The SAINT JOHN GAZETTE.

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FROM THE LONDON STAR.

IMPEACHMENT OF HENRY LORD VISCOUNT MELVILLE.

HIGH COURT OF JUDICATURE, WESTMINSTER HALL.

(CONTINUED FROM OUR LAST.)

Do you know, of your own knowledge, whether the Paymaster of the Navy ever makes small cash payments to the payees, or that he makes them, by the custom of the office, through the sub-accountants? Excepting the payment of fees upon money received from the Exchequer, the paymaster makes no other payments but in large round sums to the sub-accountants.

Describe what the nature of the Exchequer fee money is, as contradistinguished from the other public money of the office? I have no further knowledge of it than this, that it has always been the practice of the office ever since I belonged to it, that certain sums of money, amounting to 3000l. at a time, have been issued from the Exchequer, and placed in the hands of the Paymaster, for the purpose of paying those fees upon money received at the Exchequer.

Have you ever yourself had the custody of the Exchequer fee money? Yes.

Did you derive any profit or advantage from that custody? I certainly did.

What was the average amount of the balance left in your hand of Exchequer fee money? It never could amount to 6000l.

Might not the advantage upon the average be computed at or about 300l. a-year? I do not think it possible that it could amount to so much.

When was the Exchequer fee money delivered over into your custody? I speak upon conjecture, but I believe some time about the year 1800.

How long did it continue in your custody? Until the Treasurership of Mr. Canning, when I paid over the balance of Exchequer fees into his Paymaster's hands.

Who did you receive the Exchequer fee money from? Mr. Trotter.

Had Mr. Trotter had it, to your knowledge, a considerable time previous to the period you last mentioned? I presume Mr. Trotter had it from the time of his becoming Paymaster of the Navy.

Did Mr. Trotter waive the custody of that Exchequer fee money expressly for your benefit? I presume that he did; he certainly derived an advantage from it himself, and I made the same use of it that he did.

Are any payments made out of that fund, except for fees of one description or another, according to the course and practice of the Office? None that I know of.

Did you ever converse with Lord Melville upon the business of the Office? I do not recollect that I ever did.

Cross-examined.

You have been asked respecting a transaction in the year 1796, of a sum of 40,000l. that was drawn from the bank, and paid to Mr. Pitt; is that the same sum of money which was afterwards the subject of public inquiry in the House of Commons? I believe so.

You have said, that you were in the habit of laying out some of the public money for Mr. Trotter's private emolument; I desire to know, whether in any instance of your having done that, it was ever done with the privity and knowledge of Lord Melville? I solemnly believe not.

To several questions by the Lords, whether Lord Melville was acquainted with the trust reposed in him by Mr. Trotter, he replied, in substance—I cannot swear on my knowledge that it was so, because no conversation ever passed between Lord Melville and me upon the subject.

Had you the same trust reposed in you by Mr. Trotter, during the other Treasurership of Mr. Ryder, Mr. Bathurst, and Mr. Canning? I certainly had.

Have you any reason to know, or can you swear that these gentlemen were unacquainted with it? I cannot swear to it, because I never had any conversation with these gentlemen upon the subject.

Was the draft for 40,000l. upon the Bank of England exactly for that sum? I cannot answer that question.

If you had not had blank drafts from Mr. Trotter, how could you have got that sum from the Bank of England? I presume that I had drawn a much larger sum from the Bank of England and placed it to the account of Mr. Trotter, at Mr. Coutts's house, and from thence I had drawn the sum of 40,000l.

Are you certain that the 40,000l. or any part of it, was drawn from Mr. Coutts's house, and not directly from the Bank? I cannot swear to that, but I believe from Mr. Coutts's house.

Had you authority to draw upon any other account than for Mr. Trotter's private use? Certainly for the public service.

Had you any other purpose than the public service?—Yes, Mr. Trotter's private account.

Had you for any other authority but for the public service, or Mr. Trotter's private use? I had not.

Nor in effect did you ever draw any except for the public service, or for the private use of Mr. Trotter? Never, to the best of my recollection, unless it was on account of the Exchequer Fees, of which I made a private advantage.

To whom did you pay that 40,000l.? I do not know into whose hands I paid the bank notes but it was in the presence of Lord Melville and Mr. Long, of the Treasury.

Whether, at the time that payment was made, you received any acknowledgment or receipt of having made that payment? None.

In what manner did you enter that sum of 40,000l. in your account? I kept no account of it myself.

The witness was directed to withdraw.

Mr. Swaffield examined.—You have been upwards of fifty years in the Navy Pay Office; have you, during any part of that time, kept any part of the public money entrusted to you, except in the bank of England, or in your own possession? Not till of late years.

Have you kept any part of it of late years at the house of Messrs. Coutts? That was the only private Bank I ever made use of.

Why did you put your money there? Mr. Trotter required it of me.

Were you willing so to do? It was done reluctantly.

Did you find any convenience resulting from having the money at Mr. Coutt's? None at all.

Did you find it produced any confusion in your accounts? In two instances I was rather perplexed about it.

Cross-examined.

Question by Counsel.—Whether this desire of Mr. Trotter to you to keep your money at Messrs. Coutts's was a desire to which Lord Melville was to your knowledge privy? I do not know that he was.

The witness was directed to withdraw.

The accounts made out for the Commissioners of Naval Enquiry, of balances of public money in the hands of the Treasurer of the Navy and his Cashiers and Sub-Accountants, made up to the 31st of December in each year since 1790 to 1802, with the sums standing in the Treasurer's name in the Bank at such periods, were now given in; also a similar account from 1784 to 1789, inclusive.

The Right Hon. G. Tierney, who entered into the office of Treasurer of the Navy in the end of 1803, stated, that at first he employed Mr. Trotter as his Paymaster, and afterwards Mr. Latham; that a very considerable alteration took place almost immediately upon the appointment of Mr. Latham, an alteration for which he was indebted to a suggestion of Mr. Trotter.

He described it as follows: Heretofore it had been the custom for the Sub-Accountants to wait upon the Paymaster in the morning, stating what sum they should probably want in order to carry on the current transactions of the day, and upon this representation a draft was drawn upon the Bank and Messengers dispatched with it, who came back bringing home the money, which was delivered to the Sub-Accountant; the alteration I made was this, that when a Sub-Accountant applied to the Paymaster for a sum of money, no such proceeding took place as a draft being given by the Paymaster upon the Bank of England; the mode to obviate that necessity adopted by me was this, that four different accounts were raised at the Bank in the name of the four principal clerks who had the payment of the money, and these accounts being so raised in the bank books instead of their being put in cash by the Paymaster's draft, the Paymaster wrote to the Bank an order, stating, write off from my account to the account of the Sub-Accountant in question, the sum which he had stated to be necessary for carrying on the ordinary payments.

Cross-examined.

After the alteration took place, did it still continue to be the usage of the Office to make small payments in cash at Somerset House? I apprehend that new regulation, which I have endeavoured to describe, created no alteration whatever in the practice of the Office, but only effected the mode of bringing money from the Bank to the Office.

Do you know that small payments to a considerable amount were made daily at the Office at Somerset House in the proper departments? I know it as well as I can know any thing which I did not actually see. I apprehend there is not the least doubt upon the subject, but not having seen the actual payments made, I cannot undertake to swear to it.

You are understood to say, that you gave a power of attorney first to Mr. Trotter, and afterwards to Mr. Latham, to execute the duty of Paymaster, and to act as your deputy? I did.

Mr. Latham's examination.

Were you Paymaster to Mr. Tierney whilst he was Treasurer of the Navy? I was.

Did you act in all the official concerns of the Treasurership of the Navy under a power of attorney given you by Mr. Tierney? I did.

Did you make any payments yourself personally as Paymaster of the Navy, or issue all the money to the Sub-Accountants for that purpose? I never made any personal payments; I always issued money for that purpose to the Sub-Accountants.

Was the cash balance during your Paymastership in the Bank of England? Yes.

Did you delegate the power given you by Mr. Tierney to any body else? Never.

Did you practice the mode of carrying money from yourself to the Sub-Accountants? I did.

Did these write-offs bear upon the face of them the different branches of Navy, the Victualling, and Pay? Not that I recollect; the name of each individual accountant was stated upon the write-off.

Cross-examined.

How long did you continue in that office of Paymaster? Ten months.

Did it happen to you to be sick or absent during that time? To have been absent once on account of sickness in my family for about a week.

Who did the business for you during that week? What it was necessary to attend to Mr. Tierney officiated for me in my absence; the drafts were sent to me to my house in Book-street.

Had you no other interruption from attending to your duty, except that week's sickness? Never, that I recollect.

After the sum was written off to the Sub-Accountant, had the Sub-Accountant the full controul over all the money so written-off at the Bank? He certainly had.

An order, signed by Lord M. desiring Messrs. Coutts and Co. to put certain sums of stock at the disposal of Mr. Sprot was then read and admitted.

Mr. Sprot was again called in.

You were asked yesterday to give the Court information as to the value of a draft which you received from Mr. Alexander Trotter, to the amount of 1,427l.; you said you had left your banking book behind; now look at that book which is put into your hand, can you ascertain from that book that you received that sum? Yes, 1,427l. and there were odd shillings and pence, which I put in my pocket; I received it in bank notes, I have been since I was examined by the Committee to my bankers and traced the notes; the bankers were so good as to look over the notes, and I found the bank notes numbers, with which I furnished the Committee, so that I received this money from Mr. Trotter, I presume; but I cannot say.

Then an indorsement on the back of the letter of the 16th May 1800, from the Viscount Melville to Messrs. Coutts and Co. was shewn to the witness, and he was asked, look at that paper; is the signature at the bottom of it your writing? It is my hand-writing.

The witness read it as follows:

London, 21 May, 1800.

Messrs. Thomas Coutts and Co. I write this to acknowledge your having transferred the sums of stocks mentioned on the other side, agreeably to the directions given you by me, and I have received the produce of the sales, which I have paid into your hands, amounting to 20,452l. 4s. 5d.

MARK SPOTT.

Now refer to the other side of that paper, and state whether the stock there mentioned and directed to be transferred to you by Lord Melville, constituted a part of the security upon which you made the advance of 51,500l. to the joint security of Mr. Robert Dundas? I presume that it was; but I have no shadow of recollection of it. I have read this paper, and I declare that I have no more recollection of it than the child unborn.

Do you know that the stock for which you signed your name as having received, and for which you paid the consideration of 20,000l. was the stock which formed part of the security, together with that of Mr. Robert Dundas, for the loan you advanced? I see, from this paper, that certainly this stock must have been sold by me, and Consols bought, with which the 14,500l. made the amount of the sum which I lent Mr. Robert Dundas; but I have no recollection of that paper at all.

If you have any memory of the transaction, whether the stock was then sold out or not? Certainly the stock was sold out, and I presume by myself; for I remember perfectly well that I would not lend the Honorable Robert Saunders Dundas upon Loyalty, because the other was a heavy stock, and that I would lend it upon Consols, but not upon that.

Question from a Lord.—Had you any interview with Lord Melville in Scotland? Not a shadow; I have not seen his Lordship these four or five years till I saw him in this Court; nor with his son the Hon. Robert Saunders Dundas; I have neither seen the one nor the other, nor had any communication nor communication directly or indirectly.

The remaining evidence of this day was very uninteresting.

TENTH DAY, SATURDAY, May 10.

The final account of Lord Melville's Treasurership from 1st January to 10th April 1783, as audited by the Commissioners, was given in—the balance was 5111l. 2s. 9d.; interest had been charged on it to the amount of 4530l. 5s. 5d. but Lords of Treasury, on application made to them by Lord Melville, the interest was not taken when the balance was paid in October 1805.

The greater part of this day was occupied in comparing the Treasurer's monthly balances with the actual balances at the Bank, and stating the difference each month, from January 1786 to April 1806, for the purpose of proving that there was always a balance in the Treasurer's hands.

Mr. Whitbread having informed the Court that the Commons had now concluded their evidence.

Sir Samuel Romilly addressed the Court at considerable length on the part of the Prosecutors. To do justice to his speech in a brief newspaper report would be impossible, even if the length of the evidence had allowed us room.

(TO BE CONTINUED.)