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THE BRITISH-AMERICAN REGISTER.

QUEBEC, SATURDAY, 25th JUNE, 1803.

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TRIAL OF CAPTAIN MACNAMARA.

Old Bailey, April 22.

THIS morning Captain Macnamara was removed from Blake's Hotel, in order to take his trial at the Old Bailey Sessions. He went in his brother's coach, which, on account of the weak state of his body, drove very slowly to Mr. Kirby's house. At one o'clock the Capt. appeared in Court, attended by a Medical Gentleman, and a great number of respectable friends; and being unable to stand, a chair was provided for him at the bar. The Clerk of Arraigns read over the charge, which was founded on the Coroner's inquest, of manslaughter; with firing off a pistol, loaded with ball, which caused the death of Colonel Robert Montgomery.

To this charge the Captain pleaded Not Guilty.

Mr. Knapp opened the case for the prosecution, and after stating the law with respect to manslaughter, he entered into the circumstances of the provocation in Hyde-Park, and dwelt particularly on the use made by Captain Macnamara of the word *arrogance*. In Piccadilly something further passed, in which other persons were concerned, whose names he would not mention, as they were not now the object of accusation. He next stated the progress and effect of the duel, and concluded by saying that the prosecutor had no wish as to the event of the trial, but to acquit himself of the duty to his deceased

relative and to the public. If, in consequence of this prosecution, a stop or a check should be put to such fatal transactions, this prosecution would be attended with the best effects that had resulted from any trial that had taken place before a jury of the country.

The evidence given by the witnesses, Messrs. Sloane, C. Smith, Esq. Thomas Latch, a servant, D. Farrer, a post-boy, and Mr. James Harding, differed in nothing materially from what we have already stated to have been advanced on the Coroner's inquest.

Captain Macnamara being called upon for his defence, requested the indulgence of the Court, in a very low tone of voice, while he read from a paper what he had to offer in his defence, which was instantly complied with. The Captain then proceeded as follows:

" Gentlemen of the Jury,

" I appear before you with the consolation that my character has already been delivered, by the verdict of a Grand Jury, from the shocking imputation of murder; and that although the evidence against me was laid before them, without any explanation or evidence of the sensations which brought me into my present unhappy situation, they made their own impression; and no charge of criminal homicide was found against me. I was delivered at once from the whole effect of the Indictment. I therefore now stand before

you upon the inquisition only, taken before the coroner, upon the view of the body, under circumstances extremely affecting to the minds of those who were to deliberate on the transaction, and without the opportunity, which the benignity of the law affords me, at this moment, of repelling the inference of even *sudden* resentment against the deceased, which is the foundation of this Inquest of Manslaughter.

“ The origin of the difference, as you see it in the evidence was insignificant. The heat of two persons, each defending an animal under his protection, was natural, and could not have led to any serious consequences. It was not the deceased's defending his own dog, or his threatening to destroy mine, that led to the fatal catastrophe; It was the defiance which most unhappily accompanied what was said; words receive their interpretation from the avowed intention of the speaker. The offence was forced upon me by the declaration that he invited me to be offended, and challenged me to vindicate the offence by calling upon him for satisfaction.

“ If you are offended with what has passed, you know where to find me.” These words, unfortunately repeated and reiterated, have over and over again been considered by Criminal Courts of Justice as sufficient to support an indictment for a challenge. These Judgments of Courts are founded upon the universal understandings and feelings of mankind, and common candour must admit that an Officer, however desirous to avoid a quarrel cannot refuse to understand what even the grave Judges of the Law must interpret as a provocation and a defiance. I declare, therefore, most solemnly against the deceased; nothing, indeed

but insanity could have led me to expose my own life to such imminent peril, under the impulse of passion from so inadequate a cause as the evidence before you exhibits, when separated from the defiance which was the fatal source of mischief, and I could well have overlooked that too, if the world, in its present state, could have overlooked it also. I went into the field, therefore, with no determination or desire to take the life of my opponent, or to expose my own, I went there in hopes of receiving some soothing satisfaction for what would otherwise have exposed me in the general feelings and opinions of the world. The deceased was a man of popular manners, as I have heard, and with a very general acquaintance. I, on the other hand, was in a manner a stranger in this great town, having been devoted from my infancy to the duties of my profession in distant seas. If under these circumstances, the words which the deceased intended to be offensive, and which he repeatedly invited to be resented, had been passed from month to month, have been ever exaggerated at every repetition, and my honor must have been lost.

“ Gentlemen, I am a Captain in the British Navy. My character you can only hear from others; but to maintain my character in that station, I must be respected. When called upon to lead others into honourable danger, I must not be supposed to be a man who had sought safety by submitting to what custom has taught others to consider as a disgrace. I am not presuming to urge any thing against the laws of God, or of this land. I know that in the eye of religion and reason, obedience to the law, though against the general feelings of the world, is the first duty, and ought to be the rule of action. But, in putting a construction

upon my motives, so as to ascertain the quality of my actions, you will make allowances for my situation. It is impossible to define in terms the proper feelings of a gentleman; but their existence have supported this happy country many ages, and the might perish if they were lost.

“Gentlemen, I will detain you no longer: I will bring before you many honourable persons, who will speak what they know of me in my profession, and in private life; which will the better enable you to judge whether what I have offered in my defence may safely be received by you as truth. Gentlemen, I submit myself entirely to your judgment. I hope to obtain my liberty through your verdict; and to employ it with honour in the defence of the liberties of my country.”

Mr. Erskine and Mr. Garrow, as counsel for captain Macnamara, then proceeded to call the witnesses on his behalf.

Lieutenant Hinde, of the first life guards, was examined, with a view to state the particulars of the difference between the deceased Colonel and Captain Macnamara; but this gentleman not being present at the commencement, his evidence was dispensed with.

Lord Hood was then called to speak to the general character of the Captain. His Lordship stated, that he had known Captain Macnamara for eight years, and had the good fortune to promote him in the year 1794, when serving under his command. He had never heard any thing to contradict the opinion which he had formed of his good temper, moderation and gentleman-like conduct on all occasions. His Lordship, was proceeding to describe his

great merit as an Officer, but was interrupted by the Learned Judge.

Admiral Lord Nelson had known Captain Macnamara for upwards of nine years. He knew him to be a brave and distinguished Officer. Much as he respected his professional merits, he could speak with equal confidence as to his private character. He was a cheerful, lively, inoffending man, and that though he would not submit to insult from any one, yet he believed him to be the last man that would give offence. He had been intimately acquainted with him from the long time they had served together: and, said his Lordship, as I stand now before God and my Country, I believe him to be incapable of insulting either man, woman or child.

Admiral Lord Hotham had known Captain Macnamara since 1794. While his Lordship commanded in the Mediterranean, the Capt. served under him; and as far as he had seen, and he had many opportunities of witnessing his conduct, he was an excellent officer, of social manners, inoffending, conciliatory, and in fact, every thing he could wish to find in a companion.

Lord Minto (formerly Commissioner at Toulon, and afterwards Viceroy of Corsica) had been acquainted with Captain Macnamara since 1793. He stated him to be a good officer in his public character; and as a companion, lively, cheerful, and good humoured, never inclined to quarrel, but, on the contrary, studious to avoid quarrels.

Admiral Sir Hyde Parker, gave similar testimony. Captain Macnamara, he said, joined the fleet in 1790. He considered him as incapable of receiving an insult, and at the same

time, never shewing the least disposition to quarrel, conducting himself as an honourable and respectable man, and a brave and excellent officer.

Sir Thomas Troubridge was acquainted with the Captain for eight or ten years, and described his general character in the same terms as those used by the former noble persons.

General Churchill, Captain George Martin, of the Royal Navy, Mr. M. Phillips, Captains Towry, Liddiard, Waller, Graham, Moore, Fellows, Mr. C. Wright, and Dr. Bayne, also spoke in the highest terms of the character and disposition of Captain Macnamara.

After a short charge from Mr. Justice Heath, the Jury retired for about a quarter of an hour, and on their return pronounced a verdict of *Not Guilty*.

Captain Macnamara immediately bowed in the most respectful manner to the Court and Jury, and leaning on the arms of two friends, was assisted from the Bar. He conducted himself with much firmness throughout the trial, and continually received the attention of many honourable friends, who surrounded him in the Bail Dock. He appeared extremely pale when first placed at the bar, but before the trial was concluded, he recovered a considerable deal of his natural colour, and looked much better. He is a very handsome man, and rather above the middle size. He wore his hair cropped, without powder, and had on a dark brown great coat. When he left the Court he retired to the house of Mr. Kirby, where he waited a short time, until his brother's carriage came to convey him home.

Mr. Montgomery was Lieutenant Colonel of the 9th regiment of Foot, son of Sir William Montgomery, of Ireland, and brother of Mrs. George Byng, and of the Marchioness of Townshend. He was about 28 years of age, and had fought bravely, in the service of his country, in Holland and Egypt.

Captain Macnamara commanded the Southampton frigate in the Mediterranean, and in her fell in with a Spanish brig of war in a heavy gale of wind: Unable to board from the yard-arms of the Southampton, he swung on board her an officer and a sufficient number of men to take charge, and by this extraordinary means secured his prize. In the same frigate he also volunteered to bring out from under the batteries a corvette, then lying in view of the fleet, waiting a favourable opportunity to escape; and performed this service in the most gallant manner, by lashing her to the Southampton, and making sail under a heavy fire. He afterwards commanded the Cerberus.

POLITICKS.

Sur la nécessité d'exécuter le Traité d'Amiens. Extrait du Courier de Londres.

Les ordres de ne point remettre le Cap ont donné lieu à des commentaires sur la nécessité d'exécuter le traité d'Amiens, par le Gouvernement Britannique, c'est-à-dire, de remettre au Premier Consul, ou à ses tributaires, toutes les places que l'Angleterre s'est engagée à ne pas garder. Les partisans de ce système veulent bien faire une exception en faveur de Malthe, parceque la remise de cette île étoit conditionnelle. Sur tout les autres points, il faudra leur prouver

que le Gouvernement François a refusé d'exécuter le traité d'Amiens, ou a montré l'intention de violer ce traité, pour se justifier de ne point rendre tout ce qui, aux termes du traité, doit être rendu. Nous nous servirons des expressions mêmes de ceux qui avancent cette doctrine, pour en conclure que le Gouvernement Britannique a le droit de retenir les places qu'il ne peut céder sans compromettre la sûreté du pays.

La grande, la première base d'un traité entre deux puissances qui font partie de la société Européenne; la condition essentielle, quoique non exprimée, de tous les traités; celle sur laquelle repose l'indépendance réciproque des parties contractantes, c'est qu'elles resteront, à l'égard des autres États dont l'existence est nécessaire à l'équilibre qui contribue à l'indépendance, dans la même situation qu'au moment de la signature du traité. C'est, sans doute, ce que l'on veut dire, quand on parle d'*intentions nouvelles et subséquentes de violer le traité d'Amiens*. Or, on ne contestera point que la France n'est point restée dans la situation de puissance où elle étoit lorsqu'elle a signé le traité d'Amiens.

D'abord, elle avoit, par des traités secrets, accru son territoire en Europe, et en Amérique. Dira-t-on qu'au sein de la plus profonde paix, la cession de la Louisiane et de l'île d'Elbe, n'étoit pas un motif suffisant de rupture entre la Grande-Bretagne et la France dans tous les tems? Un homme raisonnable ne hazardera point une telle absurdité.

On n'osera pas d'avantage soutenir que la réunion à la France du Piémont, dont le sort n'étoit pas fixé, lors de la signature du traité d'Amiens; que l'invasion de la Suisse, n'étoit pas un motif suffisant de rupture?

On ne manquera pas de répondre que l'Angleterre a fait des représentations sur tous ces objets; qu'elle a vraisemblablement été satisfaite des explications qui ont été données par le Gouvernement François, et qu'elle a abandonné les points sur lesquels elle avoit cru devoir faire des difficultés.

Quant cela seroit exact; il n'en est pas moins vrai que les choses n'étant plus dans le même état, *in statu quo*, qu'à l'époque de la signature du traité d'Amiens, la Grande Bretagne n'a pu perdre le droit de s'opposer à ce que la paix la placât dans une situation moins avantageuse que celle dans laquelle les deux Puissances se sont engagés à se tenir, car c'est l'ordre des choses existant par le traité d'Amiens, qu'on a juré de maintenir, et non l'ordre des choses qu'il plaira au Gouvernement François d'établir. Nous ne connoissons aucun traité entre la Grande Bretagne et la France, postérieur à celui d'Amiens. Nous savons au contraire, que S. M. est en négociation avec le Gouvernement François. Les changemens survenus depuis la paix d'Amiens dans la situation respective de deux pays, ont rendu nécessaire d'altérer le traité d'Amiens, violé par le Gouvernement François, puisqu'il s'est placé à l'égard de la Grande Bretagne, dans une position plus avantageuse que celle qui a été fixée par ce traité. Il n'est donc point exact de dire que la Grande Bretagne refuse d'exécuter le traité d'Amiens; mais il est vrai, il est certain que le Gouvernement François l'a violé, en s'emparant du Piémont, en se faisant céder la Louisiane, l'île d'Elbe, &c. Il faut renoncer aux notions les plus simples du droit des nations, au principe sur lequel repose leur indépendance, pour contester qu'un état n'a pas le droit de s'opposer à ce que celui avec lequel il est en paix augmente sa puissance, c'est-à-dire, ses moyens d'aggression; et pour soutenir, qu'

est obligé de s'en tenir à la lettre d'un d'un traité dont la condition essentielle, le *status quo*, n'est pas observé par l'autre partie contractante. Le traité d'Amiens a été considéré comme nul et non avenu par le Gouvernement François, puisque les envahissemens de cette puissance lui donnent sur la Grande Bretagne les avantages que cette dernière puissance n'a point consenti à lui céder. Si la Grande Bretagne s'emparoit d'une province des États-Unis, la France auroit incontestablement le droit de lui déclarer la guerre, quoique l'intérêt des États-Unis ne soit pas garantie par le traité d'Amiens, parce que cet envahissement seroit une violation du traité d'Amiens, qui a fixé la puissance respective des deux parties contractantes sur un pied différent de ce qu'il seroit, si l'Angleterre ajoutoit à ses possessions une portion du territoire des États-Unis.



THE TREATY OF AMIENS NOT BINDING ON THE COUNTRY.

Sir,—I shall not trouble your readers with a dissertation on the law of nations, on the obligations of treaties, on the circumstances which render them nugatory; on the lawful grounds of war, on the balance of power, &c.—These are points which have long since been settled, and large volumes have been written on these subjects, separately and collectively.—I shall only state a few facts to elucidate the question as it now exists between the contracting parties respecting the treaty of Amiens.

As it appears that Malta is the principal point in dispute at this moment, its importance ought to be clearly ascertained.—By the length of the article in the treaty which regards this island, it would seem

that the evacuation of it by Great-Britain was the principal object which France had in view; and the securing its neutrality and independence the only concession required of the First Consul.—We are willing to allow that Malta is of very great importance, and that ministers should not have consented, in November last, to evacuate it. But how comes it to pass, that only four months ago ministers were ignorant of its importance? Did they then not know that the possession of it would secure to us the command of the Mediterranean, as the evacuation of it would give to France the sovereignty of the sea, and exclude us from it for ever? Did they not know that its occupation would give to this country the means of protecting in a great measure Italy, Turkey, and Egypt, which otherwise must lie prostrate at the mercy of France.—Buonaparté seemed anxious to place it in feeble hands.—Our negotiators were satisfied by being promised a guarantee, as if that could save it from the claws of France. Taking it however for granted that Buonaparté had no intention of wresting from the hands of the knights, he still had obtained his object by excluding us from the only port in the Mediterranean, which could be a check on his ambition, and stop the progress of his aggrandizement in those parts.—The necessity that France should occupy Malta, in order to effect all its government has in view, does not appear. She has Elba.—She can command the ports of Sicily,—and probably will, when we have quitted Malta, make a conquest of the whole island, in spite of the knights of the order, and in spite of our ministry.—By the treaty of Amiens, certain possessions, or acquisitions made during the war, were disposed of.—France and Great-Britain were pla-

ced, thereby, in a positive relative situation, in regard to their respective power or force, or, in other words, a balance of power (whether just or unjust matters not) was understood to have been established.—Had neither of the countries changed their relative situation in other respects, the honour of Great Britain, as well as that of France was concerned in the fulfilling of the treaty of Amiens in every point, and a breach of the treaty would have been the breach of national faith on either part.—It has been a maxim in all ages, and particularly in latter times, where the preservation of the balance of power has been the great subject of wars and treaties, that no state can make acquisitions of any kind, or by any means, so as to derange its antecedent relative situation to other countries; and every acquisition, made without the consent of its neighbours, gives to them a right of interference, and, if things be not restored to their former situation, affords them just grounds for war, and consequently annihilates all treaties.—A greater insult cannot be offered to the British nation than the pretension of Buonaparté, that this country should consider the treaty of Amiens as still existing; nor can there be a greater proof of the imbecility of his pretension.—In Oct. last, the acquisitions of France since the peace, were become so alarming to the safety of other countries, in whose preservation we have the strongest interest, and to the safety and independence of our own country, that ministers were seriously alarmed.—They determined not to evacuate the possessions that were then in our hands, and in this resolution, it is confidently reported, they had the firm support of Mr. Pitt —which they lost on altering their conduct.—Instead of courageously declaring to Buonaparté that the princi-

ple was violated, and the treaty of Amiens itself ceased to exist; that consequently, either the war would be renewed, or that another treaty must be formed, which would replace the two countries in a state of the same proportion of relative strength as was established by the treaty of Amiens, (when France had not made the acquisitions complained of.)—Instead of following this manly conduct, which the nation called for, they pusillanimously negotiated, allowing the treaty to be binding to this country, and agreed to cede every thing as his Consular Majesty should be pleased to dictate.—Here occurs a question, which shall be the subject of future discussion; *how far this exercise of the executive power is constitutional.*—In consequence of which Buonaparté, while he was actually subjugating a part of the world, and laying plans for subjugating the remainder, imperiously demanded the immediate fulfilling of the conditions of the treaty; denied that we had any right to interfere in other matters; and was highly offended that we had presumed though in the most humble manner, to ask his Consular Majesty, why he was pleased to do all this?—Instead of having obtained any concession from Buonaparté, by the stand ministers made in October, they evidently ceded more to him. In the treaty it was established that the grand master should be elected at Malta in a general chapter of the order, according to its ancient statutes; but in November they consented that the Pope should name the grand-master, which is actually leaving the choice to Buonaparté, for the Pope is so totally dependent that he must appoint whom the Consul prefers.

In this present month of March (a year since the *definitive!*—treat

of peace! was signed,) ministry have discovered, something they did not see before, nobody knows what—and they won't tell.—It is said, by some of their friends, that they surmise, that the occupying of Louisiana will be attended with direful consequences:—that all South-America will fall into the hands of France:—that her power in the West-Indies may be dangerous to Jamaica, and our other islands;—that France will have a great navy; that she will exclude us from commercial intercourse with all the world.—That she will cause to be ceded to her all the colonies of her allies, by a consular mediation.—That she will acquire possession of all Italy;—that by a similar consular mediation, Naples and Sicily, will be put under her protection, and the Republic of the Seven Islands be freed from all civil discord, and, to preserve their liberty and independence, will be garrisoned by French troops;—that Candia and some of the Greek islands are to enjoy the blessings of a French government, and become a part of the great republic one and indivisible;—that the Beys of Egypt will be pardoned for their disaffection to the prophet of God, the true believer, the faithful Mussulman, and zealous son and protector of the holy Catholic religion.—That Sebastiani's report indicates this and more too.—That his imperial Consular Majesty, has in view to concert measures with his brother his Imperial Czarian Majesty to drive the Ottomans out of Europe, and to divide their country; though they have had some difference on the question of who shall have the Morea.—That Malta is of importance to this country, and that no guarantee, nor all the heroic exertions of the knights can save it from France:—that the islands of Elba is a most dangerous post:—that France will have great advantages by being

sole mistress of the Mediterranean, and that her fleets united with those of her sister independent republics, and tributary monarchies, may become an object of alarm.—That intrigues are carried on in Ireland, and the disaffected are encouraged by Napper Tandy and others, and that he is also suffered to be encouraged.—That armaments are preparing to invade either that country, or Great Britain itself, or both; and a long chapter of *et ceteras* besides.

[Cobbett's Register.]

*Réflexions sur l'intérêt de Buonaparté
quant à la Paix ou la Guerre.*

Le Gouvernement François est, ainsi que l'Empire Romain, un despotisme militaire, né de l'anarchie républicaine. Quoiqu'il y ait en France une charte constitutionnelle, il n'y a point de constitution. La personne du premier Consul est tout en France. Quand il s'agit de rechercher l'intérêt de la France, dans ses rapports avec les autres États, il faut se demander quel est l'intérêt du premier Consul? La question présente n'est donc point, si la France a besoin de la paix, et si le peuple François repousse l'idée d'une nouvelle guerre? La véritable question est celle-ci: Le Consul est-il intéressé au maintien de la paix; la guerre lui offre-t-elle plus de chance pour l'affermissement de son autorité, et pour l'exécution de ses projets de grandeur personnelle?

Quand on raisonne sur le gouvernement François comme on raisonne- roit sur un gouvernement ancien, régulier, dont les formes seroient fixes, on ne balance point à prononcer que, malgré ses conquêtes, il doit plus qu'aucun autre état, sentir le besoin de la paix, et faire même des sacrifices pour la conserver. Mais où trouver la stabilité du Gouvernement François? où seroit-il possible d'apercevoir les formes qui confondent

ailleurs les intérêts du Souverain avec ceux de l'Etat? On ne voit, au contraire, que les principes de la désunion d'une agitation constante. On aperçoit bien les forces qui divisent toutes les parties de l'Etat, qui séparent les pouvoirs, sans les balancer. Mais où trouver le lien qui unit ce mélange informe de despotisme et de république? Là le despotisme n'a point les deux bases qui lui donnent ailleurs la stabilité qui paroît si contraire à une autorité arbitraire.—La religion et l'autorité.

Là, un sénat, un corps législatif, un tribunal, dociles instrumens des volontés d'un maître qui peut les briser selon ses caprices, n'offrent à la liberté publique, ou à la sûreté individuelle, aucune garantie. Le bizarre assemblage, les élémens contraires dont se compose le gouvernement révolutionnaire de France, n'y laissent de contrepoids à l'autorité arbitraire du chef, que l'armée.

Il est inutile de développer ici les causes qui ont contribué à faire perdre au général Buonaparté l'opinion de l'armée. Nous avons eu occasion d'en indiquer plusieurs. Il en est qui tiennent à la nature même du Gouvernement actuel de France: il en est d'autres qui tiennent à la personne de Buonaparté, à son origine étrangère, à sa désertion d'Égypte, à la pusillanimité qu'il montra au 18 Brumaire, à ses terreurs depuis cette journée.

L'armée Française n'a jamais placé Buonaparté au rang de ses premiers généraux. Et parmi ceux du second ordre, le soldat François lui préfère les hommes dont la valeur brillante a contribué aux succès et à la réputation de ce même Buonaparté.

Dans les circonstances où se trouve le Général Buonaparté, incapable

d'administrer un état qui se ressent encore d'une longue agitation, et que la confiance peut seule rasseoir sur ses bases; déconsidéré dans l'armée; il doit vouloir présenter à cette armée dont il n'eut jamais l'amour, et dont il a perdu l'estime, depuis qu'il a abandonné ses soldats, et qu'il en a froidement ordonné l'empoisonnement; il doit vouloir présenter à cette armée de nouvelles conquêtes à faire, de nouveaux périls à braver, l'indépendance nationale à assurer contre un ennemi invétéré. Son unique soin sera de ne point paroître l'agresseur. Ses négociations, ses délais n'ont point d'autre objet. Le jour que le Consul a dit à son Corps Législatif que l'Angleterre, *seule*, ne pouvoit rien contre la France, il a dévoilé ses projets. La guerre, dans notre opinion, est une fatalité que la Grande Bretagne doit prévoir. Il ne peut exister d'incertitude que sur le moment où il conviendra à Buonaparté de la faire. Il est devenu impossible aux Ministres du Roi de consentir à exécuter un traité que le Gouvernement François a violé, en envahissant le Piémont, la Louisiane, l'île d'Elbe, et la Suisse, (car quel autre nom donner à la médiation qui vient de mettre ce dernier pays à la disposition du Gouvernement François); d'un autre côté, le Premier Consul ne peut, sans compromettre son autorité révolutionnaire qui chancelle déjà, se désister des prétensions qu'il a annoncées, (d'une manière que sa nouveauté en diplomatie n'a rendue que plus éclatante,) vouloir soutenir la guerre dût-elle durer douze ans.

Il est évident pour tout homme qui connoit la révolution Française; qui a médité sur les causes de l'avènement de Buonaparté à la première magistrature de la République, sur la nature du Gouvernement de ce malheureux pays, sur l'impossibilité qu'il

soit rendu à la tranquillité et à la postérité par les mains inhabiles de ses administrateurs actuels; pour tout homme qui a réfléchi sur la fragilité de cet édifice bizarre qu'on a décoré du nom de Constitution Française, sur la nécessité d'une Révolution, dont les éléments sont dans la forme même du Gouvernement, et dans le caractère de Buonaparté, il est évident que la guerre donnant à tout Gouvernement une force qu'il n'a pas dans la paix, il est de l'intérêt de Buonaparté de faire la guerre, parce qu'elle lui offre plus de chance de concentrer son autorité, et de renverser les faibles barrières qu'on a cru devoir élever pour persuader au peuple François qu'il conservoit une ombre de cette liberté à laquelle il a fait tant d'inutiles sacrifices. La journée du 18 Brumaire étoit le résultat nécessaire de la tendance du pouvoir à l'unité. L'élévation de Buonaparté à la première magistrature ne fut considérée par les auteurs de cette révolution que comme une transition nécessaire, et ils ne se décidèrent en faveur d'un étranger qui venoit de déserter l'armée Française dont il avoit le commandement, et l'avoit abandonnée au moment du plus grand danger; que parcequ'ils se croyoient plus sûrs de disposer d'un homme sans appui, et sans famille. Il y avoit à cette époque, il y a encore en France une tendance générale à la Monarchie légitime, parceque ce n'est que dans ce Gouvernement, que les masses trouveront le repos dont elles sentent le besoin. la lute sourde qui existe aujourd'hui en France est entre l'opinion qui repose du trône un étranger armé d'un grand pouvoir, et l'ambition de cet étranger qui veut masquer les projets de grandeur personnelle, sous des formes républicaines. L'armée semble devoir décider cette grande question: et comme Buonaparté fait très bien que c'est dans ce qui reste des anciennes armées

qu'il trouveroit le plus d'obstacles; une guerre qui le débarasseroit de ces vétérans, et lui donneroit une armée qui ne connoitroit que lui, doit entrer dans ses vues. Or, on conviendra que la guerre avec l'Angleterre est la plus propre à servir ses dessein par la nature des expéditions qu'elle donnera lieu d'entreprendre soit pour envahir l'Angleterre, soit pour défendre les colonies Françaises.

Literary and Philosophical Intelligence.

Memoir of a Method of Painting with Milk.—By A. A. Cadet-de-Vaux, Member of the Academical Society of Sciences.

I Published in the "Feuille de Cultivateur," but at a time when the thoughts of every one were absorbed by the public misfortunes, a singular economical process for painting, which the want of materials induced me to substitute instead of painting in distemper.

Take skimmed milk, one quart (or one Paris pint)—fresh slacked lime, six ounces—oil of carraway, or linsed or nut, four ounces—Spanish white, say whiting, five pounds.

Put the lime into a vessel of stoneware, and pour upon it a sufficient quantity of milk to make a smooth mixture; then add the oil by degrees, stirring the mixture with a small wooden spatula, then add the remainder of the milk, and finally, the Spanish white, Skimmed milk in summer is often curdled, but this is of no consequence, as its fluidity is soon restored by its contact with the lime. It is however, absolutely necessary that it should not be sour, for in that case it would form with lime a kind of calcareous acetite, susceptible of attracting moisture.

The lime is slackened by plunging it into water, drawing it out, and laying it to fall to pieces in the air.

It is indifferent which of the three oils above mentionned we use; however, for painting white, the oil of carraways is to be preferred, as it colorless. For painting with the ochres, the commonest lamp-oil may be used.

The oil, when mixed with the milk and lime, disappears, being entirely dissolved by the lime with which it forms a calcareous soap.

The Spanish white must be crumbled, and gently spread upon the surface of the liquid, which it gradually imbibes, and at last sinks; it must then be stirred with a stick. This paint is colored like distemper with charcoal levigated in water, yellow ochre, &c.

It is used in the same manner as distemper.

The quantity above mentioned is sufficient for painting the first layer of six toises.

One of the properties of my paint which we may term *Milk Distemper Paint* (*Peinture ou lait de trempe*;) is that it will keep for whole months, and requires neither time nor fire, nor even manipulation; in ten minutes we may prepare enough of it to paint a whole house.

One may sleep in a chamber the night after it has been painted.

A single coating is sufficient for places that have already been painted. It is not necessary to lay on two, unless where grease spots repel the first coating; these should be remo-

ved by washing them with strong lie water, or a lay of soap, or scraped off.

New wood requires two coatings. One coating is sufficient for a staircase passage, or ceiling.

I have since given a far greater degree of solidity to this method of painting in distemper but also of oil paint.

Refusus Milk Painting.

For work out of doors I add to the Milk to the Distemper Painting slaked lime, 2 ounces—oil, 2 oz.—white Burgundy pitch, 2 oz.

The pitch is to be melted in the oil by a gentle heat and added to the smooth mixture of milk and oil. In cold weather the mixture should be warmed to prevent its cooling the pitch too suddenly, and to facilitate its union with the milk and lime. This painting has some analogy with that known by the name of encaustic.

☞ There appears to be a mistake respecting the quantity of Milk, occasioned, no doubt, by the translator. Two quarts of Milk are requisite for the materials mentioned, or they may be so far diluted as to spread conveniently with a brush:

The cheapness of the articles for this Paint, makes an important object for those people that have large wooden houses and fences.

An experiment has been made with this Paint in this country, and it, at present, appears to answer perfectly the description of the inventor.

(*American Paper*).

The machine invented by Mr. Smart, of Camden Town, for sweeping chimnies, consists of a number

of wooden tubes, of about 30 inches long, and three quarters of an inch in diameter, which run on a rope or cord, and fasten into one another, to any length. To the upper tube is fastened a square brush, the block of which is about six inches long by three wide, and from it, on all sides, issues *beath, broom*, or any other stiff but flexible substance, large enough to fill the breadth of the chimney. The tubes are about 30 inches long, of course the joints between each will bend to the most crooked chimney, and in coming down must clear the corners, ledges, &c. which are sometimes found in chimnies. In the course of the present month, Mr. Smart has in the presence of many respectable witnesses effectually cleaned several lofty and crooked chimnies. So completely does this invention answer the plan proposed by the several societies who have undertaken to advocate the cause of the poor climbing-boys that nothing is now wanting to put an end to the common mode of chimney-sweeping. By Mr. Smart's method, a chimney 50 feet high may be swept in six or eight minutes, and with much less dirt than happens by the common mode.

Dr. Bains has discovered that the strength of gunpowder can be considerably increased by the addition of about one-fifth part, in weight, of pulverized quick lime. No preparation is necessary but to shake the whole together till the white colour of the lime disappears.

Journey of Mont Blanc.—M. Forneret, of Daufanne, and the Baron de Lortherin, have undertaken a new Journey to Mont Blanc. After two day's travel, they arrived at the summit, when the tempestuous weather obliged them to sit rolled up together with their guides, for fear of

being precipitated. The cold which they felt here was six degrees beneath the freezing point; the variety of the air, and the extreme pungency of the cold, lacerated their lungs in so cruel a manner, that they declared no motive should induce them ever to recommence so painful a journey.

Æther employed in cases of burns.

As one of the labourers employed in the laboratory at an Apothecaries on Thursday, was charging with oil of vitriol a glass retort, by some inattention it was thrown over the man's face, in consequence of which he was immediately blinded, and his forehead and cheeks vesicated. Fortunately for the sufferer, æther was instantly employed, and a constant stream of air kept up by means of a pair of bellows, which in the course of half an hour, by its astonishing production of cold, relieved him entirely of pain, and by a continued application of it one hour and a half longer, the bladders were completely reduced, leaving the face only swelled, with a sensation of stiffness on the skin. The whole quantity used was from a pint and a half to a quart.—This is the second instance of the wonderful efficacy of æther; it also has been found highly beneficial in burns and scalds.

MISCELLANEOUS ARTICLES.

The number of inhabitants of the colony of Havanna, amounts to 257,000 free men, 405,000 slaves. The products for exportation are, 98,000 casks of sugar, from 4 to 500 cwt. each; 100,000 bales of leather; 50,000 cwt. of snuff; 20,000 cwt. of tobacco in leaves; 9000 cwt. of coffee; 6000 cwt. of wax; 1500

cwt. of cotton, 500 cwt. of balsam; 60,000 hogshheads of molasses, and 19,000 hogshheads of rum. The royal revenue drawn from this settlement by his Catholic Majesty, amounts to not much more than five millions of piastres. In Caracas, Terra-Firma, and Benezuela, the population amounts to 237,000 freemen and 136,000 slaves; 135,000 Indians were subject to the Spanish Government, not including the freemen in the great deserts.—The produce of sugar amounts to 15,000 cwt. for home consumption, and 80,000 cwt. of cocoa for exportation 3000 cwt. of cotton; 700 cwt. of coffee: 25,000 cwt. of Snuff, 150,000 bales of leather; 18,000 cwt. of good Indigo, and 12,000 ditto of bad, besides 30,000 horses.

An account of the value of all imports into Great-Britain for eighteen years, ending January 4th, 1803; exclusive of Corn and other Grain, and exclusive of Importation from the East-Indies and China: together with the difference between the official value and Manufactures exported, for as many years of the same period as such an Account can be made up.

| Years. | Imports, exclusive of Corn and other grain, and exclusive of Importations from the East and West-Indies. | | British Produce and Manufactures Exported. | |
|--------|--|-------|--|-------|
| | Official Value. | | Official Value. | |
| | £. | s. d. | £. | s. d. |
| 1785. | 12,939,536 | 16 10 | 11,081,810 | 16 5 |
| 1786. | 12,053,839 | 13 5 | 11,830,372 | 18 11 |
| 1787. | 13,761,245 | 10 5 | 12,053,900 | 3 5 |
| 1788. | 13,897,708 | 8 9 | 12,724,719 | 17 9 |
| 1789. | 13,879,405 | 9 11 | 13,779,506 | 2 6 |
| 1790. | 14,924,242 | 13 8 | 14,981,084 | 9 7 |
| 1791. | 14,463,725 | 18 11 | 16,810,018 | 16 4 |
| 1792. | 16,005,657 | 18 7 | 18,336,851 | 6 11 |
| 1793. | 14,165,443 | 1 4 | 13,892,268 | 17 7 |
| 1794. | 16,484,673 | 10 11 | 16,725,402 | 16 2 |
| 1795. | 19,010,233 | 8 0 | 16,338,213 | 2 2 |
| 1796. | 17,141,036 | 19 10 | 19,102,220 | 3 11 |
| 1797. | 15,803,882 | 7 8 | 16,903,103 | 0 1 |
| 1798. | 18,862,188 | 13 7 | 19,672,503 | 0 9 |
| 1799. | 21,386,240 | 17 10 | 24,084,313 | 0 10 |
| 1800. | 22,720,664 | 11 8 | 24,304,283 | 13 6 |
| 1801. | 24,145,500 | 12 0 | 25,699,809 | 6 1 |
| 1802. | 24,436,481 | 14 11 | 28,011,108 | 3 10 |

WILLIAM IRVING.

Inspector General of the Imports and Exports of Great-Britain.

Inspector General's Office Custom-House, London, 4th April, 1803.

New French Coinage.—On the 29th March, a decree for a new coinage was passed. The silver pieces are to be quarter francs, half francs, three quarter francs, two franc pieces, and five franc pieces. The franc is to contain five grammes, of which nine tenths are to be pure silver, and one tenth alloy. The gold coinage is to be of twenty and forty franc pieces, each having nine-tenths of gold and one-tenth of alloy. The copper pieces will be those of two hundredths, three hundredths, and five hundredths of a franc. These coins are to bear on one side the head of the first Consul, with the legend, "Bonaparte First Consul," and on the other the value of each, surrounded by two branches of olive, with the legend "French Republic." The five franc pieces are to have the legend, "God protects France."

Portrait de Louis XVI.

Le 20 Janvier 1793, Louis XVI est condamné à mort, à une très-petite majorité. Par le ministère de ses avocats, il interjette appel au peuple; la convention le déclare nul, et ordonne l'exécution de la sentence.

Le 21 Janvier, jour fatal, après un sommeil qui ne parut avoir été troublé par aucune inquiétude, le roi auquel on avoit signifié sa sentence la veille, se lève à cinq heures, entend la messe, communie, charge son valet de chambre de ses adieux à sa femme et à ses enfans, parcourt, d'un air calme et s'occupant de ses prières, le chemin depuis sa prison jusqu'au lieu du supplice, monte sur l'échafaud en présence d'un peuple immense et d'une garde formidable, destinée à réprimer les mouvemens, s'il en faisoit en sa faveur. Il s'avance sur le bord de l'échafaud, veut parler; un roule-

ment de tambours couvrent sa voix. Il se retourne, s'abandonne aux bourreaux, sa tête tombe, et la foule s'écoule en silence.

Louis XVI étoit âgé de trente huit ans, et en avoit régné dix-huit. La postérité ne le jugera pas sur le témoignage des écrits que les factions enfantent dans les temps de révolution. Elle ne confirmera pas les noms odieux que ces écrits lui prodiguent. Il étoit bon, humain, desiroit sincèrement de procurer le bonheur du peuple. Ceux qui l'abordoient sans qu'il s'y attendit, le trouvoient quelquefois brusque et farouche. Il étoit bon mari, bon père, excellent maître; mais en général, il étoit plus estimé qu'aimé dans sa cour. Louis XVI avoit des connoissances; il aimoit la lecture. Avec beaucoup de bon sens, dans les occasions importantes, il étoit timide et irrésolu. S'il avoit le courage de réflexion, il manquoit du courage d'intrépidité, qui plaît au François.

Anquetil, Précis de l'Hist. Univ.

Some account of Mr. Peltier, extracted from Mr. Cabbett's letter to Mr. Mac Intosh, on his defence of Peltier.

Mr. Peltier, is no stranger, Sir, in England; no, nor in any other country where literature is known. Mr. Peltier is not so much a stranger in England as you are, Sir; and, as to the rest of the world, there is not a day, when he is not spoken of with admiration by thousands upon thousands who never have heard, and never will hear, the name of Mac Intosh pronounced. Mr. Peltier was amongst the very first to oppose the destructive principles of the French revolution, and, had there only been a few such men, a very small number, those principles never would have prevailed. Brissot, in speaking of

the *Act des Apôtres* (one of the first of Mr. Peltier's works), declared that it did more harm to the republican cause than all the armies of the allies. This gentleman had, at the moment when he honoured you with his defence, been fifteen years engaged, most earnestly engaged, without an hour's relaxation or repose, in the cause of royalty against republicanism, of social order against anarchy, of religion against blasphemy. In the progress of these his most laudable endeavours he had written, translated and compiled, nearly a hundred octavo volumes, every part of which had had an immense circulation, and the whole must have produced in the world a considerable portion of that effect, which has obtained; for this country, a respite, at least, from destruction? He attacked the revolutionary monster with every species of weapon, reason, eloquence, and ridicule. That this last is not usually the least efficacious has been but too amply proved by Voltaire who employed it as successfully for a bad purpose as Mr. Peltier has done for a good one. In the use of this weapon the latter has been particularly happy, and, in the midst of all his millions of pleasantries, he never has, notwithstanding the great hate in which many of his pieces must have passed from his pen to the public eye; he never has, in all his voluminous writings let fall one sentence calculated to encourage or to excuse vice of any sort: his wit has always been held in due subordination to virtue and religion. As a striking and most honourable proof of the great talents and sound principles of Mr. Peltier, I shall here cite the testimonial given, no longer ago than the 16th instant, under the hand and seal of His Royal Highness the Prince of Condé.—“The attachment which
“ Mr. Peltier has constantly shewn
“ in his writings, to the person of the
“ unfortunate Louis the XVth, as

" well as to the persons of his legitimate successors; his zeal and his energy in defending, from the commencement of the revolution, the cause of kings, of social order, and the true constitution of France, do honour, in our opinion, to his talents and his courage, and entitle him to peculiar claims on the gratitude of the House of Bourbon: for this reason, we hereby grant him the present testimonial of our special esteem, and authorize him to produce it wherever it can be serviceable to him; desiring that those persons to whom it shall be presented, will consider it as the expression of our personal regard for Mr. Peltier, and a tribute of justice to his fidelity to his legitimate sovereign, as well as to the ardour of his invariable attachment to the most sacred of duties."—It is not the Bourbons only, however, who owe a debt of gratitude to Mr. Peltier. He has laboured in the cause of the British as well as that of the French monarchy. You might easily have shewn, that, from the year 1792 to the close of the war, during nine of the most eventful years that this kingdom ever saw, Mr. Peltier was constantly employed in combatting our enemies; that his pen was continually upon the watch to unveil the thousands of falsehoods and misrepresentations circulated against us, by means of the French press: that, in the West Indies, and in all foreign colonies and countries, he was our great, and almost our only, literary defender; that, with respect to this nation itself, he was ever the first to bring to light, and to expose to the people, the treacherous intentions and the horrid deeds of the republican tyrants; and, in short, you might safely have asserted, that to the efforts of your client, more than to those of any other individual, the very audience, to whom you were

speaking, owed the existence of that liberty which they yet enjoyed. And was this gentleman, who has resided so many years in the kingdom, who, besides his having married an English lady, has bound us to him by so many such powerful and such honourable ties; was this gentleman, Sir, to be represented as a "poor defenceless fugitive," as an "unfortunate stranger," as the writer of "an obscure journal," as being in a "state of dependence and destitution," as something in short, very little better than a pauper, whom it might, in fact, be a charity to remove from his miserable garret to a good warm rent free room in the King's-bench prison? Was *this* the light, Sir, in which to exhibit Mr. PELTIER? Was it for the purpose of making this exhibition, that you sought his acquaintance and solicited his defence?

POETRY.

Mr. Neilson,

Though the following ODE has been once already published, I hope you will not refuse it a place in your useful Register.

An ODE to the Memory of CHRISTOPHER COLUMBUS.

When GREAT COLUMBUS, spread his sails
The vast Atlantic to explore,
Each Zephyr breath'd precipitous gales
To waft him to this happy shore:
Old Neptune shook his woody locks,
And, mouning in his pearly Car,
Rode Pilot, where no sands nor rocks
Might wreck the NOBLE TARK.

2.

Fair FREEDOM, all in nature's pride,
(F. F. Innocence and nature's one)
Her Heroe from the strand describ'd
And hail'd him as her FAV'RITE SON:
RELIGION meek, and lovely PEACE,
And SCIENCE, and the useful band
Of ARTS, and PLENTY's glad increase,
All welcom'd him to land.

3.

" Come, HEAV'N-DIRECTED CHIEF, they sung,
" Thou Friend and Ornament of Man;
" On THEE our anxious hopes have hung
" Since rolling Time her course began;
" 'Tis thine to mark the glorious way
" Through which our happy sons shall go,
" And here, on each revolving day,
" Thy Gallant Mem'ry bless.

4.
 " Come, bid the Social HAMLET rise,
 " The WEALTHY CITY, and the STATE,
 " Whose glory may the world surprize,
 " And equal all it owns as GREAT ;
 " 'Tis THINK to plant the virtue's here,
 " And cultivate each manly grace ;
 " And smiling Hear'n their Germs shall cheer,
 " And bleis the rising race.

5.
 Now FAME her swelling trumpet blew ;
 The wond'ring NATIVES heard the sound ;
 O'er hills and spicy vales it flew,
 And echoed the wide world around.
 And still the Grateful Theme is heard
 (And shall be till the SEASONS end)
 LET GREAT COLUMBUS BE KEVER'D,
 OF HUMAN KIND THE FRIEND.

Omicron.

SELECTED.

ODE A LA FORTUNE.

FORTUNE, dont la main couronne
 Les forfaits les plus inouis,
 Du faux éclat qui l'environne
 Serans-nous toujours éblouis ?
 Jusques à quand, trompeuse idole,
 D'un coite honteux et frivoie
 Honorerons-nous tes autels ?
 Verra-t on toujours tes caprices
 Consacrés par les sacrifices
 Et par l'hommage des mortels ?

Le peuple dans son moindre ouvrage
 Adorant la prospérité ;
 Te nomme grandeur de courage,
 Valeur, prudence, fermeté :
 Du titre de vertu suprême
 Il dépouille la vertu même
 Pour le vice que tu chéris ;
 Et toujours ses fausses maximes
 Erigent en héros sublimes
 Tes plus coupables favoris

Mais de quelque superbe titre
 Dont ces héros soient revêtus,
 Prenons la raison pour arbitre,
 Et cherchons en eux leurs vertus :
 Je n'y trouve qu'extravagance,
 Foiblesse, injustice, arrogance ;
 Trahisons, fureurs, cruautés :
 Etrange vertu qui se forme
 Souvent de l'assemblage énorme
 Des vices les plus détestés !

Apprends que la seule sagesse
 Peut faire les héros parfaits ;
 Qu'elle voit toute la bassesse
 De ceux que ta faveur a faits ;
 Qu'elle n'adopte point la gloire
 Qui naît d'une injustice victorie
 Que le sort remporte pour eux ;
 Et que, devant ses yeux stoïques,
 Leurs vertus les plus héroïques
 Ne sont que des crimes heureux.

Quoi ! Rome et l'Italie en cendre
 Me feront honorer Scylla ?
 J'admiretai dans Alexandre
 Ce que j'abhorte dans Attila ?
 J'appellerai vertu guerrière
 Une villance meurtrière
 Qui dans mon sang trempe ses mains !
 Et je pourrai forcer ma bouche
 A louer un héros farouche,
 Né pour le malheur des humains ?

Quels traits me présentent vos filles,
 Impitoyables conquérans ?
 Des vœux outrés, des projets vaines,
 Des rois vaincus par des tyrans,
 Des murs que la flamme ravage,
 Des vainqueurs vaincus de carnage,
 Un peuple au fêr abandonné,
 Des mères pâles et sanglantes
 Arrachant leurs filles tremblantes
 Des bras d'un soldat effréné.

Mais je veux que dans les alarmes
 Réside le solide honneur :
 Quel vainqueur ne doit qu'à ses armes
 Ses triomphes et son bonheur ?
 Tel qu'on nous vante dans l'histoire
 Doit peut-être toute sa gloire
 A la honte de son rival !
 L'expérience indocile
 Du compagnon de Paul Emile
 Fit tout le succès d'Annibal.

Quel est donc le héros solide
 Dont la gloire ne soit qu'à lui ?
 C'est un roi que l'équité guide,
 Et dont les vertus sont l'appui ;
 Qui, prenant Titus pour modèle,
 Du bonheur d'un peuple s'occupe
 Fait le plus cher de ses souhaits ;
 Qui fuit la basse flatterie ;
 Et qui, père de sa patrie
 Compte ses jours par les bienfaits.

ERRATA.

Aux Vers à Mademoiselle P...y C...d. insérés dans le dernier Numéro.

Dans le 22e. Vers, pour "le débâter" lisez "te débâter."

22e. do. pour "Le Soleil plane seul dans la nuit la route azurée," lisez "Le Soleil plane seul dans la route azurée."

METEOROLOGICAL TABLE, JUNE 1803.

| Days. | M's - Gr. | Weather. | Wds | Barometer. | | Thermo. | |
|-------|-----------|----------|-----|------------|----------|---------|----|
| | | | | Inches. | Degrees. | | |
| | | | | M. | A. | M. | A. |
| 19 | ● | showers | | 29.3 | 29.1 | 65 | 77 |
| 20 | | cloudy | | 29.1 | 29.1 | 55 | 61 |
| 21 | | fine | | 29.3 | 29.4 | 65 | 74 |
| 22 | | fine | | 29.5 | 29.5 | 78 | 84 |
| 23 | | fine | | 29.5 | 29.5 | 74 | 81 |
| 24 | | showers | | 29.4 | 29.3 | 72 | 83 |
| 25 | | fine | | 29.4 | | 71 | |

● N. Moon. ☽ 1st. Quar ○ F. Moon. ☾ 1st. Q.