

sent question. His Lordship said three questions occurred to him which ought to be referred to a Committee, and afterwards to the House; the first, Whether an Impeachment brought up and proceeded on in the last Parliament was now in any degree depending? 2dly, By what process, or by what form of proceeding, if the man did not appear, could they sue his recognizance? And 3dly, whether the evidence given in the last Parliament, could be considered as given in the present, and for what purpose?

Lord ABINGDON contended that the present impeachment was a proceeding not founded in national justice, nor had it national honour either for its principle, or its object; but, like the witches cauldron in Macbeth, it was composed and made up of ingredients to raise a flame in the country, not of justice, not of policy, not of wisdom, but a flame lighted up by the spirit of a jarring faction, concocted by the most noxious juices, created by the most heterogeneous mixtures, blown up by the breath of malice, fed by revenge, and kept alive by the fuel of animosity and invective.

This called Lord Stanhope up on the point of order.

Lord HAWKESBURY agreeing with the Noble Lord on the Woolsack, in referring the consideration of the report of precedents to a Committee of the House on Privileges, moved the previous question on Lord Porchester's motion.

Lord RADNOR was desirous also for the question to undergo that serious and solemn discussion its importance required; he therefore moved that the Judges be summoned to give their opinions upon the question, Whether the recognizances of Mr. Hastings were or were not in force?

Lord GRENVILLE objected to the going into a committee, and entered largely into a statement of precedents, to prove that an impeachment did not abate by a dissolution.

The LORD CHANCELLOR and Lord KENYON were decidedly of opinion that a dissolution did abate an impeachment.

Lord LOUGHBOROUGH, on the contrary side of the Question, insisted that the whole tendency of the precedents proved that a dissolution did not abate an impeachment. His Lordship added, that he was authorised to declare, by that great luminary of the law, the venerable Earl of Mansfield, that he was clearly and decidedly of opinion, that an impeachment proceeding, notwithstanding a prorogation or dissolution, was warranted by the law of Parliament, and according to precedent.

The Marquis of LANSDOWNE strenuously agreed in the support of the abate-

ment, and relied much on a treatise written by Lord Chancellor Nottingham, one year before his death, which was in favour of an abatement.

Lord Mulgrave, Earl Guilford, Lord Stormont, and Lord Stanhope, were for the trial proceeding.

The Bishop of SALISBURY declared his opinion also to be for the continuance of the impeachment. He considered the present to be a great constitutional question, and had given it a cool, deliberate, and impartial discussion, the result of which was, that no dissolution could abate an impeachment by Parliament.

Lord KING was for the House going into a Committee of Privileges.

A very long and tedious debate was maintained by the above noble Lords until three o'clock this morning, turning principally upon the report of precedents.

The question being called for, their Lordships divided first upon Lord Radnor's motion, which was negatived by

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Majority = 50	

The previous question, moved by Lord Hawkesbury, was then put upon the original motion, and negatived by a division of

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Lord Porchester's motion, that the message be sent to the Commons, to inform them that their Lordships were ready to proceed on the trial, was then carried without a division.

Ordered, That the trial of Warren Hastings, Esquire, be proceeded with in Westminster Hall on Monday next.

At half after three adjourned.

TRIAL OF WARREN HASTINGS, ESQ.

HIGH COURT OF PARLIAMENT.

WESTMINSTER HALL.

MONDAY, MAY THE 23D.

THIS day the Court opened with the usual forms. At half past one o'clock Mr. Burke, Mr. Fox, Mr. Sheridan, and the other Managers entered, and the Lords in a few minutes after took their places.

Mr. ST. JOHN then proceeded to open the FOURTH article of Charge relative to contracts, agencies, and exorbitant allowances, corruptly and illegally given to various persons. Of this system of prodigality and corruption, their Lordships would see that the criminality was great, when they considered the natural effects of it to remove all the checks by which the admi-

nistration of government is controuled, and to extinguish those moral sentiments and feelings by which men are retained in the paths of honour, as much as by any restraints of law.

The honourable Manager then stated the Opium Contract to Mr. Stephen Sullivan; the attempt to smuggle opium into China; the contracts for bullocks to Mr. Johnson and Mr. Crofts; the increase of allowance to Sir Eyre Coote; and the agencies granted to Mr. Auriol, and others, with the circumstances of each as acts corrupt in themselves, and contrary to the express orders of the Court of Directors. He summed up the loss to the Company by these acts, forming a total of 584,381 l.

The sum thus lavished on the friends and favourites of the prisoner, their Lordships would find to exceed all that he had extorted from the native Princesses of India, and all that he had illegally taken as presents on the plea of state necessity. They would thence infer, that one crime was committed for the purpose of screening another, and that while he was disgracing the British name, by acts of robbery and extortion, he was lavishing the money of the Company to purchase impunity for his illegal acts.

The honourable Manager concluded a very clear and elegant opening of the facts, with observing, that the strength of the evidence to be offered, and the ability with which it would be commented upon, would fully atone to their Lordships for the weakness or imperfection of his statement.

Mr. HASTINGS arose as soon as Mr. St. John concluded, and addressed the Court with an uncommon solemnity of manners. He stated the hardship of his case in being thus compelled to attend from week to week, from month to month, and from year to year, listening to various charges preferred against him, of atrocious crimes which he never had committed, and in the hearing of which he had no consolation but his own integrity. He was compelled to hear the most virulent language, without being allowed to reply. His trial had now lasted four years, and he was convinced in his own mind that it would never have an end. At his period of life, having now passed his sixtieth year, he may be allowed to say that his endurance was not equal to the loose and undefined continuance of the proceedings against him. He remarked on the changes which had taken place in the Court since he had first appeared at the bar. Many noble Lords had, since that period, gone where all must one day go. The changes, by creation or demise, affecting the identity of his Judges, he was informed,