly declaring, as he did, that — *the treaty subsisting betwixt the two crowns could not, nor ought to, prevent the K—— of P—— from making what laws he pleased in contradiction to it in his own kingdom.*

Here was tinder for a patriot fire to kindle from! And what Mr. S——'s spirit and sentiments are, the world too well knows not to imagine, with such a provocation, in his reply he might say, as he did, *Sir, IF you will fully sacrifice the rights of the nation, you WILL BE a traitor to your King, and an enemy to your country.* This, gentlemen, is a true narrative of this mighty Fact; and to you and the world it is now left to determine

mine who was the first, who was the greatest offender; and consequently who deserves the most to be punished.

Mr. Consul, however, who could stand — *that's false* — with so firm a countenance, here mumbled something to himself, and after hoisting up his breeches half a dozen times, crept without the door into the next room: whither a gentleman or two followed, and fetched him back again: explaining to him, apparently to his satisfaction, that what was said could not fairly be construed into an offence; as the words *if* and *will be* made it a supposed case: and Mr. Consul seemingly acquiesced, without ever demanding from Mr. S—— any explanation of what he had uttered: who, during the time of the great man's mollification, had been engaged in a scuffle with one of his worship's bull-dogs. But to finish an account of the proceedings of the day;

day; it may be proper to say the Factory persisted in demanding the memorial should be prepared, and Mr. Consul consented to its being entered as a resolution in the factory book: when Mr. S—— was appointed at the head of a number of the most respectable gentlemen of the body for drawing it up, without Mr. Consul's objecting to his being put in so conspicuous a light, so immediately after the squabble between them. Nay he even signed to the resolutions that day entered into the book; though he afterwards refused to set his name to the memorial.

It is next to be considered how Mr. Consul ought to proceed in the case of an injury done him, if such had really happen'd by words uttered in debate in a factory meeting. For my own part, I confess I see but two methods he could legally and consistently with his duty, nay even his allegiance,

[16]

legiance, pursue. The first and fittest was an immediate application to the assembly, in form: that he did not do. The second was a representation of it to his Sovereign: that, it is evident likewise, he did not do; because his application to the P—— Secretary of State, could not be by direction of his Britannic Majesty, as such an application, in the manner the affair was prosecuted, would have been a lessening of (as it really was an affront to) his own royal dignity. Besides the evidence taken by the British Judge-Conservator, by order of the court of P——, was too speedy for a possibility of any direction's going from the court of Great Britain on the subject. Thus do I conceive Mr. Consul, from the face of the proceeding, stands convicted: and judgement ought to pass on him without the least ceremony or compunction.

H A V I N G

[17]

HAVING mentioned the evidence taken by the Judge-Conservator, I must do the justice to those gentlemen examined, to make known, that they, at first, refused to deliver any account; and insisted, the Judge-Conservator had no authority for demanding to know what passed in their national assemblies. To which he replied, that he should not pretend to make any such enquiry, but from the demand of the President of that assembly; and at the same time insinuated, there was a higher order, which he was obliged to comply with. The evidence, however, was such as would do honour to the injured man, was it fairly published; notwithstanding in the decree it is mentioned as a matter against him; joined to other informations in secret channels. In short, a direct inquisition business: and Mr. Consul's righteous application, and the steps taken on it, may be

C

made

made an unhappy precedent, even for subjecting our countrymen to that secret and horrid Tribunal. Nay, from appearances, it will really be no matter for wonder to hear soon of such prosecutions.

THE Judge-Conservator was so friendly and polite, to intimate to Mr. S—— his danger, before any dilligence of his took place: when Mr. S—— immediately waited on him at his country house, to thank him for the civility, and ask his opinion of what it was proper for him to do. That gentleman told him, the thing was now out of his hands; that no mischief would be done by him; and that he had used all arguments in his power to prevent the Consul's taking so foolish a step, as would infallibly expose himself, and injure his country: adding, to Mr. S——, these words, *In fine, I told him I*

would

would take upon me to answer for your giving him all the Satisfaction the thing should be found to require; but he was deaf to my remonstrances, and is, in short, an HEAD-STRONG and OBSTINATE Ass. I heartily wish your Factory was rid of him, and would give a handsome gratuity to the man who could bring me the news of your having another and fitter Consul appointed.

THIS poor gentleman is since dead. But Mr. S—— made the declaration, as some of you know, on his first coming over, when there was no reason to suppose his story, if false, would not have been confuted.

MR. S—— had then no other recourse but to acquaint his Majesty's Envoy, which he did by letter, of his having heard the Consul was carrying on an extrajudicial

C 2

Profe-

[20]

Prosecution against him; which he protested to him against, in behalf of his King, Country, Partners and Correspondents, as well as of himself. But the Envoy never acknowledged the receipt of the letter, though humbly requested to do it; and he could not be notified, judicially, by a public officer; so, from the event, it is to be supposed he took no notice of the matter.

THE next novelty in this affair was, that Mr. S—— was unexpectedly, and of a sudden, banished from his house in twenty-four hours, and from the dominions of P—— in five days, under the penalty of risking a higher punishment; by a decree of his most ——— Majesty's (an authentic copy of which you have seen) for affronting the British Consul: which favour that good gentleman went to return
thanks

[21]

thanks for the day it took effect; and it was the protection he has since had the confidence to boast of in publick newspapers! The decree was punctually obey'd, though the suffering person could not even settle his cash-book, so many more material things he had to do, and so short a space of time allowed, that he could not accomplish half of them. And one of your body can well inform you how very much the concerns of his house, and the very important affairs of many people, have been daily suffering from his unfortunate absence, and must continue to do so till his return.

I PUT the K—— of P—— entirely out of this affair, who is well known to be a just and gracious prince, and would not, if he was well informed of the matter, have been the cause of so much evil to any man. But I own I see no right his ministers

sters had to act in such a manner, on any complaint a ridiculous Consul might make, especially in a matter that no way fell properly under their cognizance. And in doing which, they manifestly violated, not only their treaty with Great Britain, but, as I said before, the law of nations. And therefore they are and must be held indefensible; notwithstanding some gentlemen have laboured to turn a violence into a compliment. But such men are so hardened against all shame, as to be afraid of saying nothing. However, as they are known to be under influence, it is not to be wondered at, that they sacrifice reason to obligation; and talk (I will not say as they are bid, but) as they think may be agreeable.

WHATEVER, gentlemen, is to become of our too-much-neglected trade, the subject of your general memorial, I must here
beg

beg leave to represent to you, that public liberty, as well as private justice, are most deeply concerned in Mr. S——'s particular case. The Consul could have no authority for doing what he has done; the laws and constitution of these kingdoms admit of no such authority. And the treaty and law of nations, likewise, declare against what was done by the court of P——. You therefore owe to your constituents, to your country, to yourselves, the assiduous soliciting a quick determination at least of what was contained in the first memorial you drew up. His majesty's ministers cannot need a longer time for information; and little consideration is required in a case where the facts speak so plainly both for conviction and the nature of a becoming justice. In a commercial nation, like ours, injuries of this kind ought to draw speedy punishments on the heads of such daring and dangerous

[24]

gerous offenders; and also immediate explanations on such points ought to be made with foreigners; otherwise, what merchants can or will trust their persons or fortunes in the dominions of absolute Princes. We certainly have no right to require unreasonable things of any Prince: And it is as certain we ought not to suffer unreasonable injuries. If the commerce of P—— is a benefit to this kingdom, that benefit is not singly ours: For it can be proved, beyond a doubt, that their commerce and connection with us is a greater benefit to that kingdom. However, these are truths not known to many, and are perhaps not proper to be made too public. I, for my part, want to give no offence: my sole end at present being to urge the necessity of speedily executing a momentous justice; by punishing a bad man, and redressing an injured one. What the subjects of all nations, residing at

[25]

at Lisbon, thought of Mr. Consul's conduct, appeared from their behaviour to him at a public ball, for the celebrating his Britannick Majesty's birth day; three days after Mr. S—— had been forced to leave his house. There they all turned their backs on him, would take no notice of him, the very P—— nobility (a great number of whom are always present) joining with the rest in behaving to him, and speaking of him, with the utmost contempt; inso-much that he was forced to quit the place, to avoid greater affronts: and has been obliged to keep out of company ever since. Is this a man to be supported in such an office? what good can be expected; or rather what evil not apprehended, from such a determination?

I SHALL now give you a short account of his first violence done to Mr. S——,
D which

[26]

which was the foundation of all his enmity, and conclude. Mr. consul had a girl in his service, that was sent to him from Yorkshire, who he wanted to be dealing with in his little way. He accordingly, made several attempts for a more close connexion, but he as constantly met with a repulse. At length, one evening being got to bed, and musing on a stratagem how to carry his point, he all of a sudden clapped his finger on his forehead (his constant method when he thinks he has stumbled on a lucky thought) and cried out, as he always does, I have it here! — Indeed I believe he had it no where else. When he hastily rung the bell, and, on John's appearing, told him to send Betty, Molly, or whatever his captivator was called, immediately down to him. The handmaid obey'd, when, on her entering the room, he cried out, there is a rat! look about and find it. The
girl

[27]

girl turn'd about all the chairs and tables to no purpose, and then told him, he must be mistaken, for there was no rat, nor any hole that a rat could come out of. Huffy, says he, come and look here, it must be under the bed. When, as the girl approached, he laid hold of her and cried, *Here, child, here it is between the sheets,* the offended nymph broke from him, left his service the next morning, and told the story to every body she met with. All people talked of it, every body laugh'd at the tale, as every body will do on such an occasion. However Mr. S—— says, he never buſied himself about it, and believes, for probable reasons that he assigns, he was the last man of the factory that had the story told to him. But, alas, in a few days some very harmless rhymes appeared; which told the tale in metre that all the place had before heard in prose; without any sort of aggravation;
D 2 nor

nor was the Consul mentioned in them even by a gutted name. Of these was Mr. S—— accused by Mr. Consul's family, and no body else, for no other reason but that it was known he could write verses, his name having unfortunately appeared in print. Several wise consultations were doubtless held; at last Mr. Consul's nephew, of the same name and size of genius! Important, from the reputation of being a most quaint and sententious speaker; and also for never appearing but in a well-powdered Perriwig! This choice spirit, I say, with much sollicitation prevailed on a very worthy gentleman to accompany him to Mr. S——'s house. Where that gentleman (who is now in England and an officer of his Majesty's) saw such ignorant and insolent outrages, as the like were perhaps never heard of! Committed even after Mr. S—— had, with the greatest frankness, declared upon his honour, that
he

he knew nothing of the verses or their author, was never master of a copy of them, nor ever saw them but once, and that on the public exchange: and he has now in his possession a letter sent to him on board of the packet, when he was coming away, from the gentleman who did write those verses, acknowledging them under his hand to be his. In fine, young C——le's outrages were so great and boistrous, that Mr. S—— appeals to Captain S—— to witness, if he did not see him send three of his servants away, who came to the room door with clubs in their hands, and begged they might have liberty to beat Mr. C——le out of doors. Nay, C——le struck Mr. S——'s partner in his own house; and forced him afterwards to a duel; which Mr. S—— discovered the intention of by great accident, and, by an application made to the Judge-Conservator, luckily got his
own

[30]

own partner arrested on the intended field of battle, by Mr. C——le's not getting there at the appointed time; otherwise there is all the reason in the world to think murder would have been committed, and perhaps a house confiscated: for such, in that kingdom, is the penalty for fighting a duel. For such foolish as well as wicked outrages as these, it is not to be wondered at that Mr. Consul and his nephew became despised. And, that contempt rankling in their minds, it is as little to be wondered at, that such silly and inveterate wretches should seek every occasion to wreak the basest and blackest revenge: especially as they might probably remain in the opinion that Mr. S—— was really the offender they had thought him.

ARE such wild beasts, such monsters in society as these, to be turned loose on a colony

[31]

colony of foreign merchants, to overset all order, and confound all law and security? Nay, convicted of such crimes, are they to be supported, against the cries of a suffering and outraged people, in an office that requires the greatest circumspection and abilities? No, gentlemen, power ought to give them up: it must not, it cannot refuse it. Every merchant, every manufacturer, every gentleman, every husbandman, is immediately interested in their punishment, and Mr. S——'s redress. It is a debt of justice, that the government owes to the people; and I hope you will not rest a moment till you have obtained the payment of it. I am,

GENTLEMEN,

*Your well-wisher**and humble servant,*

PUBLICUS.

0500

