

nan, &c. enables us to re-commence the war with the greatest advantage, and above all, with the utmost security.

Health and respect.

(Signed) DESOLLES.

[The conditions of Peace are the same as heretofore announced—The left bank of the Rhine is to be the Northern boundary of the Republic.]

### Armed Neutrality.

**PRUSSIA.** BERLIN, NOV. 28. Instructions for some weeks past have been sent to Count Lutz, our Minister Plenipotentiary at Petersburg, respecting the treaty of an Armed Neutrality, which was to be concluded there between Russia, Prussia, Sweden, and Denmark. The three maritime powers engage to convoy all the Prussian merchantmen, and Prussia is to take care that the treaty be duly maintained by land. Its articles resemble in many respects the Convention concluded between Prussia and Russia in the year 1781.

A Russian courier carried the treaty of this Armed Neutrality to Stockholm, on the 20th November. His Swedish Majesty ratified the same in the great conference of state held next morning soon after the courier's arrival. Though its articles were kept very secret; yet this much is known, that its chief object is to prevent the English from being any longer the indisputed masters of the sea. The most active preparations are making in the Russian, Swedish and Danish dock-yards for fitting out a formidable fleet, destined to cruise in the Baltic the ensuing spring.

### MINOR ITEMS.

**PORTUGAL.**—The fears of the invasion of this kingdom have subsided; and an amicable arrangement between it and Spain is speedily expected.

The Prussian army, according to the official returns is composed of 251,849 effective men!

The Russian General Sprengporten arrived at Paris the 20th Dec. with a very numerous suite.

LONDON, JAN. 1.

Lord Minto, at Vienna, is said to have received information, that Sir Ralph Abercrombie had proceeded from Malta for Egypt. A dispatch received at the India-House, dated August 15, confirms the account, of a detachment of the Bombay army having been ordered to embark for the Red Sea, to attack the French at Suez, while Abercrombie attacks on the side of Alexandria.

### LAW INTELLIGENCE.

**COURT OF KING'S BENCH,**  
NOVEMBER 20.

**THE KING versus SAMUEL FERRAND**  
WADDINGTON.

The defendant, who had been convicted upon an indictment, at the last Assizes for Worcester, for Ingrossing and Forestalling in the article of Hops, was brought up for judgment. The report of the evidence upon the trial being read, Mr. Law addressed the Court in mitigation of punishment, and was followed by Messrs. Peake, Dauncey and Wigley, who were all Counsel for the defendant.

Mr. Garrow expatiated with great warmth upon the enormity of Mr. Waddington's offence, and said, that if to starve the public had been his object, if he had wished to excite discontent and dissension, he could not have gone more judiciously to work. On these, and many other accounts, Mr. Garrow contended, that the punishment, instead of nominal, should be exemplary.

After which Lord Kenyon spoke to the following effect:

"We shall not pronounce judgment till a future day; but I think it my duty to say a few words on the present occasion. I am unacquainted with Mr. Waddington, and a stranger to most of his relatives, I am not less sorry to see him where he is; I am not the less sorry at an event which seems to aggravate his offence. Perhaps he is innocent, but appearances press strongly against him. I allude to a pamphlet which has been put into circulation, and which professes to give a summary of his trial at Worcester. To that pamphlet there is a preface subscribed with Mr. Waddington's name, and that preface is the essence of malignity. It libels not only the living judges of this and the other Courts, but it visits the grave, and in-

fruits the ashes of the dead. A character is attacked there, than which history presents none fairer, or more respectable. When in future ages, a Temple of Fame shall either be raised of the frail materials of earth, or described in the song of the poet, it will not be confined to Timoleon or Phocion, to Aristides, or Epaminondas, to Scipio, or to Cato, to Trajan or to Antonine, but on its highest steps will be placed the venerable Mansfield. Why then insult his shade? why load with the bitterest calumny the memory of such a man? Is it to animate virtue with the hope of posthumous respect? I hope the public will not think I speak thus from any thing that is said of myself. It makes me not uneasy. If I deserve their esteem I shall not lose it from my reproaches, however bitter, if, like these, they are unfounded.

"The calamities of the present times are awful and alarming. But we should recollect, that they are awarded by Providence; and we may rest assured that if we could visit the Heaven of Heavens we should find that all we suffer is for our good; that we are objects of the constant attention of the benign Ruler of the Universe. What human wisdom can do, will be done to alleviate evil. The Legislature is assembled, and is animated with most anxious desire to be of service to the people. If new laws shall be enacted, it will be our duty to administer them, but it is likewise our duty now to judge according to the laws in force, through good report and bad report. It is said, that engrossing to a dangerous degree is impossible, and that the practice is innocent. Suppose that the town is supplied by water, and that a fortnight's provisions arrived at a time, might not ten wealthy men go down, and having purchased this supply, lock it up in their cellars? Would not the poor be starved, and would not the conduct of these monsters be contrary to law, to morality, and to religion! When we were at Church last Sunday (I am a grave man, and I speak to grave men,) we heard upon this subject the words of inspiration: "He," says the King of Israel, "that withholdeth corn, the people shall curse him; but blessing shall be upon the head of him that selleth it."

"Thus are we told by the wisest of men, what Religion enjoins, and what Humanity requires. I thank God that all the judges of the land, with one voice say, that this practice of withholding the necessaries of life, is contrary to the law of England. One thing has been stated by the Defendant's counsel, a little higher than the truth of argument will bear, namely, that it was in former times declared by all the judges, that Hop was not a *Viñual*; but really this is not a fair way of treating the subject at this day; for it is not very long ago that Hop was looked upon as a *pernicious weed*, of course it was not considered as a necessary of life; but it is now so much, that the common beverage of the people of this country could not be made without it; so well persuaded of this are the inhabitants of the county of Kent, that they were all up in arms, as it were, when *Quaffia* was received among the *Materia Medica* as a wholesome bitter, which it was supposed might supply the place of Hops. I speak this, not with a view of giving an opinion upon the qualities of plants or herbs, or any other productions of Nature, nor of any improvement of art upon them; I am not so vain as to suppose myself qualified to form any opinion on such subjects; but I state this to shew that a thing may be "*Viñual*," now, which was not so in antient times, and that the opinions of Judges upon such subjects must be liable to change, as the materials to which they referred might afterwards be discovered to have qualities which were then unknown. Besides, admitting that Hop was not at this hour to be defined by law as "*Viñual*," but only as an *Ingredient* in "*Viñual*," did it therefore follow that it was not a *Necessary of Life*? What would be said, for instance, of Salt? If Lord Mansfield, degraded as he is by the publication before alluded to, had any knowledge, assisted as he was by Mr. Justice Wilmer, Mr. Justice Denison, and Mr. Justice Foster, on a case from Droitwich (and there were six or seven others like it) Salt is emphatically a necessary of life, so are Hops, because the bitter quality they have, is necessary in the composition of beer, which is now the common beverage of the people of this country; and God forbid, that

these things, which he has given us to be diffused, and as generally divided among his creatures, according to their wants, as may be for the common benefit of all, should be hoarded up by a few and rendered inaccessible to the many.

"I have read Adam Smith, and I have looked into many of the publications which daily swarm from the press, and which are in general only Adam Smith hashed up. I could mention several that I have seen, but shall content myself with naming one; I allude to the pamphlet dedicated to that most respectable Nobleman, Earl Spencer. It urges many plausible arguments, but whether I accede to them I shall not at present say. There have been too on the other side many respectable publications; and it is perhaps not unfair to conjecture that those have a better chance to be in the right who mix facts with their reasonings, and who have themselves had experience on the subjects on which they write, than those who are contented with framing theories in their closets.

"I assume no credit to myself when I look to the interest of the most industrious and therefore the most useful ranks of life, and most valuable parts of the community in which we live; all of us look to that interest—all of us ought to look to it—we cannot forget it without forgetting ourselves, for our interest is intimately connected with their well being, and therefore no honest man ought ever to be suspected of attempting to flatter them when he talks of their interest. That interest is materially injured by practices of this kind, and therefore they ought to be checked effectually."—How stand the facts in this case? We find the Defendant in the market, he hears that the price of the article is 12l. 10s.—He advises the Owners not to sell. He tells them the article will be higher. It rises to 13l. 10l. and 15l. He then expresses a wish and a hope that it may rise to 20l. the hundred weight—What effect is this likely to have on the minds of the Planters of Hops? They are men—they are subject to the passions of men, of which self love is one. There have indeed been men whose public virtues was such that they never looked at their own interest, but were ready, at all times, to sacrifice all to the public good; who have, indeed, themselves rushed into the gulph in order to fill it up, and save their country from destruction. But, although there have been such men, history instructs us to look upon them as rare productions; and teaches us to conclude, that the mass of mankind will be guided by considerations of self interest in the common affairs of life, without being very heedful of the effects it may have on their country at large. These men come to market with their commodity, to meet the fair price of that market; a man comes to them who has been twenty years in trade, who has done, he says, great benefit to society, with a fortune, I dare say, well earned; and he raises the price of this necessary of life by his own act from 12l. to 15l. Thus it stands on the face of the Record now before us: Is this fair in society? I cannot believe that any honest man in this world will lay his hand upon his heart, and say "this is right." The question, in this view of it, stands between Mr. Waddington and his own conscience; if that conscience acquits him, he may be acquitted at the judgment seat of God; but we mortals are to judge of men by their overt-acts and must take them to mean what they plainly indicate to our sense; upon which I am bound to say he acts as a dissocial being, and mainly against the good of the community of which he is a member. It does therefore appear to me that the law has been transgressed by Mr. Waddington in this case.—I have been listening with great attention (as I ought to do) to every thing that has been urged by the defendant's Counsel; yet I am unable to yield to their arguments, and can hardly persuade myself they will bear looking at, not from want of ability in those who urged them, for none are more able, but from the nature of the case. The Journals of a House of Parliament have been quoted. I remember once, a learned gentleman said, upon a case in which he had occasion to speak of them, he had not brought with him the forty folio volumes, but that he had them in his head.—I own I neither have, nor wish to have, the contents of any such books in my head; I wish to speak respectfully of either House of Parliament; but sit-

ting here as a Judge, I know nothing of them, until the King adds to them "*Le Roi le veut*." The public may be well assured, that whatever his Majesty, as the Father of his people, can do, will be done. Whatever human wisdom can do, to alleviate the pressure which is now felt will be done in due season, and without more delay than is unavoidable.—Have the Counsel for the Prosecution any thing to pray?

Mr. Law begged that he might be allowed to go at large upon his recognizance. It would be cruel to enforce law in this instance, as there was no degree of criminality in the case.

Mr. Erskine and Mr. Garrow said, they would not interfere as Counsel for the prosecution.—They had no authority to do so; and Mr. Waddington must submit to the practice of the Court. That there was no degree of criminality, they could by no means admit.

Lord Kenyon.—"Then we have but one thing to do. General Burgoyne, and a few others, have been allowed to go at large; but it was at the express request of the Counsel for the Prosecutor. I recollect, when I was at the Bar, making a similar application with that of Mr. Law, for a young man who was my school-fellow, and had continued to be my particular friend, Lord Mansfield told me it was impossible for him to comply. The Defendant, therefore, suffers no hardship; and he has no reason to complain. Let him be committed to the prison of this Court, and brought up the last day of term."

### STATEMENT OF THE NUMBER AND SITUATION OF THE IMPERIAL AND FRENCH ARMIES.

According to the new plan adopted by the Aulic Council of war, and approved of by the Emperor of Germany, the military force of the Austrian Monarchy, which is all under the command of the Archduke Charles, is to be divided into five armies. The army of Germany is to remain under the command of the Archduke John; its complete number is supposed to amount to one hundred thousand men, including the troops of the Empire. An army is organizing in Bohemia, under the direction of Prince Charles, it is to be composed of about fifteen or sixteen thousand troops of the line, and of the new levies that are forming both in Moravia and Bohemia. The army of the Tyrol under the command of General Hillier, including in it the corps of Conde, the three Swiss regiments in the pay of England, together with the militia of the country, which consists of 60 companies, may be computed at between 35 and 40 thousand men. The army of Italy, which is to be headed by the Archduke Ferdinand, is at present composed of one hundred and six thousand effective men—a corps of Neapolitans under the command of General Dumas, is to unite with it. Mention is also made of an English army of 12,000 men assembling at Ancona, but this is yet uncertain. Finally, the fifth army, which is styled the army of reserve, is commanded by the Archduke Palatine, it is formed of the national levies of Hungary and of Austria, and of between seven and eight thousand veteran troops—the strength of this army it is impossible to ascertain, as it exists yet but on paper.

In addition to the above force, the militia of Carniola, Corinthia, and Styria have been ordered to assemble, not with a view to operations in Italy or Bavaria, but for the purpose of defending their respective countries.

The French armies consist of the Gallo-Batavian army under General Angereau; the grand army of the Rhine under General Moreau; the army of the Grisons under General Macdonald; and the grand army of Italy under General Brune.

General Angereau's corps is ascending the Mein, in order it is supposed to make an attack upon Gen. Simbschen before he is reinforced by the Bohemian levies. In order to increase Angereau's army, a strong division of 15 or 20,000 men is on its march to Mentz, from the interior of France and the Netherlands, with this reinforcement his army will amount to 40 or 50,000 men.

Of the strength of the army of the Rhine, we are not accurately informed. It cannot be less than 100,000 men. The different divisions of it, are in full march to the Iser, and the frontiers of the German Tyrol.