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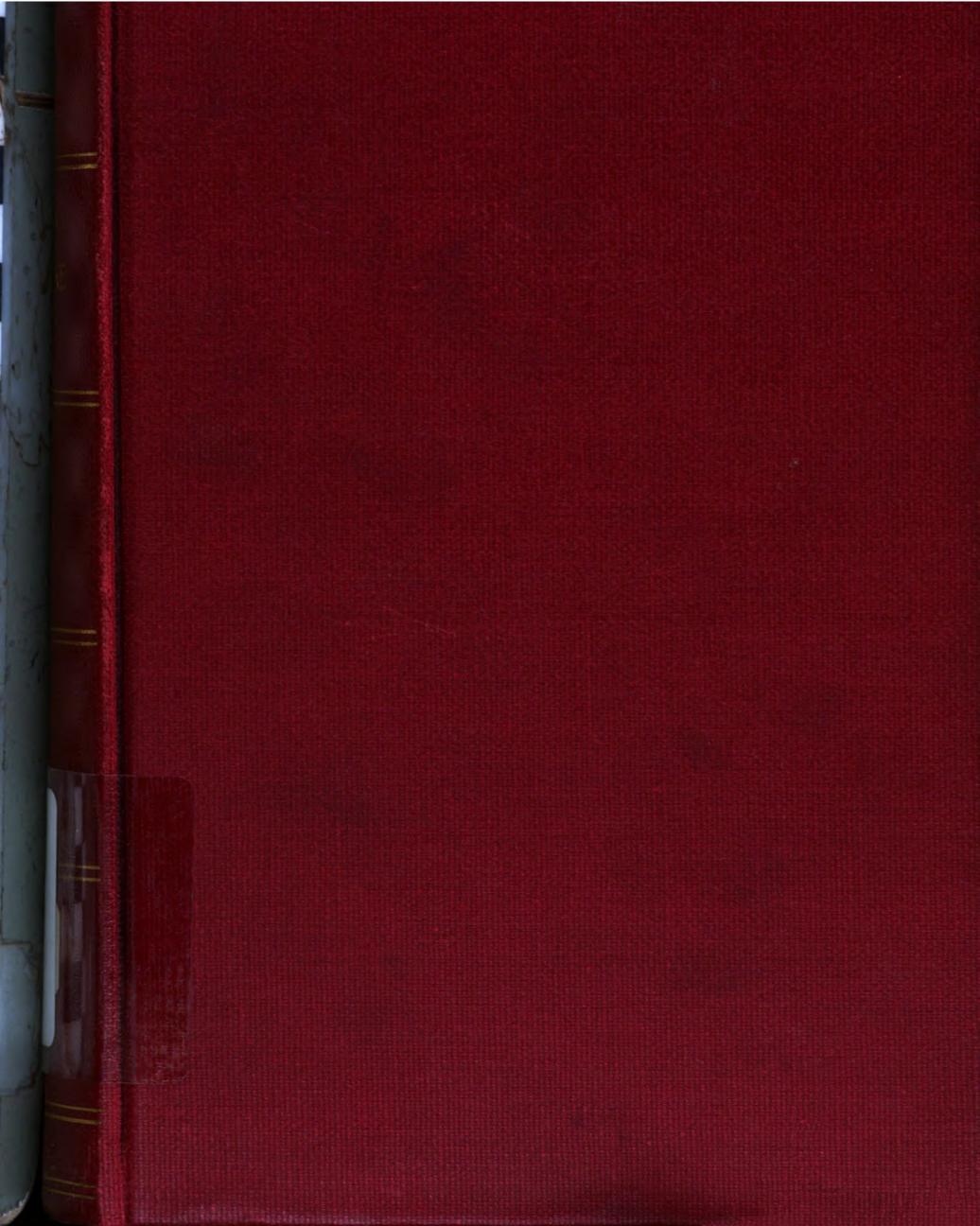


QUEEN
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Vol. 1

OPINIONS OF EMINENT JURISTS AND OTHERS.

Our Law of Evidence has been much enriched by the decisions in the Queen's Case."—*Lord Campbell.*

The House of Lords resumed its sittings on October 3rd, and was, on that day, addressed by Brougham in one of the most powerful orations that ever proceeded from human lips. His arguments, his observations, his tones, his attitude, his eye, left an impression on every mind which is scarcely ever renewed without exciting strong emotion. The peroration was sublime. "Spare the altar, which must stagger with the shock that rends its kindred throne." ERSKINE RUSHED OUT OF THE HOUSE IN TEARS.—*Lord Denman.*

On August 21st the examination of witnesses began and lasted till September 7th, INCLUDING THOSE TWO GREAT MASTER PIECES OF FORENSIC SKILL, THE CROSS-EXAMINATIONS OF THEODORE MAJOCCHI BY BROUGHAM AND OF LOUISE DEMONT BY WILLIAMS.—*Lord Denman.*

The Speeches of the Advocates on both sides may be perused as models of high order, in their respective styles of forensic eloquence.—*Hughes' History of England.*

The defense was conducted with transcendent ability by her counsel; the speech of Mr. BROUGHAM in particular, is one of the finest specimens of forensic eloquence in the English language.—*James Taylor, D.D., in the Imperial Dictionary of Biography.*

There probably would have been more instances of unseemly interference with the ordinary course of legal inquiry if one man (Mr. Brougham) had not stood in the midst of that assembly, whose whole bearing was that of authority and command; whose look denouncing "battle dangerous" if any rash offense were given, made the boldest peer prudent. . . . There was another of the Queen's law-officers (Mr. Denman) who dared to fix his eyes upon a prince of the blood, exclaiming "come forth, thou slanderer." On the 3d of October, Mr. Brougham entered upon the Queen's defense. His speech on that day and the following may be cited amongst the greatest examples of forensic eloquence.—*Knight's History of England.*

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TRIAL

OF

QUEEN CAROLINE

PART I

JERSEY CITY:
FREDERICK D. LINN & CO.,
1879.

PREFACE.

IT is proposed to include in this series of trials only such as are of permanent value to the profession. Great care will be exercised to avoid anything of a sensational character, and the selections will be made with especial reference to the value of each as a model of legal argument and eloquence, of skillful examination of witnesses, and of eminent ability in the general conduct of the case. It is the object of the publishers to give to the series a permanent value; and to render the study of the cases profitable to the student who can appreciate and be benefited by the experience and example of our greatest lawyers.

J 84856

Lord Chancellor

LORD ELDON

FOR THE GOVERNMENT

His Majesty's Advocate

SIR CHRISTOPHER ROBINSON

Attorney-General

SIR ROBERT GIFFORD

AFTERWARDS LORD GIFFORD AND MASTER OF THE ROLLS

Solicitor-General

SIR JOHN COPLEY

AFTERWARDS LORD LYNDBURST AND LORD CHANCELLOR

MR. JAMES PARKE

AFTERWARDS LORD WENSLEYDALE AND ENGLISH BARON OF THE EX-
CHEQUER

DR. WILLIAM ADAMS

FOR THE QUEEN

Her Majesty's Attorney-General

MR. HENRY BROUGHAM

AFTERWARDS LORD BROUGHAM AND LORD CHANCELLOR

Her Majesty's Solicitor-General

MR. THOMAS DENMAN

AFTERWARDS LORD CHIEF JUSTICE AND LORD DENMAN

MR. THOMAS WILDE

AFTERWARDS LORD CHANCELLOR AND LORD TRURO

MR. JOHN WILLIAMS

AFTERWARDS JUDGE OF THE COURT OF KING'S BENCH

MR. NICHOLAS CONYNHAM TYNDAL

AFTERWARDS SOLICITOR-GENERAL AND CHIEF JUSTICE OF THE COMMON
PLEAS

MR. STEPHEN LUSHINGTON

AFTERWARDS JUDGE OF THE HIGH COURT OF ADMIRALTY



T H E

T R I A L O F Q U E E N C A R O L I N E .

AUGUST 17, 1820.

“ A BILL to deprive Her Majesty Caroline Amelia Elizabeth, of the Title, Prerogatives, Rights, Privileges, and Pretensions of Queen Consort of this Realm, and to dissolve the Marriage between His Majesty and the said Queen.

“ Whereas, in the year one thousand eight hundred and fourteen, her Majesty, Caroline Amelia Elizabeth, then Princess of Wales, and now Queen Consort of this Realm, being at Milan, in Italy, engaged in her service, in a menial situation, one Bartolomo Pergami, otherwise Bartolomo Bergami, a foreigner of low station, who had before served in a similar capacity :

“ And whereas, after the said Bartolomo Pergami, otherwise Bartolomo Bergami, had so entered the service of her Royal Highness the said Princess of Wales, a most unbecoming and degrading intimacy commenced between her Royal Highness and the said Bartolomo Pergami, otherwise Bartolomo Bergami :

“ And, whereas, her Royal Highness not only advanced the said Bartolomo Pergami, otherwise Bartolomo Bergami, to a high situation in her Royal Highness’s household, and received into her service many of his near relations, some of them in inferior, and others in high and confidential situations about her Royal Highness’s person, but bestowed upon him other great and extraordinary marks of favor and distinction, obtained

for him orders of knighthood, and titles of honor, and conferred upon him a pretended order of knighthood, which her Royal Highness had taken upon herself to institute, without any just and lawful authority :

“ And whereas, her said Royal Highness, whilst the said Bartolomo Pergami, otherwise Bartolomo Bergami, was in her said service, further unmindful of her exalted rank and station, and of her duty to your Majesty, and wholly regardless of her own honor and character, conducted herself towards the said Bartolomo Pergami, otherwise Bartolomo Bergami, and in other respects, both in public and in private, in the various places and countries which her Royal Highness visited, with indecent and offensive familiarity and freedom, and carried on a licentious, disgraceful, and adulterous intercourse with the said Bartolomo Pergami, otherwise Bartolomo Bergami, which continued for a long period of time during her Royal Highness’s residence abroad, by which conduct of her said Royal Highness, great scandal and dishonor have been brought upon your Majesty’s family and this kingdom :

“ Therefore, to manifest our deep sense of such scandalous, disgraceful, and vicious conduct on the part of her said Majesty, by which she has violated the duty she owed to your Majesty, and has rendered herself unworthy of the exalted rank and station of Queen Consort of this realm, and to evince our just regard for the dignity of the crown, and the honor of this nation, we, your Majesty’s most dutiful and loyal subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, do hereby entreat your Majesty, that it may be enacted :

“ And be it enacted, by the King’s most excellent Majesty, by and with the advice and consent of the Lords, Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, that her said Majesty Caroline Amelia Elizabeth, from and after the passing of this act, shall be and is hereby deprived of the title of Queen, and of all the prerogatives, rights, privileges, and exemptions appertaining to her as Queen Consort of this realm ; and that her said Majesty shall, from and after the passing this

Act, forever be disabled and rendered incapable of using, exercising, and enjoying the same, or any of them; and moreover, that the marriage between his Majesty and the said Caroline Amelia Elizabeth be, and the same is hereby, from henceforth forever, wholly dissolved, annulled, and made void, to all intents, constructions, and purposes whatsoever."

The LORD CHANCELLOR:—Mr. Attorney-General, you will proceed to open your case.

CHARGES AGAINST THE QUEEN.

My Lords,—I now attend at your bar to fulfill the duty which you have demanded, of stating to your Lordships the circumstances which are to be adduced in evidence in support of the charges which are contained in the preamble of the Bill now under your Lordships' consideration. A duty, my Lords, more painful, or more anxious, I believe was never imposed upon any individual to accomplish. My Lords, I am sure I shall receive your Lordships' indulgence, if, under the weight of this most important duty I feel that which I can not express. I have to state to your Lordships the circumstances which are to be adduced in evidence to your Lordships in support of those serious and heavy charges which are made in the preamble of the Bill, which has already been so much the subject of discussion. Charges which, in the language of the preamble, not only reflect the greatest scandal and disgrace upon the individual against whom they are made, but also reflect the greatest disgrace upon the country itself: The highest individual, as a subject, in the country, is charged with one of the most serious offenses both against the laws of God and man—it is that of an adulterous intercourse—an adulterous intercourse carried on under circumstances of the greatest aggravation. My Lords, upon the nature of this charge, or upon the importance of this investigation

it is quite unnecessary for me to enlarge. Your Lordships, and every individual in the country, are fully capable of estimating these topics in their proper light. The only consolation, my Lords, which I derive under the discharge of the duty which I have now to fulfill, is, that it calls not upon me to address myself to your Lordships' passions or feelings; and that I shall best discharge it according to your Lordships' command, by abstaining from any observation which might tend to aggravate the charge made against so illustrious a person. I shall confine myself, in this stage of the proceeding, to a clear, simple, but full recital of the facts which are to be alleged in evidence. My Lords, we are now arrived at that period of those proceedings in which silence can no longer be preserved. It is now necessary to state the charges in the fullest extent in which they can be laid before your Lordships and the public: and, if in the recital of the circumstances which I have to detail, I shall be under the painful necessity of bringing before your Lordships scenes which must disgust every well-regulated mind—transactions which must offend the feelings of every honorable and virtuous person, I am sure your Lordships will think, that upon this occasion I ought to hold no reserve—at the same time taking care to state nothing which, in my conscience, I do not believe I shall be able to substantiate in proof. I shall now, my lords, without further preface, state to your Lordships the painful narrative of those facts and circumstances which are to be adduced in proof before you. My Lords, undoubtedly, the recital must involve a considerable space of time, and apply to facts which took place in various places, in which her Majesty chanced to be during her residence abroad. I shall, therefore, commence my statement at that period when her Majesty quitted this country, and proceed, as well as I can, to detail the various facts and circumstances which took place from that period almost to the time I

now have the honor of addressing your Lordships. My Lords, it is well known to your Lordships, and the country, that, in the year 1814, her Majesty, for reasons operating in her own mind, and not by compulsion, as has been insinuated by my learned brothers, thought fit to withdraw herself from this country to a foreign land. She went, in the first instance, to Brunswick; and from thence, after a short stay, she went to Italy; she arrived at Milan on the 9th of October, 1814. Her Majesty, when she quitted this country, quitted it with persons about her who were precisely such persons as should be about an individual of her exalted rank. She was accompanied by individuals connected with distinguished families in this kingdom. Among these were Lady Charlotte Lindsay and Lady Elizabeth Forbes, who were her maids of honor, Mr. St. Ledger, who was her Chamberlain, and Sir W. Gell and the Hon. Keppel Craven, who, I believe, were attached to her in a similar character. She was also accompanied by Captain Hesse, as her Equerry, and Dr. Holland, as her physician, besides other persons whom it is unnecessary to enumerate. With this suite her Majesty arrived at Milan. It was her intention to have proceeded from thence to other parts of Italy, and to have visited Naples. She remained at Milan for a space of three months, and during that period a person was received into her service, whose name occurs in the preamble of this Bill, and whose name will as frequently occur in the course of these proceedings—a person of the name of Bergami, who was received into her service as a courier, or footman, or *valet de place*. My Lords, this person, at the time he so entered into her Majesty's service, was in want of employment, but he had been in the service of General Pino. It does not appear how he became recommended to her Majesty, but he was received into her suite. I need hardly remark to your Lordships, upon the distance which interposed between her Majesty and her courier,

or observe that, from the natural course of things, the communication between her Majesty and this man must have been most unfrequent. It was about fourteen or fifteen days previous to her Majesty's departure from Milan, that Bergami entered into the situation I have described. Her Majesty, on quitting Milan, proceeded to Rome, and from thence she went to Naples, where she arrived on the 8th of November, 1814. At Naples this person had not been in her Majesty's service more than three weeks. I beg to call your Lordship's attention to this circumstance, because you will find how material it becomes when you listen to the facts which presently it will be my melancholy duty to relate. I should have stated, that beside the persons whom I mentioned as accompanying her Majesty from this country, there was a lad whose name is, perhaps, familiar to your Lordships—I mean William Austin. Up to the time of her Majesty's arrival at Naples, this lad was the object of her peculiar attention, and, in fact, was in the habit of sleeping in a bed in the same room with her Majesty. The arrangement of her Majesty's own sleeping apartment devolved upon one servant, whose peculiar duty it was to attend to that branch of her domestic comfort. On the arrival of her Majesty's suite at Naples, it was so ordered that her Majesty's sleeping room was at an opposite side of the house to that of her menial domestics, among whom was her courier. On the first night of her Majesty's arrival at Naples (the 8th of November) to which I have called your Lordships' attention, this arrangement was continued. Bergami slept in that part of the house which had been prepared for the domestics, and young Austin slept in her Majesty's apartment. But on the following morning, November the 9th, the servants of the establishment learned, with some surprise, because no reason appeared to them for the change, that Bergami was no longer to sleep in that part of the house where he had slept the night pre-

ceding ; but that it was her Majesty's pleasure that he should sleep in a room from which there was a free communication with that of her Majesty, by means of a corridor or passage, which had been, by her Majesty's express desire, prepared for him. My Lords, I need not state to you that such a circumstance was calculated to excite the surprise of those whose duty it was to attend entirely to her Majesty's person : and, my Lords, that surprise was increased when they learnt from her Majesty that she would no longer permit William Austin to continue to sleep in her room. For this she assigned a reason, which, if it was her only motive, was very proper. She said that he had now arrived at an age when it became no longer correct that he should sleep in her apartment ; and a separate room was prepared for his use. My Lords, I have already stated, that, from the situation assigned to Bergami, a direct communication was opened between his chamber and that of her Majesty ; and I believe I shall be able to satisfy your Lordships, that on the evening of the 9th of November, that intercourse, which is charged between her Majesty and Bergami by the present Bill, commenced, and was continued from that time till he quitted her service. Upon the evening of the 9th of November her Majesty went to the Opera, at Naples, but it was observed that she returned very early from thence. The person who waited upon her on her return, was the maid-servant, whose duty it was particularly to attend to her bed-room. My Lords, she was struck with the manners of the Princess, and with the agitation which she manifested. She hastened to her apartment, and gave strict orders that William Austin should not be admitted to her room that evening. She was then observed to go from her own room towards that assigned to Bergami. She very soon dismissed her female attendant, telling her that she had no further occasion for her services. The female servant retired ; but not without

those suspicions which the circumstances I have mentioned were calculated to excite in the mind of any individual. She knew at the time that Bergami was in his bed-room, for this was the first night of his having taken advantage of the arrangement which had been previously made. It was quite new on the part of the Princess to dismiss her attendants so abruptly—but when her conduct and demeanor were considered, suspicions arose which it was impossible to exclude. But, if suspicions existed that evening, how were they confirmed by observations made on the following day—observations which, if stated to a jury in any common ease, must induce them to come to a conclusion that an adulterous intercourse had taken place that night between this exalted person and this menial servant; for upon the following morning it was discovered that her Majesty had not slept in her own room that night. Her bed remained almost precisely in the same state as on the preceding evening; and, my Lords, the bed of the other person, on inspection, was decisively marked as if two persons had reposed in it. I stated to your Lordships, that the apartments of her then Royal Highness were distant from those of her suite. On the morning following it was observed that her Royal Highness did not come from her apartments at the usual hour. Her Royal Highness's attendants never entered her rooms without her express permission. It was also observed that Bergami also remained in his room later than usual on that morning. Her Royal Highness' arrival in Naples being known, she was, of course, visited by most of the rank and fashion of the town, but she was not visible until a late hour on that morning. I have already drawn your Lordships' attention to the observations which had been made by the servants respecting the beds. I say, then, my Lords, that if the case depended on these facts alone, there is not any man who can doubt of the conclusion at which your Lordships must

arrive. But, my Lords, you will perceive, by what I have yet to detail, that this scandalous, depraved, and licentious intercourse was carried on without interruption for a very great length of time. The natural effect of such an intercourse was to alter the comparative distance between this courier, this menial, and the royal personage who descended from her royal dignity so far. A freedom was therefore assumed by Bergami, in which he could, under no other circumstances, presume to indulge. It was also observed by the other servants that a considerable alteration took place in the demeanor of her Royal Highness towards Bergami—an alteration which convinced those who observed it, that an improper intercourse existed between them. A few days after the period to which I have just alluded, her Royal Highness gave her last ball at the house of the then King of Naples. It was a masked ball. Her Royal Highness's first assumed character was a Neapolitan peasant. In a short time, however, she returned to the house at which she had dressed, not to her residence. She withdrew to a private room to change her dress, and to the surprise of her servants and the attendants belonging to the house, her servant Bergami was sent for, and retired into the room with her. The character which it had pleased her Royal Highness to assume on that occasion was the Genius of History, and she was conducted by a gentleman to the ball in that character. I am instructed to state, that the dress worn by her Royal Highness on that occasion was of a most indecent and disgusting kind. Now, my Lords, it is most material to observe, that her Majesty had taken off her other dress, and put on this in the presence of her courier, Bergami—he alone being present. Let me ask your Lordships what motive could her Majesty have in preferring the services of this man to that of her usual attendants on such an occasion? Why should she require the assistance of a man, and that man one of her

menial servants, in her dressing room? A man who waited behind her chair at dinner, and who went before her as her courier, when she traveled from place to place. What, I ask, could her reason be for selecting this man on such an occasion, unless for the purposes alleged in the preamble of the Bill? But more. Her Majesty returned a third time from the ball. She then changed her dress, to that of a female Turkish peasant, and who was her companion on this occasion? Her courier, her menial servant, Bergami; he accompanied her Majesty, dressed also as a Turkish peasant, to a ball given to Royalty, and to the first nobility of the country. It appears, however, that Bergami did not long remain at this ball. He returned home, apparently dissatisfied with something that had occurred—I know not what. Her Majesty came home shortly after, and endeavored to prevail on him to go back to the ball; she pressed him much, but he declined going. Her Majesty then returned alone to the ball, but she did not remain long. It was observed by those servants whose business it was to be more immediately in attendance on her Majesty, that at whatever hour she rose in the morning, Bergami rose at the same period; and also that her Majesty was in the habit of breakfasting in her apartments in company with him alone—her suite being in apartments at some distance from hers. Notwithstanding this great familiarity and preference, the situation of Bergami remained the same; he still acted as her courier, her valet de chambre, and continued to wait at table as usual; in short, he appeared to the English ladies who attended her Royal Highness, just in the same character as when he was first hired. It was only in secret, or, at least, before her Majesty's immediate attendants, that those familiarities of which I speak were at all visible. Her Majesty was in the habit of occasionally walking on a terrace, and there she was seen at various times leaning on Bergami's arm

with the greatest familiarity. It happened, during her Majesty's residence at Naples, that Bergami had been injured by a kick from a horse. He was for some time so ill as to be confined to his room, and your Lordships must perceive how great must be the ascendancy which this man acquired over her Royal Highness, when I state that she hired a servant introduced by him, as an attendant during his illness. This man slept in a room close to that occupied by Bergami, and had, on three or four occasions, observed her Majesty, after her household had retired to rest, go from her own room, with much caution, along the passage to that of Bergami. On each occasion she remained in the room a considerable time. I am instructed to state, and it will appear in evidence, that, after her Majesty entered the room, this man distinctly heard them kissing. I am aware, my Lords, how these circumstances, disgusting as they are, must excite feelings of disgust in the minds of your Lordships, and even feelings of prejudice against him whose painful duty it is to recite them; but, painful as it is, it is still a duty which devolves upon me by your Lordships' order, and I feel myself bound so to state the facts, that your Lordships may fully understand the nature of the intercourse which took place between her Majesty and this individual. I feel assured that in doing this to the best of my ability, I shall not incur your Lordships' censure. Her Majesty resided at Naples from November to the March following, and during the whole of that period the intimacy which I have described continued without interruption. I do not wish to avail myself of any rumor which was afloat at that time; but I can not help remarking on the singularity of the circumstances, that her Majesty, on quitting Naples, lost the greater part of her English suite. I shall leave the facts, coupled with the other circumstances of the case, to speak for themselves. So it was however, that on her Majesty leaving Naples, a great

portion of her suit remained behind. I should here observe, that Mr. St. Leger left her Majesty at Brunswick. Of him, therefore, I do not mean to speak on this occasion. Lady Elizabeth Forbes remained at Naples; Lady C. Lindsay accompanied her Majesty, but left her at Leghorn, in March, 1815. The persons then left behind at Naples, were Lady C. Forbes, Sir William Gell, the Hon. K. Craven, and Captain Hesse. So that of seven English persons, who accompanied her Majesty from England, one remained at Brunswick, and four at Naples. It is probable that, at another stage of these proceedings, proper reasons will be assigned for the departure of these persons. I can not help observing on the singularity of their all having left her Majesty's service nearly at the same period. I can not help imagining, and I am sure your Lordships will think, that though these persons were unacquainted with the nature of the connection existing between her Majesty and Bergami, yet that some rumor must have reached them of the visible familiarity that was observed to exist between them. Be the cause what it may, so it was that those persons left her service. While her Majesty resided at Naples, another circumstance, occurred between her Majesty and Bergami, well worthy of your Lordships' attention. There was a kind of public masquerade held at the Theater St. Charles, in that city. Her Majesty thought proper to attend it, not, however, in the company of Lady C. Lindsay, not in the company of Lady E. Forbes, not attended by the gentlemen who were her chamberlains at that period: no, her Majesty chose as her companion on that occasion her courier, Bergami, and a female servant, named Mademoiselle Demont. These two were her Majesty's companions, and, my Lords, the whole party wore dresses selected by her Majesty. These dresses, if I am rightly instructed, were of a most gross and indecent description; so much so, that on entering the theater, they excited universal

attention, and were received with such marked insult and disapprobation, that they were obliged almost immediately to retire. How do your Lordships suppose her Majesty went to this theater? You will, of course, imagine she went in her royal carriage, attended by her suite; but no, a common fiacre was hired, and in the dark of night her Majesty and her party had to walk across a garden, at the gate of which the fiacre waited to receive them. Her Majesty having gone as I described, and perceiving that she was recognized by persons in the theater, immediately withdrew. Some criticisms were made, yesterday, on the preamble of the Bill, and some observations as to what was, or what was not, to be considered indecency of conduct; but I ask your Lordships, whether, if what I have now stated to you be clearly proved in evidence, you will not be decidedly of opinion that the allegations in the preamble of the Bill, now under your Lordship's consideration, will not fully be borne out by the facts—whether these are not offenses of a most gross and disgusting nature. I ask, not whether such conduct is befitting her Majesty, but whether it is conduct that would be pursued by any woman pretending to delicacy. And let it here be observed, as no small aggravation of the charge, this Bergami was, at the time of entering her Majesty's service, a married man. I am aware, at the same time, that it is difficult to aggravate the crime of adultery. I now repeat, what I fear I shall have to repeat too often, that these acts of familiarity were continued daily, and without interruption. They were seen coming from their rooms in the morning at the same time. They retired at the same hour in the evening. The servants who usually attended to undress her Majesty were dismissed earlier than usual; and it was, above all, observed, that Bergami was the only one of her Majesty's servant's who ventured to enter her Majesty's apartments without an express intimation that

their presence was required. He entered at all times, and without giving any notice, when none of the others dare approach. In short, he went on with this daily assumption of freedom until, at last, he became the lord and master of her establishment. On quitting Naples her Majesty went towards Rome, and on the way remained three days at Civita Vecchia; leaving Lady C. Lindsay at Leghorn, her Majesty went to Genoa. At this period she had no English lady in her suite. At Genoa she was joined by Lady C. Campbell, who remained with her until the May following, when she left her at Milan. Her Majesty embarked from Genoa on board the *Clorinde*, and during the whole of the time she was on board, Bergami waited upon her at table as usual, but her servants observed the same intimacy continue without alteration, the freedoms in which Bergami indulged increased, and he frequently withdrew, in order to avoid the menial services which he was usually called upon to perform. While at Genoa, he attended her Majesty in all her rides and walks, and had a bedroom near that of her Majesty as he had at Naples. It was observed here, also, that her Majesty's bed had scarcely ever been occupied at night, while that of Bergami bore evident marks of having been occupied by two persons. So frequently was this the case, that the servant whose duty it was to make up her bed daily, had seldom more to do, than to smooth down the coverlid, which now and then appeared to have been pressed down, as if to give the appearance of having been slept in. In Bergami's room, on the contrary, everything bore a different appearance. There the bed bore evident marks of having been slept in by two persons. On this part of the case I will ask your Lordships what possible reason can be assigned for the continual attendance of Bergami upon her Majesty, particularly in her apartments? If it were necessary that a male attendant should sleep near her Majesty's apartments, had she not

the gentlemen of her suite? Why was her menial servant, a man who had been known to her only three weeks, selected, unless it was for the purpose of this adulterous intercourse? Had her Majesty not her own bed to sleep in? Why, then, was it left unoccupied? and why did she, as it shall be proved to you, leave her own bed unoccupied, and sleep in his? I have stated to your Lordships, that her Majesty has been seen to visit this man in his bed-room, he being in bed. What, my Lords, a lady of her exalted rank visit a person in his situation in his bed-room! Can it be doubted that her only object in doing so was an adulterous intercourse? I know that it is incumbent on your Lordships to satisfy yourselves by the most indisputable testimony, that the facts which I have stated shall be fully borne out before you decide against her Majesty. But, if what I have already stated be not sufficient to satisfy your Lordships, you will be convinced beyond a doubt, by what is yet to come, of the truth of the charges contained in the Bill. Your Lordships have already seen that at Naples, as well as at Genoa, the familiarity continued. Her Majesty and Bergami breakfasted in the same apartment. I now come to another circumstance which marks the power which this man obtained over her Majesty. Bergami, as I stated, was a married man. He had a daughter named Victorine. This child her Majesty took into her household. His sister, his brother, and his mother were also taken into her Majesty's service. I ask your Lordships whether it is possible that any ordinary servant could have such power over her Majesty as to induce her thus to burden herself with his whole family. A servant, too, who had at that period only been in her service from August to the following April. The child was at this period about three years of age. Who do your Lordships suppose was brought to take care of this child? Its tender age would require the fostering care of its mother. The

mother, however, was not taken in to attend it. The child was withdrawn from the fostering care of the parent, who must be supposed the person best calculated, both from nature and inclination, to attend to its wants. Her Majesty, though she knew that Bergami was married, gave out that he was not. She said that the child was one that he had by some female, and that she was anxious to take it under her royal protection. The circumstance of Bergami's being an unmarried man, and having had a child, should not have increased the regard of a mistress for her servant. But so it was, that her Majesty received the child into her house. Her Majesty, after having remained at Genoa until May 15th, returned to Milan, leaving Lady C. Campbell behind. She was afterwards joined at Milan by that lady, who remained with her for a short time, but quitted her before the end of the same month. On her Majesty's journey from Genoa to Milan, Bergami, who attended her as her courier, was observed frequently to go up to the carriage and converse with her. I must here keep in your Lordships' recollection, that Lady C. Campbell did not go this journey with her Majesty. In the course of the journey, her Majesty not only frequently conversed with Bergami, but repeatedly pressed him to take refreshments, and demonstrated every mark of friendship and attention towards him. Bergami was, during this time, habited in the dress of a courier, and performing every service belonging to that situation. When Lady Charlotte Campbell left her Majesty, she remained without any lady of rank as her attendant. One would have thought, considering the high station of her Majesty, considering the situation which she expected to occupy as Queen Consort in this country, she would have been anxious to have continually about her person, some English ladies of high rank; or, at least, if she did not choose these, that she would have some of similar rank in her native country, Brunswick, or somewhere else on

the continent. But will it be believed, that she received into her house a person totally unknown to her, a woman of vulgar manners, totally uneducated—and this woman was no other than the second sister of Bergami, of whom I have already said so much. Such was the influence of this man over her Majesty, that she received this sister under the title of the Countess of Oldi. Thus, she had the two sisters, the mother, the brother, and the child of this man in her establishment at the same period; but, while one sister sat at her table as a lady of honor, the other lived with the servants. The brother, who was also, I believe, a courier—the mother and Bergami lived with the servants also. In May, 1815, this sister, who was received as her Majesty's companion, filled the same situation which was formerly held by the Ladies Forbes, Lindsay, and Campbell. I ask your Lordships what inference is to be drawn from the whole of this! Will your Lordships doubt for a moment, when you hear these coupled with the other facts which I have detailed to you, that the allegations in the Preamble are fully borne out by the facts? Her Majesty did not reside long at Milan. She set out for Venice. Up to this period I have shown your Lordships the continued familiarity which existed between her Majesty and Bergami. I now come to a circumstance which will more fully establish that fact. I have already stated the periods at which her Majesty was quitted by both her male and female English attendants. On her journey to Venice she was accompanied by Mr. William Burrell. I mention this gentleman in order to show that he was the only English attendant who accompanied her Majesty to Venice. I have not the slightest doubt that at that period Mr. W. Burrell was totally ignorant of her Majesty's connection with Bergami. I was about to state to your Lordships a fact which occurred at Venice. On one occasion her Majesty, who resided in a hotel in that city, was left after dinner

alone with Bergami, who had stood behind her chair as usual. She was observed by a servant of the hotel to take a gold chain and place it round Bergami's neck. Much familiarity then took place. He took the chain from his neck, and placed it round the neck of her Majesty, and she in return again put it on his. This toying was continued for some time. I mention this fact in order to show the increasing familiarity and growing influence which this man was daily acquiring over her Majesty's mind. After her Majesty's return to Milan, Mr. Burrell quitted her Majesty's service at the Villa Villani. As the English quitted her service, there appeared less reserve in her attention to Bergami. There she gave him a blue silk gown, which he afterwards wore in the mornings, and his room was, as usual, near her Majesty's. But, though her Majesty had so far lowered herself, I do not impute it to her as a crime. She played at games with servants, which of itself might not be of much consequence; but under all the circumstances of the case, must prove the fall of her character, resulting from her infatuated attachment to Bergami. In August, 1815, she visited Mount St. Gothard, Bergami still in her service; thence she proceeded to Vannes, where she retired to a bed-room with him, and remained shut up for a considerable length of time. After dinner they went to Madona il Monte, where they slept, and next day they journeyed to the Boromea Islands. Her Majesty had the best apartment assigned for her use, but on this occasion she did not accept it, not affording her an opportunity of having her paramour as near as usual. She took meaner apartments for the purpose of affording him an opportunity of being nearer to her. This conduct is not a little singular; what reason is there that Bergami should always sleep in the room near her Majesty? Such, however, was the fact, and I merely mention it to show his influence upon her. Her Majesty next stopped at Balanzoni, where Ber-

gami's conduct showed his influence—he having here, for the first time, had a seat at her Majesty's table, where he had uniformly since continued to be placed. What were his merits to entitle him to this honor, I know not: and if I am told they were such as to produce his extraordinary rise, all that I can say is, it would have been much more creditable at once to elevate him to some dignity; but such was not the conduct of her Majesty, and in the dress of a menial, she publicly admits him to her table. It may be said, these are foreign manners, but I can not help thinking they are such manners as should never have been practised between so illustrious a personage as the Princess of Wales and one of her menial servants. In the middle ranks of society no one ever heard of a servant who waited, having afterwards a chair at his master's table; and, if indecorous amongst private individuals to do so, what must be thought of it in the Princess of Wales's establishment? How to account for it, I know not, except in that criminal attachment which her Majesty had so uniformly shown this Bergami. On that occasion they also visited Lugano, where you will find decisive evidence of an adulterous intercourse as well as in other places. On her return from this tour, she established herself at d'Este, near Como. Here their rooms were only divided by a small cabinet, their apartments, however, cut off from all communication with those of the other servants in the house. Bergami and the Princess usually retired at night, and rose at the same hour in the morning. And here he was advanced to the dignity of her Majesty's chamberlain, when he always dined at her table, together with his sister, the dame d'honneur. She remained at d'Este till November, 1815, and then embarked on board the *Leviathan*, on the fifteenth of that month. The best apartments were allotted to her Majesty. The cabins contiguous to each other were prepared for her Majesty and her female attendants.

The best arrangements were made for her accommodation that suggested themselves at the time: but immediately on her Majesty's coming on board, all that had been done was to be undone: the arrangement was altered, and the room next her Majesty was appropriated to Bergami. Her Majesty remained on board till the 26th of November, having visited Elba in her tour, and she reached Palermo on that day. She walked arm in arm on the deck with Bergami, and made those alterations in the cabins which I have already stated. At Palermo, her Majesty went to court, accompanied by Bergami, in a magnificent hussar dress. From thence she went to Messina, where she remained till the 6th of January, 1816. On her arrival there, the bed-rooms were arranged as in the other places I have mentioned—on this occasion, however, their rooms being separated by that in which the Countess of Oldi, his sister, slept. It was here observed that her Majesty and Bergami retired earlier than the others to rest, and that she seldom required that female assistance which ladies of her rank usually demanded on such occasions. She called Bergami "her dear," "her love," played with him familiarly, so that, in fact, no doubt remains, or could remain, on their Lordships' minds, but that an adulterous intercourse alone could justify the attentions, or account for the familiarities of her Majesty. On the 6th of January, her Majesty left Messina, and embarked in the frigate *Clorinde*, the vessel which had previously carried her Majesty from Civita Vecchia to Genoa. At that time Bergami was her menial, but he was now her chamberlain. The honorable officer who commanded the ship, felt it would be degrading him, if he sat at the same table with one who had formerly served him, and he remonstrated on the subject with her Majesty, whose conduct showed how deeply she felt the force of his objection. Had he obtained the dignity he then held by worthy means, would not the Princess have answered

this remonstrance by saying, he had associated with her Majesty, and could not, therefore, disgrace Captain Pechel by sitting at the same table. If this failed, would not her Majesty have said, "You are offending me, and the country that employs you; I shall make the proper report of you conduct, and not go on board your vessel." But was this the conduct of her Majesty? If his advancement were a proof of his merits, and his merits alone, would not this, or something like it, have been the conduct of her Majesty? No such thing, however, took place. She took a day or two to consider what she should do, and, in the end, declined the table and society of Captain Pechel for that of her paramour. She, indeed, observed, that Captain Briggs had made no objection to Bergami; but there was this difference in the two cases, that the latter was totally unacquainted with the previous menial condition of Bergami. Her Majesty, it would thus appear, consented to be insulted by an English captain, who, however, had done no more than he felt to be his duty. From Messina her Majesty went to Syracuse; where she remained till the 30th of that month, and then proceeded to Catania. At first, Bergami's bed-room was at a distance from hers—but the same change here took place as on every other occasion where any interruption could take place in their secret communications. There the *filles de chambre*, sitting up one night later than usual at their revels, saw Bergami's door open, and the Princess coming out in such a condition, as could leave no doubt of her having passed the night in his room. She was undressed, and had a pillow under her arm, on which she always slept. In common cases of divorce, such a fact, my Lords, would be proof enough, but, when you couple it with her being undressed, I ask what must be the conclusion in your Lordships' minds? That fact alone, if we can prove it, fully justifies the Preamble of the Bill. Another circumstance occurred at Cantania, which will serve to con-

firm the charge of a previous adulterous intercourse. Her Majesty had shown an extraordinary attachment to the infant child of Bergami, who slept in her room, and often in her bed, and was subsequently, I believe, dignified with the title of a princess. The child showed symptoms of gratitude for her Majesty's attentions, and also exhibited her concern by crying when she missed the hand that fondled and protected her. The child was affectionate, and if her Majesty were withdrawn it usually cried. The Countess of Oldi in vain attempted to pacify her. These circumstances, coupled with others, must satisfy your Lordships, and all reasonable minds, that an adulterous intercourse subsisted between her Majesty and Bergami while they continued at Catania. Having advanced Bergami to so many honors, she now procured him a knighthood of Malta; he was designated his Excellency, and afterwards she always addressed him as Chevalier. What reason, my Lords, can be assigned for all this? What, but her guilty attachment, or the expectation of gratification from a degrading intercourse? While at Catania, she at first enjoyed the society of the first persons there; but after a short residence she became regardless of all other society than that of her paramour. She became regardless of her person, and from Catania she proceeded to a place called Augusta, in that neighborhood.

AUGUST 21.

The ATTORNEY-GENERAL said, he had now to resume the statement of facts at the part which he left off on Saturday. It would be in the recollection of their Lordships, that in that statement he had left her Majesty at Catania, in the island of Sicily. He, however, begged leave, before he proceeded with the narrative, to supply an omission which he made on Saturday. On that day he had stated that Dr. Holland was in the

suite of her Majesty, but he had not mentioned at what time that gentleman left her service. He now thought it necessary to apprise their Lordships, lest they should suppose that Dr. Holland had continued with her Majesty up to the last date of which he had spoken, that that gentleman left her at Venice, in the tour which her Majesty made to that city, in the month of April or May, 1815. She had previously taken into her service a Mr. Howland and a Mr. Flynn, officers of the navy. He would now proceed with his statement in the order he had hitherto followed. He had, as already stated, left her Majesty at Catania; from thence she went to Augusta, also in Sicily. This journey she made in the month of March, 1816. He had already informed their Lordships, that during the residence of the Queen in Catania, she procured for Bergami the title of a Knight of Malta. Upon her arrival at Augusta, she obtained for him a new dignity—the title of Baron de la Francino. He was not aware what circumstances could entitle him to such an honor, or that anything could have induced her Majesty to procure this dignity for him, except the influence which he had obtained over her, in consequence of the familiarity and licentious intercourse which he had shown to have subsisted between them. He had now to state another fact, which would prove the power Bergami had obtained over his mistress—a power which, as he always said, was to be accounted for by not only the existence of a licentious familiarity, but an adulterous intercourse between them. Either at Augusta or Catania she sat for her picture, or for several pictures. In one instance she sat in the character of a Magdalen, in a dress in which her person was very much exposed. In another picture she was painted in the dress of a Turkish lady, and along with her was the child, Victorine, in a similar dress. Bergami was also painted in a Turkish dress. One, if not two, of these pictures was presented to Ber-

gami. Now, he must here again observe to their Lordships, that to him it was impossible to account for such marks of favor, upon any other grounds than that of influence obtained by the adulterous intercourse which, upon the facts he had described, he had attributed to the parties. Her Majesty having resolved to leave Augusta, set out on a voyage to Tunis, and afterwards visited Greece. For this voyage she hired a vessel of that kind called a polacre; and here he had again to state, that arrangements were made on board this vessel, similar to those their Lordships would recollect he had already described on other occasions, for having the sleeping apartments of Bergami and the Queen near each other, and for obtaining facility of communication. Her Majesty's cabin, as well as that of the Countess of Oldi, communicated with the dining cabin, and on the other side were some apartments for the other female attendants. There were two doors leading into the cabin, one for the Queen, and the other for her female servants. For a few days Bergami slept at some distance from the Queen's apartment. But very soon one of the doors, that which served for a communication of the servants into the eating-room, was ordered to be closed up, leaving only one entrance to the dining-room and the Queen's bed-room. A bed was ordered to be brought for Bergami's accommodation into the dining-cabin, and this bed was so placed, that when the door of the Queen's sleeping room was open, she and Bergami could see each other while in bed, and hold conversation together. The only access to her Majesty's bed-room was through the eating-room, in which Bergami slept, and when the door of this room was shut, there was no means of access to the Queen's. The door of the eating-cabin was constantly shut after they retired to rest, and through it, as he had stated, was the only communication to the Queen's sleeping apartment. Now, he would ask their Lordships what conclusion

could be drawn from this arrangement, but that which the others he had stated had suggested? What other reason except that of facilitating an adulterous intercourse could be assigned for her Majesty having, either by land or sea, access to her sleeping apartment open only to Bergami, and closed to all the rest of her suite? Her Majesty proceeded, as he had stated, to Tunis, and from thence to Utica. In the house in which she slept there were only two bed-rooms; one was allotted to her Majesty and Victorine, and another to the Countess of Oldi and the other female attendants. The rest of the suite were accommodated at the houses of the different Consuls in the town. It would appear in evidence, that when her Majesty stopped at this place, Bergami came in the morning at a very early hour, before her Majesty was up, and entered her apartment. Without asking leave or giving the slightest notice, he passed into her bed-room, and there remained alone with her for a considerable time. Here he might be permitted to ask, why Bergami took this liberty?—why he went to her Majesty's apartment without being desired? Their Lordships would say whether it was to be supposed she would thus admit him to her bed-room, if gross familiarity and licentious intercourse had not previously taken place. It was true, she had by this time procured for Bergami titles and dignities, but her having raised him from obscurity to distinction did not furnish any ground for thus admitting him to her bed-room. Their Lordships might, perhaps, consider the details he had to state as fatiguing, from their sameness. But, though many of the facts he had stated, and had still to relate, were unimportant in themselves, they were material as leading to the conclusion he had endeavored to press on their Lordships' minds—that the chain of circumstances could only be accounted for on the existence of an adulterous intercourse between Bergami and her Majesty. He had now to call their Lordships' attention

to a fact which was calculated to remove every doubt from their minds, if any yet remained. Her Majesty visited Savona. The house in which she slept there had only two rooms, and the outer room, which was assigned to Bergami, had no bed. The place was in Africa, near Tunis. It was called either Savona, or Savenha. He had it Savona. As he had stated, at this place, the outside room, assigned to Bergami, had no bed; the inner room, which was occupied by her Majesty, had one, and a very large one. There was no access to the bed in the inner room, except through Bergami's. It would be proved in evidence, that in the morning, after her Majesty had slept here, her bed had the appearance of having been slept in by two persons. Their Lordships would recollect that he had stated that there was only one passage to her Majesty's bed-room; that that passage led from Bergami's room, and that in his room there was no bed. In any ordinary case this would be sufficient proof to a jury that the crime of adultery had been committed that night; because, when their Lordships' found that there was no means of access to the Queen's bed-room but through Bergami's apartment, and that her Majesty's bed bore, in the morning, the marks of two persons having lain in it, they could come to no other conclusion but the natural one—that they had committed adultery. When, too, they found circumstances of this kind occurring night after night, from time to time, and in different places, there was no one could doubt that the evidence bore out the charge of a continued course of adultery. From the coast of Africa her Majesty sailed to Athens, and touched at Malta in her way. They arrived at Athens on the 22nd of April, 1816, and afterwards visited the Greek islands, and stopped some time at Melito. Excursions were also made to Troy and Ephesus. He would state a fact which occurred at Athens, which would show how little of the respect due to her high rank was paid by Ber-

gami to the Princess:—At Athens, the captain of an English ship which touched there, landed, and called on her Royal Highness. He was introduced to her Royal Highness, sitting in an alcove, in a garden, in which were also the Countess of Oldi and Bergami; the latter seated, and wearing a foraging-cap. Her Royal Highness rose with the politeness which distinguished all persons of high rank, to receive the officer, and desired him to be seated. Bergami continued seated; and, after a short time, left the place without making the least obeisance, or paying those marks of respect which the officers of a court were always expected to pay: he left the room as if he were a person of equal rank to her Royal Highness. Why did he mention this fact?—Because it showed that the familiarity which had taken place between them had been carried to such an extent, that he considered his Royal mistress to be reduced to a level with himself. This fact was nothing, of itself, but it was one which, taken in connection with others, was very important, and would have weight with a jury. It plainly showed the assumption of authority by Bergami, and how completely he thought himself relieved from the necessity of paying any mark of respect to her Majesty. From Athens, her Royal Highness proceeded by the way of Constantinople to Ephesus. Here another circumstance of a very remarkable nature occurred. Her Majesty directed a bed to be placed under a vestibule, which fronted a church shaded by trees. Dinner was prepared, but the weather was hot, and her Majesty had retired to the vestibule to repose herself. Bergami was seen coming from this vestibule, in dishabille, when no other person was supposed to be there but her Majesty. Dinner was afterwards ordered to be served in the vestibule, for her Majesty and Bergami. She sat on the small bed, and he beside her. None of her attendants were admitted to the vestibule, and she and Bergami remained alone together for a considerable time.

Now, if her Royal Highness required any attendance within this vestibule, why were not the females of her suite employed for that purpose? Why was Bergami, and Bergami alone, admitted to her bed-room? Soon after her Majesty proceeded to Aun, a place in Syria, where again Bergami was treated with the same extraordinary familiarity. A tent was erected for her Royal Highness, and a bed fitted up for her within it. While she was in bed in this tent, Bergami was seen sitting in his shirt sleeves, and almost undressed, on the side of the bed. From this tent he was afterwards seen coming in a state of undress. Now, if her Majesty required any attendance in this tent, why had she not called upon the Countess of Oldi, or some other female of her suite? How did it happen that Bergami should be the person required to attend her while she was in bed, and that he should wait upon her dressed in the unbecoming manner which has been described? This was, certainly, a circumstance of strong suspicion. But it, perhaps, might be said that it required something more to prove adultery. He must observe, however, that he believed that in an ordinary case this would be enough to prove the commission of that crime before any court. But, their Lordships would, besides, recollect that, strong as it was, this was not an isolated fact. It was one of a series of the same sort, and he might venture to assert, that such familiarity could not be supposed to exist between such persons without a guilty intercourse. No woman would allow such a liberty to be taken with her, unless by a man to whom she had granted the last favor. This might be said, not only in the case of a Princess and a man who had been her courier, but in the case of any man and woman of respectability in any rank of life. From Aun her Majesty proceeded to Jerusalem. Here, not satisfied with the dignities she had already procured for her favorite—nor even with having made him her chamberlain, and procured for him the Order of Malta,

and the title of Baron de la Francino—she obtained for him the Order of St. Sepulchre. Still, not content with this, she instituted an order of her own, which was called “the Order of St. Caroline.” After conferring this order on several of her domestics, she made Bergami the Grand Master. This might excite a smile among their Lordships; but it was a circumstance which marked very strongly the state of her Majesty’s mind. Why did she single out this man to be Grand Master of the order she had created? It was impossible not to conclude that this distinction proceeded from that attachment which she had so strongly manifested to him, which had led to an adulterous intercourse that gave him a powerful influence over her. Why else should she have made a Grand Master of this man, formerly a courier—now a Baron? There was no way of accounting for this, but by referring it to that degrading and humiliating passion on the part of her Majesty, the calamitous effect of which he had already described. It was that passion which had made Bergami Knight of Malta, Knight of St. Sepulchre, Grand Master of the Order of St. Caroline, and the Baron de la Francino. He had, however, now a fact to state, which, if any doubt still remained with their Lordships, would completely banish it. He, therefore, requested their Lordships’ particular attention to the statement he was about to make. Her Majesty embarked at Jaffa, for Italy, on board a polacre; finding it inconvenient to remain in the cabin during the night, she directed a tent to be erected on the deck of the vessel, in order to sleep in it. In this tent a sofa and bed was placed for her Majesty, and also a sofa for Bergami. This preparation was made for their sleeping under the same roof, and without any partition or division between them. In this way they continued to sleep every night without intermission, until their arrival in Italy. In the daytime the canvas of the tent was drawn up to admit the air; but at night, when they retired

into the tent, it was let down, so as to exclude the observation of the crew and her Majesty's suite. This not only took place night after night, but frequently in the course of the day. After dinner her Majesty and this man retired into the tent, and then the canvas was let down, as he had before described, to exclude observation. This familiarity continued during the voyage from Jaffa to Italy, where they arrived in the month of September, and landed at Terracina. What he had stated, he considered not merely presumptive, but positive evidence. Was it ever before heard of that a lady of rank maintained this familiarity with her Chamberlain? Their Lordships would see that this intercourse had been maintained for a very considerable time, and it was evident it could be carried on for no other purpose than that of committing adultery. When their Lordships were, in addition to all that he had stated, told that she had often been seen during the day sitting on Bergami's knees, and embracing him; after this, nobody could doubt for what purpose the tent was fixed upon the deck. At this time her Majesty seemed to cast off all the restraints of female delicacy. It would be proved that at one period during the voyage she had a bath prepared for her on board the vessel, and into this bath she went, no person being present, or in attendance on her, except Bergami. After that fact could any man have a doubt on his mind of the criminal nature of the intercourse existing between them? Though it might be supposed that there might be so much virtue infixed in the mind of an individual, that two persons of different sexes could sleep in the same apartment without any criminality having occurred; yet, seeing that such a series of constant familiarity and unbecoming intimacy had been indulged in with this man before, what but the absolute banishment, the total oblivion of all remains of virtue and modesty could have prevailed on a woman to admit a man and a servant at such a mo-

ment? From this fact every man must be satisfied that the last intimacy must have taken place between two persons of different sexes before any female would allow a man to attend on her in such a situation. † Nothing but the existence of the adulterous intercourse to which he had alluded could account for such a circumstance. On board of this vessel, on the 24th of August, which was St. Bartholomew's day, great festivities took place. Their Lordships were aware that Bergami's name was Bartolomo. At this entertainment the health of her Majesty, and the health of Bergami, the courier, were drank together on that occasion. What inference was to be drawn from this circumstance? None but that those favors, distinctions, and honors were conferred upon the domestic Bergami in consequence of a criminal, licentious, and disgusting intercourse. While he was on this fact he should beg to state a circumstance omitted in the former part of his statement, which was, that the same transaction had occurred, the same festivities had been indulged in on the same day, the preceeding year, in the Villa d'Este. There, also, a grand festival was held in honor of the birthday of the courier, Bergami. Now he apprehended the single fact he had described on board the Polacre would in itself be sufficient evidence of the fact which it was the object of the evidence to establish. He would not fatigue their Lordships' attention by entering into a minute detail of the various degrees of unbecoming familiarity with her menial, and, as he might express it, the indecent exhibitions to which her Majesty had reduced herself on board that ship; he would rather leave their Lordships to form their own general impressions from the evidence; but he could not forbear mentioning, that it would be proved before them, that she had throughout the voyage occupied herself in the most menial offices for this servant that a woman could do for man; that she had even at times engaged herself in

mending his clothes. On arriving in Italy, in September, the Princess proceeded to the Villa d'Este on the Lake of Como, which she had occupied before, and on reaching that place Bergami's brother was elevated to the situation of prefect of the palace. His mother, who was familiarly termed the *grandmother*, not only by her Majesty's suite, but by her Majesty herself, was now ordered to be called Madame Livia, and the mother and brother had separate tables provided for them from the rest of the servants. After what he had stated to their Lordships, he should not trespass on their attention by mentioning various other circumstances that occurred at that place, to support the charge. He might, however, mention, that during her Majesty's absence from d'Este, a theater had been fitted up at that villa. On her return thither she often performed on the stage—she in one character and Bergami in another. The characters she performed were of a very low kind. Bergami generally performed the character of the lover. He only stated this as another proof of the great degree of familiarity which subsisted between them. Soon after her return to d'Este she made a tour to Lugano, and some other places. In the course of this tour a remarkable circumstance occurred:—one morning, a courier was dispatched with a letter to a person at Milan, and returned with an answer late that night, or rather early next morning, while all the Princess's household were at rest. The courier feeling it to be his duty to deliver the letter immediately to Bergami, whose office it was to receive it, went to that person's chamber. He was not there; but in a short time he saw him coming, in his shirt and *robe de chambre*, out of the Princess's chamber to his own. Here, he would ask, how it happened, that at that hour, when all the other members of the family were at rest, this man should be seen coming in that undress from his mistress's room? Observing that the circumstance was noticed by the courier, and being desirous of

making some excuse, he told him that he had heard his child cry, and had gone to quiet her, and the next morning he desired the courier to say nothing about it. But the fact forcibly struck the man, and the inference from it was plain. Bergami having come out of the Princess's bed-room at that unseasonable hour, their chambers also being separated from those of the rest of the family, how was the occurrence to be accounted for, except by the supposition that a criminal intercourse existed between them? This fact alone would be sufficient to convict a woman in an ordinary case. No reason could be assigned for Bergami's conduct on the occasion, but that which he had been so often obliged to state to their Lordships. After a short time the Princess visited a place which had since been purchased at her expense, for Bergami, and to this he particularly wished to direct their Lordships' attention. It was called the Villa Bergami, or Barona. Not content with having previously lavished on him titles and honors, she finally thought proper to expend several thousand pounds from her own funds in the purchase of this estate for him near Milan. People do not in general act without reason or motive, and there was no assignable motive or reason for the Princess's conduct but one only. Her Royal Highness resided for some time at that place, and, during a carnival which was held there, he was instructed to say that the most scandalous and disgraceful scenes occurred, and it would appear that the house in which the Princess of Wales resided deserved rather the name of a common brothel than a palace. It was frequented by persons not corresponding to her station and rank, who properly maintained their dignity, and would feel themselves honored by her patronage; but by persons of the lowest class. These were circumstances which he should not have brought under their Lordships' notice, if they had not occurred, as he must presume, by the Queen's permission. Undoubtedly, it

might be said, that if they took place in the kitchen, the offices, or in the lower parts of her Majesty's house, they ought not to be taken notice of in the slightest degree, as in that case it could by no means be presumed that she was necessarily aware of them. But, unfortunately, their Lordships would observe that they did pass under her Majesty's notice; and, so far from expressing any degree of dislike or disapprobation, she did know of them, and seemed to approve of them. Here again, it might be said, that although they proved a very unbecoming sort of improper and indecent conduct, they ought not to be taken to prove the existence of an adulterous intercourse. But when they were taken in conjunction with the other facts he had mentioned, they certainly went to show, that such an adulterous intercourse did exist between her Majesty and Bergami, and that the circumstance of that intercourse so operated upon her Majesty's mind, as to render her entirely regardless of that decorum which she ought to have maintained. Their Lordships must see, that though these facts, in themselves, were entirely different from the direct charge against her Majesty, they afforded but too strong a corroboration of it. After the Queen's return to the Barona, she made a journey through the Tyrol into Germany. A remarkable circumstance took place almost at the commencement of that journey, which would prove to their Lordships beyond doubt that such an intercourse did exist. On her arrival at a place called Charnitz, it was necessary that Bergami should return to Inspruck, in order to obtain a passport for the continuation of this journey. It appeared that Bergami was necessarily absent upon his departure from Charnitz to Inspruck, and, till his return, her Majesty had one of her filles-de-chambre to sleep in her room during the night. Bergami returned from Inspruck in the middle of the night; and what was the conduct then pursued by her Majesty? What, he should ask their

Lordships, would have been the conduct of a person under ordinary circumstances who had gone upon such a mission? Their Lordships would naturally suppose, that returning at the dead hour of night he retired to rest; but no—he came into that room (her Majesty's female attendant being at that time there asleep); upon his so coming in, her Majesty ordered her female attendant to retire, taking her bed along with her. In the middle of the night her Majesty gave these instructions to her female servant, and Bergami was left alone with her. Now what was the reason for all this? He asked their Lordships whether that fact alone, in ordinary cases, would not be held a conclusive proof of adultery? and he would ask them also, with great submission, whether, if it should be so considered in an ordinary case, it did not amount to a still stronger proof here—whether it did not amount to a still stronger evidence of an adulterous intercourse, as applied to the case of two persons whose rank in life was so different? What other inference could their Lordships draw from the circumstance of her Majesty's ordering the attendant to retire, but that she might be so left alone with Bergami for the remainder of the night? Independent of any other facts, supposing that there was nothing else in this case before them, this alone must satisfy their Lordships that an adulterous intercourse did then take place between the parties. But this was not all: in the course of this journey her Majesty proceeded to Munich, and afterwards to Carlsruhe, where she remained nine days. At Carlsruhe a similar arrangement took place about the bed-rooms to that which he had so often had occasion to call their Lordships' attention to. On their arrival at the inn where her Majesty was to sleep for the night, three rooms were provided, each opening into the other, and it was so contrived that Bergami alone could find access from the room assigned for him to that of her Majesty. He had now to notice

one very important circumstance. At Carlsruhe her Majesty was one day found in Bergami's room: she was sitting upon his bed, and he was in bed, with his arms round the neck of her Majesty. She was surprised in this extraordinary situation by one of the *femmes-de-chambre*, who was going into the room by chance. Now, would a circumstance of this sort take place, he would ask, unless that kind of intercourse existed between the parties to which he was so often reluctantly obliged to call their Lordships' attention? In that bed was found a cloak which her Majesty was afterwards seen wearing; and on that bed, also, certain marks were observed by one of the servants. These marks, without his saying anything further at present, would lead their Lordships, perhaps, to infer that which he intended them to understand. Those marks on the bed—the cloak which was found there—and the manner in which Bergami was seen with his arms around her Majesty's neck—these were circumstances their Lordships could not lose sight of. After hearing these, could there be any doubt about the existence of an adulterous intercourse between her Majesty and Bergami? These facts alone, he thought, would be conclusive evidence with their Lordships of an adulterous intercourse having taken place between them; and then, he had also to remark, that all the other facts of this case would go to show their Lordships that that intercourse had so taken place, not now and then merely, but that it was a long-continued one. When these should have been stated, they would sufficiently explain all the other circumstances which he had had to mention;—the advancement of Bergami to the honors which were conferred on him; the circumstances that occurred at Carlsruhe; those which took place at Charnitz, and the others which were observed on board of the polacre, would all demonstrate conclusively, if they should be proved (as he believed would be proved in evidence),

not only that the conduct stated in the Preamble of the Bill had subsisted, but that the adulterous intercourse had taken place between these two persons. From Carlsruhe her Majesty set out in the early part of 1817. Her Majesty visited Vienna, where she remained only for a very short time, and then she went to Trieste. Upon that journey to Trieste, a two-wheeled carriage was purchased by Bergami, in which the Queen and himself traveled together. Before this her Majesty had been accustomed to travel in a carriage, in which were herself, Bergami, the Countess of Oldi, and the little Piccaroon (her Majesty's protégé). On her journey, however, a carriage was used calculated to contain only two persons; and in which Bergami and her Majesty usually traveled together alone. At Trieste she remained but a few days; but here again observations were made by persons at Trieste upon the state of her Majesty's bed and bed-room. Here, again, as in all other cases he had adverted to, an arrangement was made about the situations of the bed-rooms, in order for Bergami to be very near her Majesty. There was a traveling bed, and a bed large enough to contain two persons. From the arrangement he spoke of, Bergami's room was very near her Majesty's, and these observations were made upon the state of those two beds. It would appear to their Lordships in evidence, that there was found the painful appearance of two persons having slept in the large bed, which was in her Majesty's bed-room; at the same time, that in the smaller bed neither Bergami nor any other person appeared to have slept. At this time, also, there were two washing basins left in her Majesty's room, which appeared to have been used in that room, and by two persons. But the strong fact, as he had before occasion to observe, was—not only were the rooms of her Majesty and Bergami near each other, separate and apart from the rest of the suite, but there were those appearances of two persons having slept in

the large bed in her Majesty's apartment, and Bergami was the only person, who, from the arrangement of the rooms, could have access to that one, in order to sleep with her. No other person but he could have that access. Under these circumstances, their Lordships could feel little doubt or hesitation but that the two persons who slept in her Majesty's room upon this occasion, were herself and Bergami; and that, not only from the state and situation of the room, but from the state of the beds. He now came to another circumstance of a most extraordinary character. In the course of this journey her Majesty and Bergami, frequently, when they had occasion to stop, while the horses were refreshed or put to, and upon any other occasion where it was necessary to stop for a short space of time, would repose upon the same bed. They would frequently, it was observed, when some delays of this sort took place, go and sit there together. Now, he was aware it might be said, that no conclusion of criminal nature could be drawn from the circumstance of Bergami and her Majesty being observed to repose on the same bed. From that circumstance alone, unaided by others, their Lordships could not deem it proved, that an adulterous intercourse took place between the parties at Milan. But, when their Lordships observed all these additional circumstances, and particularly the facility, which was extended to no other person, of entering her room, and their familiarity—all these things naturally led to a strong suspicion of such an intercourse between them. Their Lordships must be satisfied that the inference to be drawn from these, and from other circumstances arising out of her Majesty's conduct, was, that such a one existed between them. It might be supposed that the Princess of Wales, as she was at that time, wishing, on such occasions, to repose, used to be attended by some other of her household; by the Countess of Oldi, for instance, or some other female attendant. But how was

it that Bergami alone, on the contrary, could venture to use these familiarities with her Majesty? How was it that Bergami alone retired with her, but because there did take place this sort of intercourse between them? Upon her Majesty's return from Milan, where she had been for some time, to the Barona, it would be proved to their Lordships that Bergami, his mother, and his brother (Ludovico Bergami), who had formerly exercised some of the most menial offices in the palace, were permitted to dine with her Majesty; they were allowed to sit and eat at her Majesty's table. Even to this fact, he was aware it might be said, that it was only indicative of great condescension on the part of her Majesty; and that, though such conduct was inconsistent with propriety and with her rank and dignity as Queen, it proved nothing of itself, beyond a desire to show her estimation of the family, and to pay attention to Bergami's mother, and his brother Lewis. But was it not a little singular, that these persons were the family of the man on whom her Majesty had been bestowing those attentions, and who were daily growing round her. As to the mother of Bergami, he (the Attorney-General) could not find that she had filled any particular situation in her Majesty's household. She was not made lady of honor. The little Piccaroon was dignified by the title of "Princess," and taken great notice of. He did not mention these circumstances, as going to prove any thing that was particularly applicable to Bergami. The boy Austin was called a prince, as well as the other protegè. After her Majesty returned to the Barona, she visited the Villa d'Este. Thence she returned to Rome, to a palace called Rucanelli. Soon afterwards she purchased a villa, called the Villa Branti. During her residence at Rucanelli, her Majesty was seen to go into Bergami's bed-room; but at Villa Branti, their Lordships would find more important circumstances to have occurred, as affecting this case. At the Villa

Branti, as at all the other places where her Majesty resided, it was arranged that Bergami's apartment should be very near that of her Majesty; and there was a communication through a corridor from Bergami's bed-room into her Majesty's. Bergami was observed by one of the servants, two or three times, and at a very early hour of the morning, going from his own bed-room into that of the Princess of Wales, and there remaining with her Majesty.

A Peer asked when this occurred.

The ATTORNEY-GENERAL replied, that it happened some time in the month of July, 1817. Their Lordships would have it proved to them, that upon two or three occasions it was observed, that either at night, or at an unseasonably early hour in the morning, when the rest of the family were retired to rest, Bergami was seen coming from his sleeping apartment, and going into that of her Majesty, and there remaining. He would ask their Lordships what this fact proved? Could they doubt that a man, going in that way, at an early hour of the morning, when her Majesty was in bed, going to her room, and remaining there with her Majesty; could they doubt that she was guilty? Would their Lordships require any further evidence of adulterous intercourse between these parties? Could it be at all doubted in an ordinary case? Could it be doubted whether such an intercourse took place, if a man under these circumstances, at the dead hour of the night, or at an early hour of the morning, was seen to go, undressed, into the room wherein her Majesty was reposing, was there suffered to be alone with her, to remain with her, and was not seen to come out, even, from that room. Could any doubt remain upon their Lordships' minds that, during that period, an adulterous intercourse took place between these parties. Surely not, as he imagined—more especially when their Lordships found, as they would find, that this was not a solitary instance of this.

impropriety; for the thing occurred two or three times at the Villa Branti. At the Villa Branti, as on other occasions, Bergami was admitted into her Majesty's presence when she was dressing, and at her toilet; when her Majesty, in short, was in that state of *dishabille* which made such admission very highly improper. He was admitted at all times, and suffered to be present when her attendants were attiring her. In addition to this, their Lordships would find, as he had said before, the fact of Bergami's entering her Majesty's room at night, in a manner already described, and observed several times during her residence there. From Branti her Majesty removed, in the month of August, to her villa, near Pesaro, where she afterwards almost entirely resided. He had, he said, abstained, in this case, from going through a variety of particular details of what would be disclosed in evidence respecting her Majesty's residence at Villa d'Este, where she resided for a considerable time on the banks of the Lago di Como. It would be proved in evidence that she was there in the habit of going out with Bergami in a sort of carriage, large enough for only one person to sit down in, and another to sit upon his lap. In the carriage she was in the habit of going out with Bergami, she sitting upon his lap, and he with his arms round her, which it was absolutely necessary he should have, in order to enable him to guide the horse. It would be proved that they were seen together in a canoe upon the lake; and on one occasion they were seen bathing together in the river Brescia. During her residence at Como they were observed together in very indecent situations; and a variety of familiarities of that sort would be proved during her residence at Como, by a variety of witnesses, and upon various occasions, which their Lordships would think, at present, it became him to abstain from more particularly noticing. He only adverted to them to prove the facilities of intercourse

which existed. On her return from the East, she brought in her train a man, who, from the accounts given of him by the witnesses, appeared to have been a man of brutal and depraved manners to the last degree; his name was Mahomet, who, at the Villa d'Este, at various times, exhibited the most atrocious indecencies in the presence of her Majesty, Bergami being present during those exhibitions. This Bergami was a man in the greatest poverty. In October, 1814, he was received into her Majesty's service, and, in the short course of five or six months, he was not only in habits of the greatest familiarity with her, but his whole family surrounded her. Their Lordships would allow him to call their attention to the state of her Majesty's establishment, while settled at Pesaro. There was Bergami himself, her grand chamberlain; his mother, who did not appear to have held any particular situation in her household; his brother, Lewis, who, from the humble station of a courier, had been promoted to be her equerry; the Countess of Oldi (the sister), who was only maid of honor; Francis Bergami, their cousin, who was dignified with the title of director of the palace; Faustina, the sister; Martin, a page; Frances, a relation; and the house steward, besides the Piccaroon; so that their Lordships would see that there were ten, as he might say, of this family, retained in her service. And, to account for the striking fact of their being advanced in this way in favors and honors, what was to be said? How was it to be accounted for? It might well be said, indeed, in answer to that question, "don't, from these facts alone, infer guilt; don't, from these alone, infer adulterous intercourse!" Why, no, he would not; if he did infer it from these alone, he should be betraying that duty which they had imposed upon him, and which he was pledged to perform. But when, in addition to these circumstances, their Lordships found that all these disgraceful familiarities con-

tinued between them—that at place after place the same arrangement was observed for a free intercourse between their rooms and between them—(and he alluded more particularly to the scenes in the tent on board of the *polacre*)—when they looked at what occurred at Charnitz, at Carlsruhe, and other places—surely, these facts, of themselves, would be sufficient; but when coupled with others, if they should be satisfactorily proved, they could not leave the slightest doubt of the disgraceful conduct charged in the preamble, and of the shameful and wicked intercourse which took place between Count Bergami and her Majesty. But, their Lordships had heard it said at their bar—and said with a sort of triumph by his learned friends—“What witnesses have you? How is all this to be proved? Will you attempt to prove it? Have you any competent witnesses?” And their Lordships had heard a great deal of undeserved slander heaped on foreign witnesses. They had heard his learned friends say, on the other hand, when speaking of their client, “Oh! we expect persons of high rank, and character, and consequence in the country where the circumstances are stated to have taken place.” Now, let their Lordships look at the case. It did not admit of such witnesses: it was when her Majesty was in retirement, and surrounded only by her servants, that those facts took place. Could there be any witnesses of facts like these, but those whose avocations and humble employments gave them opportunities of seeing the conduct of the parties from time to time, and of examining the beds and bed-rooms? In cases of criminal conversation, they never had—at least it was very frequently quite impossible and impracticable to have—any other evidence but that of servants, or others whose duties called them to different parts of the house. But it was said, and with something like an air of exultation, “Aye, but these are foreign witnesses.” Foreign witnesses! Let them look at her Majesty’s conduct:

why was it that her Majesty was abandoned by all her other suite; by all her English servants?—why, but that, after her arrival from Milan, she seemed anxious to forget that she was, or should be, an Englishwoman? Could she complain of those foreign witnesses, when she had shown, by her conduct, what she thought of Italian servants—what she thought of this man, her favored Bergami? Should it be said, “don’t hear foreign witnesses, there is the strongest objection to them: they are not to be believed?” But, he would ask them, what did this hold out to the public? Was it not to say, “Go abroad, commit what crime you please, carry on what conduct you please; however flagitious, you never can be convicted in an English court of justice. And why? Because the fact can only be proved by foreign witnesses, and they, we tell you before we hear them, are branded with infamy. They are marked for discredit; therefore, go abroad, abandon yourself to the most dissolute profligacy you please; it can never be proved in a court of this country, for foreign witnesses are unworthy of belief.” Would their Lordships listen to such an argument as this? Let them pride themselves on the superiority of the English character, but let them not, by a sweeping condemnation, declare that all foreigners were unworthy of credit. It was her Majesty who had herself to thank, if the facts could only be proved by Italian witnesses. She had taken into her household Italian servants, and, surely, would not treat with such disgrace the person highest in her confidence. If their Lordships’ condemnation, however, extended to Italians, it could hardly be applied to foreigners of all countries and descriptions. He was satisfied, notwithstanding the adroit manner in which the case had been put by his learned friends, who presumed that these witnesses could exercise their faculty of locomotion, and take the air at their ease, the observation would make no impression on their Lordships’

minds. Would to God those witnesses could do so; but he would recall to their Lordships' remembrance circumstances which had happened, and ask whether the witnesses could feel that security which they ought to enjoy. It was disgraceful to the country that such circumstances had taken place; but he trusted that the public mind would soon resume its former calmness, and the popular clamor subside. Upon the circumstances of the case, it was hardly necessary for him to add, their Lordships were to decide under a sacred obligation. It had been said that the witnesses, being foreigners, were the less worthy of belief, and that their testimony ought to be received with suspicion and distrust: but the conduct of her Majesty, and the nature of the case, made such evidence indispensable. Their Lordships would decide on its value, and, he doubted not, calmly and firmly pronounce their judgment.

Theodoro Majocchi was then called in.

Nicholas Dorier Marchese di Spineto was sworn as Interpreter, in support of the Bill; and Binetto Cohen was sworn as Interpreter, on behalf of the Queen.

Mr. Solicitor-General. Of what country are you a native?—Of Pisterlango.

Is that in Italy?—Yes; twelve miles distant from Lodi.

Do you know a person of the name of Bergami?—Yes.

When did you first know him?—In the service of Marshal Pino.

At what time did you first know him?—It was in the years 1813 and 1814, when I entered into the service of General Pino. I knew him because he was in the same service; in the same suite.

Mr. Brougham. Do you understand English?—Nothing.

Do you understand it when you hear it spoken?—I do not understand it.

Mr. Solicitor-General. In what situation was Bergami serving under General Pino?—As valet de chambre.

In what situation were you serving at that time under General Pino?—Rider, or postillion, or courier.

Do you know in what situation Bergami at that time was in point of his finances?—I know him too well, because I was lodging in the house of Bergami, where I had hired a room.

The question which is asked is, what situation he was in, in point of funds or finances, at the time when he was in the service of General Pino?—He was more poor than rich.

Do you know what wages he at that time received?—At that time he was receiving three livres of Milan per day.

Do you know whether he possessed any property except the wages which he so received?—No.

What do you mean by no; that you do not know the fact, or that he did not possess any other property?—I know nothing else, but that Bergami had but the three livres per day.

Did you leave the service of General Pino before Bergami left that service?—I did.

Into whose service did you enter after you left the service of General Pino?—I went to Vienna, and entered into the service of his Excellency the Duke of Rocca Romani.

Did you afterwards enter into any service in the city of Naples?—I entered into the stable service of Murat. Was Murat at that time King of Naples?—He was.

While you were so serving in Naples, under Murat, did you see Bartolomo Bergami?—I did see him.

When was it that you saw him there for the first time?

When was it you first saw Bergami at Naples, while you were serving at Naples?—At the house of a courier, who was called Bastinelli.

At what time did you see him; what year?—In 1814.

About what time in that year?—Before Christmas.

Where was it you then saw him the first time?—In a room.

Where?—In Naples.

In whose house?—In the house of her Royal Highness the Princess of Wales.

In what situation was Bergami at that time?—Courier, and, it was said also, equerry.

Recollect, as nearly as you can, the precise time when you entered into the service?—In the beginning of the year 1815, after Christmas holidays.

Answer, with as much accuracy as you are able, how long it was after the time you had first seen Bergami at Naples?—I recollect so much, that before Christmas holidays Bergami told me that he would have made me a present.

You have told us, that at the commencement of the year you entered into the service of the Princess; you have also told us you saw Bergami at Naples before that time. How long was it before you entered into the service of the Princess that you first saw Bergami at Naples?—A fortnight after, fifteen or twenty days after.

In what situation in the Princess's service did you enter?—Servant, livery servant, or lacquey.

By a Lord. Did you wear a livery?—I did.

Mr. Solicitor-General. When you entered the service, did Bergami dine with the rest of the servants?—There were two tables.

At which of those tables did he dine?—At the table of the upper servants, with Monsieur Sicard, Maitre d'Hotel; Hieronimus; a Waiting Maid of the Dame d'Honneur, but I do not remember the name, being an English name; the Valet of Dr. Holland. I remember nobody else.

Did any other person divide the duty of Bergami about the person of the Princess?—Monsieur Hieronimus, sometimes.

Did they take that duty by turns?—By turns, amongst the upper servants of her Royal Highness.

Did any of those persons who took it by turns to attend upon her Royal Highness, attend out of his turn?—In the morning, when they carried the tray for the dejeuner, many times Hieronimus performed this service.

Can you describe the relative situations of the sleeping-room of Bergami and that of the Princess?—I remember them.

Describe them?—From the room of the Princess to that of Bergami there was a small corridor and a cabinet,

and immediately on the left there was the bed-room of Bartolomo Bergami.

Then, it is to be understood there was between the bed-room of the Princess and the bed-room of Bergami nothing but that corridor, and that small cabinet?—There was nothing else; one was obliged to pass through the corridor, from the corridor to the cabinet, and from the cabinet into the room of Bergami; there was nothing else.

On the other side of the room of the Princess, what room was there?—The Great Saloon.

Did any person sleep in that cabinet in general?—There was no person who slept in that cabinet; it was free; there was nobody sleeping in it.

Did the other people of the suite sleep in that part of the house, or at a distance?—They were separated.

Do you remember Bergami meeting with an accident?—I do remember it.

What was that accident, and when?—A kick from a horse, when her Royal Highness went to the lake of Agnano, together with King Murat.

In consequence of that accident, did it become necessary to take him home?—It did.

Did you accompany him?—I did not.

Did you attend him?—I did wait upon him.

In consequence of this accident, was Bergami put to bed?—He was obliged to be put to bed.

While you were attending him, as you have described, did you see the Princess?—The first time that I saw her Royal Highness was in the presence of Dr. Holland, who was dressing his foot.

Did you give him any broth at any time?—At the first I brought him vinegar.

Did you bring him any broth?—Often.

Do you remember at any time when you were giving broth to Bergami, anybody coming into the room?—I do not remember.

In consequence of this accident which Bergami met with, was any direction given to you as to where you yourself were to sleep?—I do remember an order.

Where were you directed to sleep?—On the sofa in the cabinet, near the fire-place.

Is that the cabinet of which you have been speaking?
—It is.

How many nights did you sleep there?—Five or six nights.

Did you, during the night-time, see any person pass through your room?—I do remember seeing somebody passing.

Did you say there was a fire in the room?—Always a fire.

Who was the person who passed through your room?
—Her Royal Highness.

Did she pass through from the corridor to Bergami's room in that direction?—She did.

How many times did this happen during the five or six nights which you state yourself to have slept in this cabinet?—Twice.

As nearly as you can recollect, at what time of the night on the first occasion?—About half an hour past midnight, between twelve and half-past twelve.

How long did she remain there, as nearly as you can recollect?—Ten or fifteen minutes.

Describe the manner in which she passed through the cabinet, in what way she walked?—Very softly; and when near to my bed stooped to see, and then passed on.

After the Princess had entered the bed-room of Bergami, did you hear any conversation, or anything else, pass between them?—Only some whispers.

You have told us how long the Princess remained the first night, can you state how long she remained the second time?—Between fifteen and eighteen minutes, some minutes more or less.

Do you recollect having heard or observed anything when the Princess was in Bergami's room the second time?—Whispering conversation.

Was there any garden attached to the house?—There was a small garden attached to the cabinet where I was sleeping.

Was that garden open, or was it generally kept locked?
—for the most part locked.

What do you mean by "for the most part locked?"—It was more often closed than open.

Where was the key kept?—By Bergami.

Did the Princess ever walk in that garden?—I have never seen her.

About how long did the Princess remain at Naples after you went into her service?—About a month, or forty or forty-five days.

Did you go with the Princess when she left Naples?—I did accompany her Royal Highness.

Before the Princess left Naples, and after you had entered into the service of the Princess, did any of her English attendants quit her?—There were some English of her suite that left her.

Who were they?—I will state them.

Tell us the gentlemen first, and then the ladies?—Monsieur Sicard

What was he?—Maitre d'hotel. Captain Hesse.

What was he?—It was said that he was equerry.

Who else?—The chaplain.

What was his name?—I do not remember the name.

Who else?—A chamberlain; a tall man; but I do not remember how he was called.

Do you know whether his name was Gell?—Yes, he was called Gell, with two small mustaches.

Was there any body else that you remember; do you remember Mr. Keppel Craven?—I do not remember; it was an English name.

Were there any other gentlemen that you remember to have left the suite of the Princess at Naples?—I do not remember, whatever I remember I will mention their names.

Did any ladies quit the suite at Naples?—A small lady, rather a thin, but I do not remember what was her name; Lady, Lady something, she was there.

Do you remember Lady Elizabeth Forbes?—I do not remember.

After you quitted Naples, you say you went to Rome, to what place did you go from Rome?—To Civita Vecchia.

At Civita Vecchia did you embark on board any vessel along with the Princess?—On board the *Clorinde*, a frigate.

To what place did you go from Civita Vecchia?—We passed by Leghorn.

Did you stop at Leghorn?—A little time we stopped at Leghorn.

Do you happen to recollect whether any of the attendants left at Leghorn?—I do not remember.

Where did you go to from Leghorn?—To Genoa.

Did any person join the Princess at Genoa?—Captain Hownam.

Anybody else?—Lady Charlotte Campbell; a lady tall, rather fat, and two daughters; a handsome lady.

How long did the Princess remain at Genoa?—Forty or fifty days.

Where did she reside at Genoa?—In a palace out of Genoa, towards the road that leads to Milan.

Do you remember whether the bed-room of the Princess was near to the bed-room of Bergami at Genoa?—Between the room of Bergami and that of her Royal Highness, there was a room in which they kept trunks, luggage, &c.

Did any person sleep in that room?—There was nobody slept in that room.

In what way could you pass from the room of the Princess to the room of Bergami?—In coming out from the room of her Royal Highness, and passing through the room where the luggage was, there was an entrance to the room of Bergami.

Are you rightly understood, that you might pass from the room of the Princess to the room of Bergami directly through that cabinet where the luggage was deposited?—Yes, I mean so.

Did you observe where Bergami breakfasted while you were at Genoa?—I made observations.

Where did he breakfast?—In a small room at the top of the grand saloon.

Did he breakfast alone, or did any person breakfast with him?—He and the Princess; one morning I saw him and the Princess take breakfast together in that small room.

Were you hired to wait upon Bergami or to wait upon the Princess?—To be at the service of her Royal Highness.

Did you in fact wait upon her Royal Highness, or did you wait upon Bergami?—I waited both upon her Royal Highness and Bergami.

When you described the Princess to have breakfasted in this cabinet with Bergami, did any other person breakfast there?—I saw nobody else.

Do you remember one night a courier of the name of Vinescati, coming with a letter from Milan?—I do not remember.

Do you remember, at any time in the night, knocking at the door of Bergami's bed-room, and endeavoring to wake him?—I do remember.

Upon what occasion was that; for what purpose?—It was in the night, when Vinescati came, and I went to knock.

You say you knocked, at night, at the bed-room of Bergami; for what purpose was that?—To call him up to tell him that there were people in the room.

What time in the night was this, to the best of your recollection?—About one or half-past one.

Did Bergami make any answer?—Bergami made me no answer.

Did you knock so loud that if Bergami had been there he must, in your judgment, have heard you?—He ought to have heard me; he must have heard me.

Did the Princess ride out in any way?—She did ride sometimes.

Did she ever ride upon an ass?—She sometimes rode a donkey.

Did you, upon those occasions, make any observations as to anything that passed between the Princess and Bergami?—Yes.

State what passed at the time she was riding on the ass?—He took her round her waist to put her upon the ass.

What else?—He held her hand lest her Royal Highness should fall.

Did you make any other observation?—I have made no other observation; they spoke; they discoursed.

Was Bergami like the other servants in the house, or did he appear to possess more authority than the rest?—He had the more authority, higher authority.

Was there an apparent distance kept up between the Princess and Bergami, or was there an apparent intimacy and friendship between them?—Rather a familiarity.

Did Bergami continue to sleep in that room you have described during the whole time of the residence at Genoa?—I do not remember.

To what place did you proceed when you left Genoa?—To Milan.

Where did you reside at first at Milan?—In the house of Carcuna, near the New Gate.

How long did you remain there?—About five or six days.

To what place did you go from that house?—To the house of Boromeo, where there had been a tribunal of police.

Was it a house belonging to the family of Boromeo?—It belonged to the family of Boromeo.

Do you remember, before you quitted Genoa, whether any of the relations of Bergami entered into the service of the Princess?—I remember.

Who were they?—The sister of Bartolomo Bergami, who was called Faustina.

Was Faustina a married woman or single?—She came without her husband; I do not know whether she was a spinster or married woman.

Who else of the family did you observe?—Lewis Bergami.

Anybody else?—The mother.

Anybody else?—A child.

How was that child called?—It was a strange name.

Was her name Victorina?—It was.

How old was that child at that time?—Between two and three years old.

Did the mother of that child come?—No.

Are the persons whom you have now enumerated all of the family of Bergami, who went into the service at Genoa?—I remember no other but these.

What situation did Lewis Bergami hold in the family?—Courier.

Did the mother fill any office; had she any duty?—She had none.

What was Faustina?—At that time nothing.

You have told us that after the Princess left the house at Milan, near the New Gate, she went to the house called the Boromean; how were the sleeping

apartments of Bergami and the Queen situate in that house?—I remember them.

Were they near to each other or at a distance?—They were separated only by a wall.

How were the doors of the two rooms?—At first people entered into an ante-room. On the right slept Mr. William, and going straight forward one might enter the room of Bergami; the room of Bergami finished the house on this side.

You have told us that the apartment of the Princess was separated from the apartment of Bergami only by a wall?—Yes.

Was there a staircase or a landing-place near to these two rooms?—There was.

Was there any door that went out of Bergami's apartment on to that landing-place or staircase?—There was a door that led on to this landing-place.

Was there also a door that went out of the Princess's apartment to this same staircase?—There was.

How far were these doors from each other?—About seven or eight feet.

Mr. Brougham requested that none of the other witnesses about to be examined should be present during the examination of the witness at the bar.

The Solicitor-General stated that directions had been given that no other witnesses should be present, and he believed there were none present.

The Counsel were informed that it was the desire of the House that none but those who were professionally engaged, and therefore necessarily present, should be in the House during the examination of the other witnesses.

The Solicitor-General expressed a desire that the direction might be extended to the witnesses who might be examined against the bill.

Mr. Brougham stated that he had given directions that no persons whom he now intended to examine should be present, except two or three whose presence was necessary for the instruction of Counsel.

Mr. Solicitor-General submitted that all ought to be excluded whom the counsel for her Majesty thought it likely they should examine.

Mr. Brougham stated that he had given directions for all whose evidence he might require to withdraw, except those professionally engaged.

Mr. Solicitor-General. You described that the two apartments were separated from each other by a wall, and that there was a door in each apartment opening on the same landing-place, these doors being distant about two yards from each other; was that a private staircase, or did the bed-rooms of other persons open upon that same landing-place?—This was a secret staircase, which led also into a small apartment, but it was not frequented; people did not frequent it.

Did any one sleep in that small apartment?—The brother of Bergami.

Which brother?—Louis Bergami.

Did the Princess breakfast alone, or whom did she breakfast with during the time they were staying at this Boromean house?—Sometimes she breakfasted with Bergami.

Did any other person breakfast with them?—I have never seen any.

Did you wait upon them at breakfast?—Sometimes I did; sometimes I did not.

When you did not, who did wait?—Either Louis Bergami, or a man of the name of Camara.

Who was Camara?—The courier.

How long did the Princess remain at Milan in the whole, at that time?—Between forty-five and fifty days.

During the time that she remained at Milan, did she take a tour to Venice?—She did.

Before she went to Venice, had Lady Charlotte Campbell joined her from Genoa?—She had not.

Did Lady Charlotte Campbell go from Genoa to Milan with her daughters?—She did.

Did Lady Charlotte Campbell go from Genoa to Milan with the Princess?—Yes.

In the same carriage, at the same time, or did she follow her immediately afterwards?—I do not remember.

How long did Lady Charlotte Campbell remain at Milan?—Four, five, or six days before her Royal Highness set out for Venice.

Did Lady Charlotte go away accompanied by her two

daughters?—She took her two daughters with her, because her daughters were no more seen.

Had the Princess then any English lady of honor left in her suite?—I had not seen any.

Did any other person come? do you know a person of the name of the Countess of Oldi?—Yes, I do know her.

How soon did she enter into the service of the Princess after Lady Charlotte Campbell went away?—Two or three days after.

Was the Countess Oldi any relation to Bergami?—It was reported, it was said, that she was his sister.

Was that known in the house at first, or was it kept secret?—It was secret; it was not known.

Did you know that the Countess Oldi was sister to Bergami?—I knew it.

Was it generally known at first in the house?—After they saw her in the house, they began to say that she was the sister of Bergami.

How soon was that after she came?—When they saw her at table, and when the whole of the family began to see her.

Where did you go to at Venice?—The Grande Britannia.

How long did you continue at that inn?—Three or four days.

What other house did you go to from that?—A house next by, belonging to a private individual?

Can you tell us the relative situation of the bedrooms of the Princess and Bergami at that private house?—I remember it.

Were they near to each other?—One was here, and the other was here, next one another; there was only a great saloon between them; they were divided by the great saloon.

Did the doors of both bed-rooms open into that saloon?—They opened into the same saloon.

Did you see the Princess, either at Milan or at Venice, walk out with Bergami?—Both at Milan and also at Venice.

In what manner did she walk with him, side by side, or did she lean upon his arm?—Walking arm in arm.

Was this both at Milan and at Venice?—Yes; it was at Milan and at Venice I saw that.

Was it in the day-time or in the evening?—By night.

At what hour?—Half-past nine or ten; between nine and ten.

You have already stated that Bergami dined at the table you have described; did he, at any time, dine with the Princess at her table?—I have seen him.

When did you first observe that he dined with her Royal Highness?—At Genoa.

Did he continue to dine with her, after the first time he had dined with her at Genoa, regularly?—Always, as far as I recollect.

Where did she usually sit at the table when he dined with her Royal Highness?—Her Royal Highness sat at the top of the table, he was sometimes on her right, and sometimes on her left, and sometimes opposite.

You have said that the first time he dined with the Princess was at Genoa; was the Princess at Genoa more than once?—I do not remember that.

You have told us that you went from Genoa to Milan; did you go to Genoa at any subsequent time for the purpose of embarking on board a vessel?

Mr. Brougham objected to the question, as being a leading question.

The Solicitor-General was directed to state to the House the question he proposed to put.

The Solicitor-General stated, that he wished to put the question whether, after the witness left Genoa, he afterwards returned to Genoa to embark on board a vessel with the Princess.

The Solicitor-General was directed to put the question.

The question was proposed.

Yes, I returned to Genoa to embark.

When you say that Bergami dined for the first time with the Princess at Genoa, do you mean when the Princess was at Genoa the first time, or when she returned to Genoa for the purpose of embarking in the manner you have described?—The first time.

Where did you go from the Boromean house at Milan?—The Lake of Como, the Villa of Villani.

How long did you remain there?—About a month and a half.

You have described the room of the Princess as being near that of Bergami; were the other rooms occupied by the persons of the household at a distance?—They were.

How many rooms were there between the bed-room occupied by the Princess and that occupied by Bergami?—On one side there were two rooms, and on the other side there was nothing but a small passage.

By that do you mean to say, there were modes of passing from Bergami's bed-room to the Princess's?—There were.

One of which was through two rooms, and the other through a passage, is that so?—Just so.

Did any persons sleep in the rooms you have described?—There was nobody slept in those two rooms.

Did the other people of the court sleep in that part of the house, or in a different part of the house?—They were separated from that part of the house.

Did you make the bed of Bergami at that time, or assist in making it?—Yes, I did.

Did you observe whether that bed was slept in every night, or not?—No.

Could you tell, from your observations upon the bed, whether or not Bergami had always slept in it, or whether he had slept elsewhere?—The bed had the appearance that he had not slept in it.

Did that happen at Villa Villani?—It happened also somewhere else.

Did it happen often at Villa Villani?—Yes.

Do you remember the Princess at the Villa Villani wearing a blue silk bed-gown lined with red?—I remember it.

Do you remember the Princess giving that blue silk gown to Bergami?—Yes.

After you had seen the Princess wear that blue silk gown, did you see Bergami wear it?—Yes, I remember it.

Often?—He had always this dress upon him.

In the presence of the Princess?—Yes.

When you make use of the word always, do you mean

always in the morning, or through the whole of the day?—Every morning, when he made his toilet.

At what time did the Princess usually rise in the morning?—Half-past ten, eleven, half-past eleven.

When she rose, did she usually ring for her servant or call for her?—Sometimes she called; sometimes she did not ring the bell; but for the most part she called.

Did Bergami rise at the same time, or before, or after the Princess?—Sometimes he got up at the same time that her Royal Highness did; sometimes he got up a quarter of an hour later than her Royal Highness.

Whence did the Princess go to from the Villa Villani?—The Villa d'Este.

How long had she staid at the Villa Villani before she went to the Villa d'Este?—Forty-five or fifty days.

Do you happen to recollect the relative situations of the bed-rooms of the Princess and of Bergami at the Villa d'Este?—I do not remember, because it has been changed all anew.

When did that change take place?—When the voyage to Egypt was undertaken.

How long did you remain at the Villa d'Este before you went upon this voyage?—About two months.

On board what vessel did you embark upon this voyage at Genoa?—A man-of-war.

The Leviathan?—The Leviathan.

To what place did you go in the Leviathan?—We went to Porto Ferraja.

From Porto Ferraja where did you go to next?—To Palermo.

Did the Princess go to Court at Palermo?—She did so.

By whom was she accompanied?—I do not remember.

How long did she stay at Palermo?—Twenty or twenty-five days; no more: I do not remember properly.

To what place did you go from Palermo?—To the Princess Bodaci.

After you left Palermo, which place did you go to?—Messina.

Did the Princess take a house in Messina, or near Messina?—Near Messina; in the neighborhood.

Do you know the relative situations of the bed-rooms of the Princess and Bergami at Messina?—I remember.

Were they near each other?—Between the room of the Princess and that of Bergami there was a room in which the dame d'honneur slept.

Who was that dame d'honneur?—A sister of Bergami.

Did the other persons of the suite sleep in that part of the house, or in another part?—In another part of the house.

You have told us, that the only room between the Princess's room and Bergami's, was the room of the Countess of Oldi; was there a communication through that room from the Princess's room to Bergami's?—No; it was necessary to pass through the room of the dame d'honneur.

Is it to be understood that there was an interior communication from the Princess's room to Bergami's, through the room occupied by the dame d'honneur?—By passing through the room where the dame d'honneur slept, one might pass from the room of Bergami to that of her Royal Highness.

Do you recollect Bergami breakfasting or eating with her in the morning at Messina?—I do.

In what room was that?—Beyond the room where her Royal Highness slept there was a cabinet which led into a garden, and in that cabinet they took their breakfast.

Did they breakfast alone, or was there any other person with them, in general?—Alone.

Do you remember Bergami, at Messina, asking leave of the Princess to go and make some purchases?—I do.

Did the Princess give him leave?—She gave him leave.

Describe what took place when they parted from each other for that purpose?—I saw Bergami, when the Princess was going to take her breakfast, come in and say, "Will your Royal Highness permit me to go to Messina to make some purchases;" and having had this leave, he took her hand and kissed her lips.

About how long did the Princess remain at Messina? Twenty-five or twenty days, that is about the time; I can not take upon myself to say precisely.

To what place did the Princess proceed from Messina?—To Syracuse.

Did she proceed by sea or by land?—By sea.

Did she lodge at Syracuse, in the town of Syracuse, or in the neighborhood?—In the neighborhood, out of the town.

Did the Princess continue to live in the same house that she originally took at Syracuse?—In the same country house.

Was it near the pier?—About a gun-shot.

Describe the relations of the bed-rooms of the Princess and Bergami at that house you have now mentioned?—Her Royal Highness slept in a room under, and he slept in a room above.

Mention whether there was a private staircase communicating from the one room to the other?—There was a private staircase.

Did that staircase lead immediately from one room to the other?—It did immediately.

Was there another entrance into the bed-room of the Princess for the ordinary purpose of persons who waited upon her?—The chamber occupied by her Royal Highness had another entrance, that led into the saloon where they dined.

Do you remember seeing Bergami, at any time before going to Syracuse, go into the room of the Princess without being entirely dressed?—I remember it.

The question was repeated at the request of her Majesty's Attorney-General.—Yes.

Mr. Solicitor-General. Where was this?—If I do not mistake, I believe it to have been at the Caza Villani.

What part of his dress had he on?—He had that morning-gown on which her Royal Highness had given to him, with his stockings and his under small-clothes or drawers.

Where did the Princess go to from Syracuse?—To Catania.

Can you describe the relative situation of the rooms of the Princess and of Bergami, at Catania?—I can.

Were they near to each other, or distant?—In a kind of court or yard a little smaller than this room, this house.

Was there anything else except that court interposed between the bed-room of the Princess and the bed-room

Were the rooms near each other?—They were a little distance.

What separated them?—There was after the room of Bergami a little room, a small passage or corridor, then a large passage, in which there was nobody, and that large room led into the bed-room of the Princess.

Did anybody sleep in the small intermediate bed-room?—No, because the small room was neither a bed-room, nor any other room, but a mere room or passage.

Did the rest of the suite sleep in that part of the building or a different part of it?—All in another part.

Did the Princess go afterwards in that vessel to Constantinople, and, after some intermediate places, to Scala Nuova?—Yes.

Where did the Princess's suite lodge at Scala Nuova, in what kind of building?—They did not stop at Scala Nuova, but went to see the grotto of the Seven Sleeping Men.

How far is that from Scala Nuova?—Half a day's journey.

Do you remember a place where there was a barrack?—Yes; a Caffe Turque.

Where was that?—A little before going to the grotto of the Seven Sleeping Men.

Did the suite of the Princess take up their residence in that caffe or barrack during the night?—Yes, they did.

Do you remember a vestibule and a small church surrounded by a wall, near the spot?—I remember it very well, or too well.

Where did the Princess sleep the first night upon her arriving at that place?—Under the caffe, or within the caffe; under things all made of boughs of trees.

Do you remember, while they were at that place, being sent for by Bergami, or the Princess, to that vestibule inclosed in the wall, which has been mentioned?—I do.

Was the Princess there at that time?—She was.

Was Bergami also there?—He also was present.

Was there any other person present?—No one else.

Was it surrounded by a wall?—It was surrounded by a wall.

Was the Princess's traveling bed taken there?—I carried it myself.

By whose direction?—Both Bergami and her Royal Highness.

Did Bergami and her Royal Highness remain there together?—Yes.

Had you prepared the dinner in any other place?—I had carried it into the coffee-house, and her Royal Highness and Bergami ordered me to carry the dinner within this place, surrounded by a wall.

Did they dine there by themselves?—They were alone.

Where was the Princess sitting?—Sitting on the bed.

Where was Bergami sitting?—On the ground, at the feet of her Royal Highness.

Did you wait upon them?—I did.

After dinner was over, did they remain there?—Yes.

Was any other person with them?—There was no other person present.

Did the bed remain there?—It did.

How long did they remain together in that place?—An hour, or an hour and a half.

Where did they go to from Ephesus?—To Scala Nuova.

Did they embark again on board the polacre?—They did.

Where did they land?—At St. Jean d'Acre.

Do you remember going from St. Jean d'Acre to a palace called Aum?—Yes, under the tent.

At Aum did all the servants of the Princess's suite remain in the day-time under tents?—They were under the tents.

Were they in the habit of traveling by day or by night?—In the time of night.

And they went to sleep in the day-time?—Yes, they slept during the day.

Under tents, in the manner you have described?—Yes.

Do you remember the tent under which the Princess slept.—I do.

Was that among the other tents, or at a distance from them?—It was at the distance of six or seven paces from

the rest of the tents; there were three or four paces distance between them.

What, to the best of your recollection, was the distance between the tents occupied by the rest of the suite and that tent set apart for the Princess?—Five or six paces.

Under the Princess's tent was there a bed?—There was.

Was that the ordinary traveling bed of the Princess?—There was a little small traveling bed that her Royal Highness had ordered to be placed there, and there was a Turkish sofa.

Did this tent consist of one circle or of two?—There were two tents one into another, a double circle.

Were the bed and the sofa placed within the inner tent?—They were within the interior tent.

Was that inner tent of a circular form?—Both were in a circular form.

What distance was there between the inner circle, and the outer one, as nearly as you can recollect?—The length of my two arms.

You have told us there were a bed and a sofa in the inner tent, did you see the Princess there and any person with her?—There was Bergami.

In the inner tent where the bed and the sofa were?—Yes, and sometimes the little child.

Were Bergami and the Princess there during the time that was allotted for sleep?—During the time of rest.

Were the inner tent and the outer tent both closed?—The inner tent was shut up by them, and the outer tent he might either close or leave it open as he chose.

When you say that the inner tent was shut up by them, by whom do you mean?—Bartolomo Bergami, because the tent was closed from the inside.

Did they remain there during the whole time that was allotted for sleep?—Yes, they did.

Do you remember going from Aum to Ragusa?—No.

Do you remember going from Aum to Jerusalem?—Yes.

Did you stop between Aum and Jerusalem?—Yes.

Did they encamp again in the same manner?—They raised the same tents in the same way.

Did the Princess and Bergami again sleep under the same tent?—Under the same tent.

How many days were spent on this journey in which they were traveling with tents?—About two days, or two days and a half.

After the return from Jerusalem, where did the Princess again embark?—At Jaffa.

On board the same vessel?—Yes, the same vessel.

On the voyage to St. Jean d'Acre, had the Princess slept below in the cabin?—Yes.

Do you remember on her embarking at Jaffa, on her voyage home, any tent being raised on the deck?—I do.

What beds were placed under that tent?—A sofa.

Was there a bed besides a sofa?—A traveling bed.

Of the Princess's?—A traveling bed of the Princess's.

Did the Princess sleep under that tent generally on the voyage from Jaffa home?—She slept always under that tent during the whole voyage from Jaffa to the time she landed.

Did anybody sleep under the same tent?—Bartolomo Bergami.

That was on the deck?—Yes, on the deck.

Did this take place every night?—Every night.

Were they shut in; were the sides of the tent drawn in, so as to shut them entirely in?—When they went to sleep the whole was inclosed, shut up.

Did they use a lanthorn or a lamp for the purpose of going to bed?—They had a light.

You have said there was a light used, what was usually done with that light?—Sometimes, after I had made the beds, Bartolomo Bergami told me to take away the light, and I took it away; sometimes Bergami himself gave me the light out of the tent, by thrusting his hand between the lower extremity and the deck.

Were those beds regularly prepared every night?—Every night.

Do you remember whether the Princess bathed on board this vessel?—I remember it.

Where was the bath prepared?—In the cabin of her Royal Highness.

Who assisted her at the bath?—The first time I carried the water into the bath, and then Bartolomo Bergami

came down and put his hand into the bath to see the temperature of the water; then he went up stairs and handed her Royal Highness down, after which the door was shut, and Bartolomo Bergami and her Royal Highness remained alone in the cabin.

Do you remember whether this bathing took place more than once?—I remember that it has been more than once.

Do you remember, at any time, when the Princess and Bergami were below in the room for the purpose of taking a bath, being called to supply any additional water?—I do remember; two pails, one of hot and the other of cold water.

Do you remember who took that water in?—I went with the water as far as the door of the cabin, and then Bergami came half out of the door and took the water, and took it in.

Do you know whether, at the time when you took the water in this way, the Princess was actually in the bath or not?—I can not know.

Where was the cabin that you slept in situated, with reference to the tent you have described on the deck; was it under it, or how?—I slept in the dining-room, on a sofa.

Was that, or not, under the tent?—It was immediately under the tent, below deck.

Did you ever, on any occasion at night, while the Princess and Bergami were in the tent, hear any motion over you?—I have heard a noise.

What did that noise resemble; what did it appear to you to be?—The creaking of a bench.

Where did the Princess land?—At Capo Dausa, in the Pope's dominions.

Where did she go to from Capo Dausa?—I do not know, because I did not follow her.

Who went ashore at Capo Dausa?—The Princess, the sister of Bergami, Countess Oldi, Hownam, the Turk, the Moor, a man called the Camera.

Who was the Turk; how was he called?—One was called the Salem, and another the Soleman; but I think the Turk was the Soleman, and the other the Salem.

Do you know a person of the name of Mahomet?—Mahomet.

Where did he embark on board the vessel?—At Jaffa. Did Bergami go on shore at Terracini?—He did.

Was that before the Princess landed?—Before.

For what purpose did he go?—For the purpose of getting leave to land without performing quarantine.

Do you remember the Princess and Bergami taking leave of each other at the time he landed at Terracini?—I remember it too well.

What passed between them?—I saw him, at the time of taking leave, kiss her Royal Highness.

Where were Bergami and the Princess at that time?—They were in the cabin where they dined.

Where did you again join the Princess?—At the Villa d'Este.

How long did the Princess and Bergami remain at the Villa d'Este before they again left it?—About a month, I think.

How long did the Princess and Bergami remain at the Villa d'Este before they again left it?—I performed the quarantine at Genoa forty days, and I arrived thirty seven days after her Royal Highness had arrived, and I remained there one month.

What time was it that you got to the Villa d'Este?—I do not remember.

Did the Princess and Bergami, after you arrived at the Villa d'Este, go to a place called the Barona?—They did.

How soon did they undertake that journey after your arrival at the Villa d'Este?—A month.

Whose house was the Barona?—I do not remember.

Do you know a place called the Villa Bergami?—This I remember.

To whom does that house belong?—To Bergami now; he has bought it now.

Are the Villa Bergami and the Barona the same place?—It is the same place. Before it was called the Barona, and now they have changed the name, and it is called the Villa Bergami.

Do you know when Bergami became first possessed of that place?—I remember that it was about the time

that they were in the house Villani; but I think that it was while they were in the Villa Villani that he bought this house.

Was this Villa Bergami, not the house, but the estate about it, of considerable extent?—There is land about it, and a species of rough house where they make cheese for the farmers; a farm-house.

How long did the Princess and Bergami remain in the Villa Bergami on that visit?—About the time of six weeks; a month and a half; afterwards they took the road to Bavaria.

Was that during the Carnival?—It was during the Carnival.

Do you recollect the relative situations of the bed-rooms of the Princess and Bergami at the Villa Bergami?—I do remember.

Were they near to each other?—They both opened on the same landing-place.

By crossing that landing-place was there a free communication between the one and the other?—Yes; the landing-place was about a yard in length.

Was that separated from the other bed-rooms of the house?—From all the rest of the house.

Do you remember, while the Princess was at the Villa Bergami, any dances or balls being given there?—I do remember.

Did that occur frequently?—I remember twice.

How far was this from Milan?—Two miles.

What description of persons attended these balls?—Country people, peasants.

Did any of the nobility of Milan visit her during the time that the Princess was living there?—I do not remember it. Yes; at one time Bellegarde went to pay his respects to her Royal Highness; then, after that, Sourow, his successor.

Was Sourow his successor?—Yes, after Bellegarde went away, Sourow came.

Did you accompany the Princess on her journey into Bavaria, and into Germany?—I did.

Do you remember how the apartments of the Princess and Bergami were arranged in that journey, at different inns through which they passed?—I remember in Bavaria.

At what place?—At an inn, the Golden Stag, at Munich.

How were they arranged in that place?—The dining-room separated the bed-room of her Royal Highness from that of Bergami.

Do you remember in the course of that journey, or any other journeys, the rooms being arranged by the master of the house before the Princess arrived, and being afterwards changed?—I remember it.

Do you remember, upon any occasion, in those journeys, the rooms being arranged for the respective parties before the arrival of the Princess?—I do remember.

Do you remember after such arrangement had been made upon the arrival of the Princess and of Bergami, any change in the arrangement being made?—I do remember.

Can you state whether that happened more than once, and at what places?—I remember it to have happened in Bavaria.

At what place in Bavaria?—At the Golden Stag, at Munich.

By whose order was the change made?—Her Royal Highness and Bergami.

How were the apartments originally arranged; were those of the Princess and Bergami near or distant from each other?—Distant.

Was the change afterwards made to the relative situation you have before described?—They were changed, and then Bergami said, this is the room where her Royal Highness is to sleep, and this is the room where I shall sleep.

You have stated the conversation which took place about the rooms in which Bergami was the speaker; was her Royal Highness present at the time?—She was present.

The Counsel were directed to withdraw; and the House adjourned.

AUGUST 22.

Theodor Majocchi was again called in, and further examined by Mr. Solicitor General.

You were mentioning yesterday that you went with the Queen on the journey to Bavaria into Germany, did you go to Carlsruhe?—I did.

Did you also go to Nuremburg, Vienna, and Trieste?—I did.

Without asking you particularly as to the situation of the bed-rooms of Bergami and the Princess, at each of the places at which they slept during that journey; to the best of your recollection were those rooms generally contiguous to each other, or having a direct communication with each other, or were they at a distance?

The Interpreter stated the phrase used by the witness in his answer may have a double meaning—more near than far—or, more generally near than far.

Mr. Solicitor General. Explain what you mean by the expressions you have just made use of, whether they were usually near or usually at a distance?—Nearer than far, more near than far.

Did they usually communicate with each other?—Yes, they did.

Were they generally separated from the rooms occupied by the rest of the suite?—They were.

Who generally selected the apartments, that is, the bed-room of the Princess and of Bergami?—They both made the distribution of the chambers; her Royal Highness and Bergami.

Did Bergami travel on that journey in the same carriage with the Princess?—In the journey to Bavaria and to Genoa.

When you say that Bergami traveled in the same carriage with the Princess, in the journey to Bavaria, do you mean also in the journey through Germany?—I meant so.

Was it your business to prepare the carriages, and the things that were put into them?—It was my duty.

Do you know in what particular part of the carriage Bergami usually sat during the journey?—I do not remember.

Do you remember at any time in examining the carriage finding any bottle in it?—I found one bottle.

Was that usually in the carriage on the journey, when the Princess and Bergami traveled together?—It was.

Will you explain the construction of the bottle, as far as relates to the opening or mouth of it, was it large or small?—About three or four inches in diameter.

Do you know from what you found from time to time in that bottle, for what purpose it was used in the carriage?—It was for Bartolomo Bergami making water.

Do you remember being at the convent of Benedictines at St. Alessio?—I do remember it.

Do you remember seeing the Princess at breakfast there?—I do remember it.

Did the Princess breakfast alone, or did Bergami breakfast with her?—She breakfasted with Bergami.

Do you remember upon that occasion anything being done by Bergami to the Princess?—I do not remember.

Will you mention at what place it was you quitted the service of the Princess?—At Pesaro.

In the whole, how long had you been in the service, as near as you can recollect?—Nearly three years.

After you left the service of the Princess, at Pesaro, where did you go?—To Milan.

Into whose service did you afterwards enter?—The Marchese Erba Odescalchi.

How long did you remain in Italy after you left the service of the Princess, at Pesaro?—I do not remember.

As nearly as you can tell, state how long you remained in Italy after you left the Princess?—Four or five months; precisely I do not remember.

Do you remember at any time going with the Princess to Pavia?—I do.

At what inn did you lodge at that place?—I do not remember the name of the inn; but it is an inn on the right hand of entering Pavia.

Do you remember, at any time when the Princess was at Naples, Bergami being out on horseback, and the Princess asking for him one evening?—I remember it too well.

The Interpreter was asked—Does the Italian word used by the witness mean very well, as well as too well?

Interpreter. It means very well. I have translated it too well, because it was observed by the learned Attorney-General of her Majesty, yesterday, that it meant "too;" I should, upon my oath, translate it very well.

Her Majesty's Attorney-General stated that he had been misunderstood.

Mr. Solicitor-General. During the absence of Bergami on horseback, in the manner you have described, did the Princess ask for him?—She did.

Upon the return of Bergami after that ride, did you communicate to Bergami that the Princess wanted him?—I did.

Was the Princess at that time above stairs in her bedroom?—I do not know, because I was down below in the court.

In consequence of your having communicated to Bergami that the Princess wanted him, did Bergami go up stairs to the bed-room?

Mr. Brougham. I object to this mode of examination. The witness has not said where the Queen was, but the question assumes that she was in her bed-room.

The Lord Chancellor. I consider the question irregular. The witness ought to be asked, To what place did Bergami go.

The Solicitor-General. Let him be asked where Bergami went to?

Mr. Brougham interrupted the witness in the answer he was giving, by observing that he was going on to relate a conversation which had passed between himself and Bergami.

The Solicitor-General. The conversation will certainly be evidence if it relates to an act done by her Majesty.

Lord Erskine. It can have no connection whatever with the case if it only proceeded from the mouth of Bergami, without the presence of the Queen.

The Lord Chancellor. A conversation in the absence of a third person may be evidence, if connected with some act of that person.

Mr. Solicitor-General. After you had communicated to Bergami that the Princess had asked for him during his absence, what did he do, where did he go to?—Into his own room.

After he had entered into his own room, what did he do as to the door?—He shut up his door.

When you say he shut the door, what do you mean

that he merely closed it, or did he do anything with the lock?—He locked the door.

Do you remember how long Bergami remained there?—Three-quarters of an hour, or an hour.

Did you see the Princess below stairs in the rooms during that period?—I did not.

In the former part of your examination, being asked with respect to the position of the bed-room at the Villa d'Este, you said that some change had taken place, did that change take place during the time they were absent in Greece?—It did.

Do you know what was the relative situation of the apartments of the Princess and Bergami at the Villa d'Este after her return from Greece, and after that change had taken place?—I remember it.

Were those apartments near to each other, and was there a direct communication between them?—Yes.

Were the apartments of the rest of the household at a distance?—They were further.

Do you remember whether there was any door which, being closed, shut all communication from the rest of the house from those apartments occupied by the Princess and Bergami?—Yes, when the door was locked, then nobody else could enter.

Do you recollect whether, for the purpose of forming this communication, any alteration had been made in any wall of any of those apartments?—I do not remember.

Was there a theater at the Villa d'Este?—There was.

Did the Princess act upon that theater?—She did.

Did she act with Bergami at that theater?—I have seen Bergami and the Princess, but I have not remained during the whole performance of the comedy.

Upon your first arrival at the Villa d'Este, and your first residence there, was the Princess usually visited by persons of distinction of that part of Italy?—I do not remember.

Do you remember a person of the name of Mahomet, that was in the service of the Princess?—I do remember him.

What countryman was he?—It was reported of Jaffa.

Did he come on board the vessel at Jaffa?—Yes.

Did he remain with the Princess at the Villa d'Este during the whole time the Princess resided there?—Yes.

Can you tell of any circumstances in the conduct of Mahomet; any exhibitions which he was in the habit of making; observing always not to mention them unless the Princess was present?

Mr. Brougham submitted, that the Princess and Mahomet should be first brought together; and then a question asked, what passed while they were together, in order to prevent the witness misconceiving the question, and forgetting the reservation.

The Solicitor-General stated, that he would endeavor to put the question so as to avoid all misconception.

Do you remember, on any occasion when the Princess was present, Mahomet making any exhibition?

Interpreter. "Joco," the word the witness uses signifies play, or motions, or game, or tricks.

Mr. Solicitor-General. Was the trick, or whatever you allude to, one that he was in the habit of making?

Mr. Brougham submitted, that this question ought to be put with a guard; only those parts of his habit which were brought home to the knowledge of her Majesty being receivable in evidence.

Mr. Solicitor General. Describe what this joco was, to which you allude, before the Princess?

The witness snapped his fingers and bent his body, bending out his knees.

Interpreter. If I am obliged to give the translation of that, it is a species of dance, which is commonly performed in the East.

Mr. Solicitor-General. Was anything done by Mahomet, upon that occasion, with any part of his dress?—He made use of the linen of his large pantaloons.

Describe what use he made of the linen of his large pantaloons, and what he did with it?—He made the pantaloons go backwards and forwards (*moving his person backwards and forwards*).

Before he began, or during the time of this motion, did he make any arrangement or any alteration as to his pantaloons; did he do anything with the linen of his pantaloons or trowsers?—This I do not know.

Describe this joco from beginning to end—everything

that was done, as nearly as you can recollect—whether with his pantaloons, his turban, or any other part of his dress?—(*The witness made a motion*).

Interpreter. I can not translate that, because it is a motion.

Mr. Solicitor-General. Describe with accuracy what was done with the pantaloons or trowsers; how were the trowsers prepared?—He made them strike forward—go backwards and forwards.

Did he do anything to the trowsers with his hands, either at or during the time when these motions were going on?—I have not seen it.

Was the position of his trowsers the same as usual?—Always in the same state.

Do you remember upon more than one occasion this joco being practiced in the presence of the Princess?—More than once.

Was Bergami present also?—He was.

The Villa d'Este was upon the banks of the Lake of Como; did you ever see the Princess upon the Lake of Como with Bergami?—Many times.

Alone, or with other people?—Alone.

You have said that you have seen her many times upon the Lake of Como, and you have also said that you have seen them alone on the Lake of Como; have you seen them often on the Lake of Como, or seldom?—Many times.

Cross-examined by *Mr. Brougham*.

You have told us that you left General Pino's service; was not it on account of killing a horse, or something of that kind?—No.

You never killed a horse at all?—Never, never, oh, never.

You never told any one that you had?—Never, never.

What wages had you in General Pino's service?—Fifty pence.

Interpreter. That is twenty-five pence of this country.

Per day?—Yes.

Did you not find that enough, and leave the service on that account?—I left the service at Mantua; during the blockade of Mantua I left the service of General Pino.

At the second table of the Queen's house at Naples,

the table of the gentlemen, did not Sir William Gell's servant sit also?—I do not remember.

Do you remember another English servant of Mr. Craven, another of the gentlemen of her Royal Highness's suite, dining at that table?—I do not remember that.

Had either of these two English gentlemen English servants at all in her Royal Highness's family?—They had.

English servants?—Yes; I believe they were English, because they always spoke English.

Were they livery servants, or servants out of livery?—During every day they did not wear livery, but during a grand dinner I saw them come home with livery uniforms.

Interpreter. Uniform is the translation of the word used, but livery is his meaning.

Was it the duty of the ordinary livery servants of the household to wait upon her Royal Highness at table?—Yes.

Was it their duty to wait upon her Royal Highness also at breakfast in the morning?—No.

Was it not the duty of the upper servants, including the couriers, so to wait upon her Royal Highness?—Yes, it was.

Do you know Hieronimus?—Very well.

Do you know Camera also?—Yes.

Were they couriers?—They were couriers, because they wore the livery of couriers and rode.

In the Princess's house at Naples, where did William Austin sleep?—I do not remember.

Will you swear that he did not sleep in the next room to her Royal Highness?—This I can not remember.

What was the room next the room in which her Royal Highness slept?—I have seen no other.

Where did Dr. Holland, her Royal Highness's physician sleep?—I do not remember.

Will you swear there was no passage by which her Royal Highness could enter Bergami's room, when he was confined with his illness, except going through the room where you slept?—I have seen that passage, other passages I have not seen.

Will you swear there was no other passage?—There was a great saloon, after which came the room of her Royal Highness, after which there was a little corridor, and so you passed into the cabinet; I have seen no other passage.

Will you swear there was no other passage?—I can not swear; I have seen no other than this, and I can not say that there was any other but this.

Will you swear that there was no other way by which any person going into Bergami's room could go, except by passing through the cabinet?—I can not swear that there is another; I have seen but that; there might have been, but I have not seen any, and I can not assert but that alone.

Will you swear that if a person wish to go from the Princess's room to Bergami's room, he or she could not go any other way than through the cabinet in which you slept?—There was another passage to go into the room of Bergami.

Without passing through the cabinet where you slept? Yes.

Where did Hieronimus sleep in this house?—I do not remember.

Where did Camera sleep?—Camera was not then in the service at Naples.

Where did Sir William Gell's servants sleep?—I do not remember.

And you do not remember where Mr. Craven's servants slept neither, I take for granted?—I do not remember.

Where did Dumont sleep; the maid?—I do not know.

Where did the other maids sleep?—I do not know where the other members of the family slept.

Was it not a very severe accident which Bergami met with, from the kick of the horse?—It was so severe that he could no longer go on horseback.

Was it not so much more severe than that, that he was confined to his apartment?—I can not say that, because I can not have any knowledge of the illness.

Had you not so much knowledge of the illness that you were taken for the purpose of attending him in the

illness, and made to sleep now for the first time in the cabinet next him?—Yes; Bergami told me to put my bed to wait upon him.

You have said that he could not ride, did he go out walking during the accident?—I can not know whether he could walk.

Did you see him walk out every day as usual, out of his room, and into the streets?—I do not remember.

Will you swear that during his illness you ever saw him walk out once?—I do not remember to have seen him go out walking.

Did you ever go into his room during the time of his illness?—I waited upon him.

In waiting upon him did you frequently go into his room?—Often.

Did you find him there walking up and down the room?—This I do not remember.

Was he attended by any medical man?—I do not remember.

Did you not see her Royal Highness the Princess of Wales go into the room of Hieronimus to ask after his health when he had had an accident which confined him?—I do not remember.

Have you not seen her Royal Highness go into the room of Sir William Gell also, when he was confined with illness to his room?—I do not remember.

Was it not the constant practice of her Royal Highness to go herself into the chamber of any of her suite who might happen to be ill, in order to see after their health and their treatment during that illness?—I do not remember.

You never happened to be ill yourself at Naples?—No.

Did her Royal Highness make any difference whatsoever in the attentions she paid between the upper servants, the gentlemen or ladies of her household, and the lowest of her attendants, during their confinement by sickness?

The Solicitor-General submitted, that her Majesty's Attorney-General was assuming, as the basis of his question, facts which did not appear at present to exist, which he conceived to be irregular, even in cross-examination.

Mr. Brougham was heard in support of the question.

The Counsel were informed, that the regular mode of cross-examination, if it was meant to prove that her Royal Highness went into the room of Hieronimus when he was ill, was, the witness should first be asked whether he knew that Hieronimus was ill, and then the witness might be asked whether her Royal Highness went into his room.

Mr. Brougham.—Were all the parts high and low, of her Royal Highness's suite, with the the exception of Bergami, always in perfect health during the time they were at Naples?—I do not remember.

Did Dr. Holland, the physician, never attend anybody at all during the residence in Naples?—There was no other but Bergami during the time, that I remember; Bergami was ill of that fall, the others I do not remember.

Do you mean to say that you do not remember any other person being attended by Dr. Holland during the time that Bergami was ill in consequence of that fall?—I do not remember.

What sort of a bed did you sleep upon in the little cabinet, while you attended Bergami?—A mattress.

It had no curtains, had it?—No; it was carried on the shoulders and laid down.

When her Royal Highness went from Naples to Rome, in March, 1815, what English persons were with her?—Doctor Holland; as far as I remember, Hieronimus.

Was not Lady Charlotte Lindsay there?—Was it a small lady, for I do not remember her name.

Was there one English lady with her Royal Highness, or two, at that time?—I remember to have seen one English lady; I had seen one, but the other I had not seen; the little thin one I had seen and remember.

Did one or both of those English ladies go with her Royal Highness from Naples to Rome?—Madame Falconet, the mother, and the two daughters; the mother was said to be the wife of Falconet, the banker of Naples.

Was Mrs. Falconet an English Lady?—I do not know.

Did she always talk English?—She spoke rather

French, but I never heard her speak English; I do not know whether she spoke English, but she always spoke French.

Did you ever see these two young ladies, these daughters of Mrs. Falconet's, in the Princess's house with their mother, at Naples?—At Naples I do not remember to have seen them.

Did you see them any where else in the Princess's house?—I have seen them on the journey; when we began our journey from Naples to Rome.

Then is it not true that Mrs. Falconet did take her daughters to Rome with her?—Yes.

About what age were those two girls?—I do not remember.

Were they young children or young ladies?

The witness made an answer, upon which the Interpreter stated, that it was apparent the witness did not understand the question.

Her Majesty's-Attorney General desired, that that question which he had stated might be translated.

The Counsel were informed, that it was the wish of the House, that the witness might not be interrupted, in giving that which he might conceive to be an answer; but might finish anything he had to state, it not being the intention of the House to impute blame to either Interpreter or Counsel, in respect of such interpretation as had occurred.

Were they young children or young ladies?—Yes, ladies.

Did you see Lady Charlotte Lindsay, or any other lady besides Madame Falconet, with her Royal Highness, after she left Naples?—I do not remember.

Did you ever see any more than one English lady in the household of her Royal Highness at the same time?—I do not know; I do not remember.

Her Majesty's Attorney-General desired that the expression might be translated, "I do not remember."

The interpreter stated that there were different meanings to the expression, "Non me recordo," and submitted, that if he was wrong, the Interpreter for her Majesty might be the person to correct him, and he requested, might correct him in anything in which he might err.

Then Benetto Cohen, the Interpreter on behalf of her Majesty, was asked—

How do you translate the Italian words “Non me ricordo?”—“I do not remember.”

What is the Italian for “I do not know?”—Non so.

Mr. Brougham. I appeal to your lordships if it would not be the most childish thing in the world for me to talk of my knowledge of the Italian language, when your lordships have appointed an interpreter, and you are to take the witness's answer through him. But if it appears that they always translate “*Non mi ricordo*” “I don't recollect,” it seems to me that it might be allowable for a person—even, who was only a Tramonane like myself—to doubt whether the same words could sometimes mean “I don't recollect,” and at others “I don't know.”

The Interpreter, with their Lordships leave, restated the question.

Lord Hampden. How would the interpreter translate “This I don't recollect?”—The interpreter replied, “*Non mi ricordo questo.*”

Mr. Brougham. That is exactly my construction of the words. Does the interpreter, by “*Non mi ricordo,*” mean to say “I have no recollection,” or “I have no knowledge?” The interpreter answered, “I have no recollection:” and the word “*questo,*” which was desired to be precisely stated, applied to the particular circumstance spoken of.

Mr. Brougham. You gave us an account yesterday of having knocked one night at Bergami's door at Genoa so loud that he must have heard you, and that he gave no answer?—I did.

What sort of people were they who had come into the house that night, that made you go and knock up the Baron—knock up Bergami?—It was when that theft was made.

Do you mean to say that robbers had broken in, or threatened to break into the house?—Robbers had gone into the house.

Was not the alarm given that it was part of your friend Ompteda's gang; was not that the alarm in the Queen's house?

The Solicitor-General objected to the question, as assuming there was a person of the name of Ompteda; and secondly, that he was a friend of the witness; and also assuming that there was a gang of which the friend of the witness was a party.

The Counsel were informed, that that question appeared to the House irregular, and such as ought not to be put.

Mr. Brougham. Did not somebody that night come and attack a window of the house?—Yes, some thieves.

Did not you yourself go to the window on that occasion?—I opened the window, and saw a tall person before me; I took a gun and fired upon this person, that fellow; I saw more than one, and I fired upon those persons; they ran away.

Her Majesty's Attorney General.—After the robbers had attacked or threatened the house, and you had fired upon them in the way you have described, was not the whole house alarmed by what had taken place?—I immediately ran to knock at the door, and then, in going down stairs, I found that all the people had collected or were coming down stairs.

Did you see any one of them with a drawn sword in his hand upon that occasion?—I can not remember that.

Was Captain Hownam there upon that occasion?—I do not remember whether he was there.

Was Hieronimus?—It was all the family, but I can not say individually whether those persons were there.

Did you see Bergami there?—Yes, Bergami was there, I saw him.

How long after the first alarm was it that you went to knock at Bergami's door?—I went to knock at the door.

How long after the first alarm was it that you went to knock at Bergami's door?—Three minutes.

Three minutes after you had fired the piece?—Yes.

After knocking at Bergami's door, and not finding him there, did you open the door to see whether he was in the room, or not?—No, I did not open the door, but Bergami came out about a quarter of an hour after; a great noise was made, and then he came out.

Where were you at the time that Bergami did what you are pleased to call, come out?

Interpreter. I can not put the question in that way, what you please to call, come out: I can put it, when he came out.

Mr. Brougham. Where were you when Bergami did what you call, come out? I knocked at the door, received no answer, and went down stairs, and then all the family was coming out; and then I saw Bergami come out in about a quarter of an hour afterwards.

Then first you fired upon the robbers, then, three minutes afterwards, knocked violently at Bergami's room, then you went away, and a quarter of an hour after that the house were pleased to take the alarm, and all to come out?

Mr. Solicitor General objected to this question, as an incorrect statement of the answer.

Mr. Brougham. How soon after you fired the piece did you see Bergami, and the rest of the household come out? I fired, ran to the room of Bergami, knocked, and received no answer; went back again to the place where I had fired, the family collected, and I called and said, robbers, robbers, we have robbers in the house; I remained there, and then the people retired.

How long were you knocking at Bergami's door? I remained a long time, and I knocked very loud, louder and louder.

Did you go below from Bergami's door? I went down to the same room where the robbers had been.

Where did you first see Bergami after that time? In the same room to which I referred, and where the thieves had been.

You have said, that the Princess went almost immediately from the Grand Britannia, at Venice, to a private house in the neighborhood? Yes.

What was the room next to the Queen's room in that house?—There was a great saloon, and in the corner there was a room which led into the bed-room of her Royal Highness.

Was there another room on any other of the four sides of the Princess's room?—There was on two sides a window, and on the third side there were other rooms.

Was there not a room used for a sitting-room on the side you are now speaking of, which opened into the

Queen's room?—I do not know what use the room was put to.

Where did Hieronimus sleep?—I do not remember.

Beyond those rooms which you have described, and of which you say you do not know the use, was there a staircase?—I do not know; I have not seen any staircase on that side.

Where did William Austin sleep in this house?—I do not remember.

Where did Captain Hownam sleep?—I do not know. Was he with the Queen at Venice?—He was.

Was William Austin?—He was.

Hieronimus?—He was.

Camera?—No, he was not there.

Was Victorine, Bergami's child, there?—I do not remember.

Did Victorine, the child, always sleep in the room with the Princess?—Where.

After the time that the child, Victorine, came to be in the house of her Royal Highness, did she generally sleep in the same room with the Princess?—I do not know.

Do you know of her sleeping in any other part of the house?—I can not know that.

Did you ever see her sleeping in any other part of either the house or the ships?—I do not remember: she slept under the pavilion with her sometimes.

Interpreter. I do find it difficult to make myself understood; the witness is frightened out of his wits; he does not understand the most common words; I can not make him understand the question.

Mr. Brougham. Will you swear that you ever in your life, saw Victorine sleep in any other part of the ship or house, except where the Princess was?—Sometimes she slept under the pavillion, where was the bed with her Royal Highness; sometimes she slept down below, in the room of her Royal Highness, and sometimes she slept with the dame d'honneur.

Whom do you mean by the lady of honor?—The Countess Oldi.

Who, besides yourself, do you know, ever saw Victorine sleeping out of the room where her Royal Highness slept?—That I do not know.

Did you ever yourself see Victorine in a room, and in a bed where her Royal Highness was not to sleep that night?—I have never seen it.

Did Mr. Burrell, an English gentleman, go to Venice with her Royal Highness at the time you have spoken of?—I do not remember.

Do you ever remember having seen a gentleman of that name in her Royal Highness's family, for any length of time?—Yes; a short young man.

When and where?—At the Villa Villani, when we were there, and also at Milan and the house Boromeo.

Where did he sleep at the Villa Villani?—I do not remember.

At the Casa Boromeo?—I do not remember.

At Venice?—I do not remember there also.

The second time when you went back to Genoa, was not the arrangement of the rooms the same as usual with respect to the Princess and Bergami?—The Princess did not stop at Genoa only once; she merely embarked there when she came from Naples the second time; she went immediately on board the ship.

Have you ever seen the Villa d'Este since the time you came back from the long voyage?—I have.

Was the position of the rooms the same as it had been before with respect to the Queen and Bergami? They were not in the same situation as before.

Was there not a staircase or a landing-place of a staircase on one side of the Princess's room on her return?—A small corridor.

Was there a sitting-room on the other side of it, not opposite, but on one of the other sides of it? There was a small corridor, on the left of which there was a door that led into the room of the Princess, which was only locked; and then going a little further on in the corridor there was on the left hand a small room, and opposite to this small room there was another door which led into the room where they supped in the evening.

Did not that room communicate on the one side with the Princess's room, and on the other side with the room where the maids slept?—There was this supping-room on the right, there was a door which led into Bergami's

room, and on the same right hand of the same room there was a small alcove, where there was the bed of Bartolomo Bergami.

How many doors were there in the small sitting-room where they supped?—I saw two doors open always, but there was a third stopped by a picture.

Where did her Royal Highness's maids sleep?—On the other side in another apartment.

Where did Mr. Hownam sleep?—I do not know.

By what passage did the maids get into her Royal Highness's bed-room, for the service of the chamber?—Through the small corridor.

Into which her Royal Highness's room opened?—They could go this way, through the small corridor.

Upon the journey, when her Royal Highness used tents for resting in, you have said her practice was to travel by night, and to rest during the day?—Yes.

Did her Royal Highness ride upon that journey?—She rode on horseback.

About how many hours was she on horseback, generally speaking, in the course of the night?—She mounted her horse in the evening at sun set, and traveled all night, till the rising of the sun.

It is not asked as to half an hour, or even an hour, but about how many hours was she on horseback during the night?—I do not recollect.

Was she four hours?—She mounted on horseback in the evening when the sun set, and dismounted in the morning when the sun arose; but I had no watch, and do not know the length of time.

Will you take upon you to swear, that she did not frequently ride in this manner as much as eight hours without stopping?—I do not recollect.

Was not her Royal Highness extremely fatigued when she dismounted in the morning from those rides?—It was said, that she was very tired, and she immediately went to rest herself on the Turkish sofa.

Was she very much fatigued during the last hour or two of those rides before dismounting?—I can not recollect that.

Have you not seen, during the last hour or two of those rides, her Royal Highness obliged to have persons

supporting her on horseback, from the excess of her fatigue?—I do not recollect.

Was it not her Royal Highness's practice upon those rides, the instant she dismounted from horseback, to throw herself upon the sofa for repose?—After she dismounted from her horse, she threw herself upon the sofa, because she was tired.

Have you not yourself slept or rested yourself between the inner and the outer of those two tents where her Royal Highness reposed during the day?—Yes; I and Carlino.

Was not this the regular place of rest both for you and Carlo at such hours?—I slept on one side and Carlino slept on the other, because it made two tents; and the interstice of those two tents on one side I slept, and on the other side Carlino.

Does Carlino mean Camera?—It was said that he was a nephew of Bartolomo Bergami.

Was he one of the servants?—He wore livery as I did.

What sort of sofas were they that were put under the tent on those occasions; was not one an iron bedstead, and the other a sofa?—There was first a Turkish sofa, or rather a sofa placed by the Turks, and then I placed an iron bedstead.

Are you understood rightly that no bed-clothes of any sort were put upon the sofa?—I do not remember that.

Was not the sofa put down in the same state in which it was carried, like a common sofa in a room?—Yes; in the middle of the pavilion was a pillar or column, and the sofa was placed close to it.

Was it not in every other respect as sofas are, which are placed in rooms?—It was a sofa; I have not paid particular attention; I know it was a sofa.

On the iron bedstead did you not place a mattress to make it more soft to lie upon?—A small mattress which did belong to the small iron bed.

Was it not a mattress cased in leather, a leathern mattress?—I do not remember.

Used you not to place it; was it not your office to put it there yourself?—It was my office, together with Carlino, to place the bed.

Those were the same beds; the sofa and the bed that were used underneath the tent on board the polacre, were they not?—There were two bedsteads, one that was in a trunk, and the other folded up in a bundle; but I do not remember whether it was that in the trunk, or that in the bundle.

Were they not exactly of the same kind?—That of iron, which was in a bundle, was a very little larger; and the other, which was in a trunk, was a very little smaller.

Was not the sofa the same that was used on board the polacre under the pavilion?—I do not recollect whether it was the same or not.

If it was not the same identical sofa, was it not a sofa so like in every respect that you might easily take one for the other?—I can not say.

Was it not her Royal Highness's constant practice upon the voyage to throw herself down for repose in the middle of the day without taking off her clothes?—To this I paid no attention; I made no observation.

Will you take upon yourself to swear, that during the whole of that voyage, the Princess ever took off one stitch of her clothes?—If you speak so, I shall understand you; after her Royal Highness had dismounted from the horse, she undressed herself to rest herself.

What part of her clothes do you mean to swear that her Royal Highness took off for that purpose?—The upper gown: the upper garments.

Do you mean to say that her Royal Highness took off her gown, or a sort of surtout or cloak in which she had been riding?—I do not recollect.

Was there not a cloak which her Royal Highness was accustomed to throw over her the moment she dismounted, for the purpose of resting in it?—I do not recollect that.

Did her Royal Highness put on a mantle when she mounted in order to pursue her journey?—I do not remember that.

Were there sheets and blankets upon the sofa under the tent, in which a person taking off their clothes could go to bed, as is usual in Europe?—I placed the bed, and then I placed some feather pillows, and then I retired.

You did not put any sheets or blankets, or coverlids and sheets, did you?—I do not remember.

Was it not exactly the same used for sleeping under the tent on board the polacre, afterwards, during the sea voyage?—I do not remember; I know that there were beds or cushions, but I do not know whether the beds were made whether to get into or not.

Will you swear you ever saw, either on the land journey in Palestine, or on board the ship during the voyage, one stitch of common bed-clothes, sheets, blankets, or coverlids upon that bed?—This I do not recollect.

Who, except yourself and Carlino, ever made those beds, either on the land or sea voyage?—I do not recollect any other who did it.

Have you not sworn it was you and Carlino whose duty it was to make those beds?—Yes; when we arrived under the tent I placed the bed, and then I went out.

You have told us how and by whom the bed was made at night, who removed the beds in the morning on the voyage?—I do not remember.

Will you swear that it was not yourself?—I do not recollect. In the evening I was ordered to make the bed, and I carried the cushions; then in the morning I was called and took away the cushions; for it was not a matrimonial bed, a large bed, a real bed, but they were merely small cushions which I placed where people could rest.

Did you ever happen to see Billy Austin, Wm. Austin, rest under the tent in the same way, on the voyage, or on land?—I do not recollect.

Did you ever see Hieronimus rest in the same way in the tent?—I do not recollect.

Will you swear that they both of them have not so rested in the tent?—I do not recollect.

In the room below the cabin on board the polacre, where did Hieronimus sleep in general?—I do not recollect.

Where did Mr. Hownam sleep?—I do not recollect.

Where did William Austin sleep?—I do not remember

Where did the Countess Oldi sleep?—I do not remember.

Where did you yourself sleep?—On a sofa in a room where they dined.

Did not Camera sleep in the same room on another?—Camera was not a servant there.

Was Camera on board the ship?—He was on board the ship, but he was not a servant.

Where did he sleep?—I do not know where he slept.

But you swear that you yourself slept on a sofa in the dining-room?—Yes; whenever I felt myself sick or unwell, I went down below; but when not, I slept there; generally I slept there.

Where did the maids sleep?—I do not know.

Where did Captain Flynn sleep?—I do not know.

You know there was one English sea officer on board the vessel, as well as Captain Hownam?—Yes.

The whole of the voyage?—Lieutenant Flynn was on board the polacre *Carolina*, during the whole voyage.

Was he not in her Royal Highness's suite in her Royal Highness's land journey, as well as the sea voyage?—I do not remember that.

Will you swear that Lieutenant Flynn was not on the land journey with her Royal Highness to Palestine?—This I do not recollect.

About what aged man is Lieutenant Flynn?—I can not tell.

Is he a very young man, or a man about thirty?—I can not recollect.

Is he older or younger apparently than Lieutenant Hownam?—This I can not recollect.

Have you ever seen him in her Royal Highness's suite, except during the long voyage?—I do not remember.

Did you ever see him in your life with her Royal Highness at the *Villa d'Este*, or the *Villa Villani*, or any of the other palaces her Royal Highness inhabited?—I can not remember.

Have you the least doubt in your mind, that Captain Flynn never was in her Royal Highness's service regularly when on shore?—I do not remember either yes or no; I do not recollect at all of this.

When did you see Captain Flynn for the last time?—I do not remember.

About what time?—On the return from the voyage to Egypt, I remember he was on board about Syracuse, or at Syracuse.

And you do not recollect having ever seen him since?—I do not remember to have seen him after that.

Were you ever sea-sick on the voyage home from Jaffa?—Whenever I am on board a ship, I am more unwell than well.

His Majesty's Attorney-General submitted, that this was not a proper translation of the words of the witness, but that the interpretation was always, or almost always.

The Counsel were informed, that in case any doubt arose whether the interpretation was correct, it must be explained by the interpretation of the other interpreter, who was sworn; for that there was no person in the House, or at the bar, who had a right to give any interpretation.

Mr. Brougham to the Marchese. Give us in Italian, the very words the witness said?—He answered "sempre," and in the same breath he added "le piu parti," and that as far as I can collect it is, for the most part I was more sick than well.

Then when you were unwell, you went below, did you not?—Sometimes I threw myself on the cannon, sometimes I threw myself on the sofa, sometimes I was down and threw myself wherever the sickness surprised me.

Did you not, when you were ill during the voyage sleep below under the deck?—Under the deck.

In the hold?—Yes at the bottom of the ship.

Have you not been frequently, during the voyage, for days together, when you never made your appearance on the deck at all?—When I was unwell, sometimes I was a day or two without coming up; when I was unwell I was sometimes a whole day without coming up.

Will you swear you have not, during the voyage, been kept down by illness for more than two whole days together?—I was whole days together without coming up.

Do you mean that you were whole days together?—For instance, in the morning I fell sick, and I remained below till the next morning.

Will you swear that you had not been more than two days without ever coming up at all?—I was ill one day and one night; for instance, this morning I fell ill, and I remained ill till next morning.

Will you take upon yourself now to swear that you never, during the whole voyage were more than one day and one night together without coming above upon deck?

Interpreter. I can not translate it, with the utmost submission to your Lordships, to make the sense of it so as for the witness to understand. It is impossible for me to translate it literally; if I had a man of talent by my side, I would do it, but I can not do it with this witness.

Their Lordships directed that the question should be put by the other interpreter.

The question was repeated through the interpretation of Mr. Cohen.

Yes.

The examination proceeded through the interpretation of Mr. Cohen.

Do you mean that you swear that you never were more than four-and-twenty hours together without going upon deck?—Yes.

More than four-and-twenty hours following each other?—From one morning to the other.

During the time that you were on board ship, did they not keep watches as is usual upon deck?—I do not remember.

Were you the only person upon deck at that part of the ship where the tent was placed, in which her Majesty slept during the night?—I did not sleep upon deck.

When you saw the tent placed for her Majesty to sleep in, and left at night to go below, were you the only person on deck at that time?—This I do not remember.

Were there no sailors on board this ship?—There were.

Did those sailors never come upon deck?—This I do not remember.

Did those excellent sailors always remain below in the hold with you?—This I can not remember, if they slept in the hold during the night-time or went up.

Do you mean to represent that the ship was left to go alone the whole of every night with out any sailors being on deck?—I can not know whether the sailors were down in the hold or upon the deck while the vessel was going during the night.

Did you not see the sailors upon deck during the day?—Yes, they were at work in the day-time.

About how many sailors were there on board this ship?—I do not know the number.

Were there four?—I do not know the number.

Will you swear there were not two-and-twenty?—I can not swear.

About what size was this ship?—I can not give an account of this vessel, because I have no knowledge of ships.

So that whether there were two sailors on board this ship, or two-and-twenty, you will not take upon yourself to swear?—No, no, no; I can not tell.

Was there a Captain?—Yes, the owner of the ship.

Were there any other officers belonging to the ship?—I can not tell; I do not know.

Who slept in the place where you used to sleep down below in the hold?—I know very well that I slept there, but I do not remember who else.

What part of the ship was it regular and customary for the livery servants of her Royal Highness's establishment to sleep on board the ship?—This I do not know.

The livery servants of the suite?—This I do not remember.

Were you not yourself a livery servant?—Yes.

Where did the Padroni of the vessel sleep?—I do not know.

How many masts had the vessel?—Three.

Will you swear that it was not a ship of 300 tons?—I have no knowledge of ships, and I can not say.

When her Royal Highness slept below, had she not a

room in the inside, beyond the dining-room?—This I do not remember.

When her Royal Highness was going by sea on her voyage from Sicily to Tunis, where did she sleep?—This I can not remember.

When she was afterwards going from Tunis to Constantinople on board the ship, where did her Royal Highness sleep?—This I do not remember.

When she was going from Constantinople to the Holy Land on board the ship, where did she sleep then?—I do not remember.

Where did Bergami sleep on those three voyages of which you have just been speaking?—This I do not know.

Where did you sleep yourself?—I went below.

Do you mean in the hold?—In the hold.

Were you ever yourself in the room in the vessel where the Princess used to dine.—Yes.

How many doors were in that room?—This I do not remember.

Do you not know that there were two rooms which entered out of that inside?—This I do not remember.

Was not the bath taken always when taken in the dining-room itself?—Not in the dining-room, but in the room next to it.

What do you mean by the room next to it?—A small room.

What do you mean by the other small room; where was that placed?—Another small room that was on one side.

Do you mean that after you entered from the fore part of the vessel where every body slept, into the dining-room, that within the dining-room there was another small room entering into it?—As soon as you enter the dining-room, there was a small room where the Princess took the bath.

Their Lordships having expressed a doubt whether the answer to the question had been rightly translated, it was translated as above by the Marchese di Spineto, which was assented to by both sides, as being the correct translation. The interpretation proceeded through the Marchese di Spineto.

How often will you swear that her Royal Highness

took the bath during the voyage?—I can swear to twice; she might have taken it more, but I remember only two times.

Was it Bergami's office to prepare the bath for her Royal Highness?—This I do not know; but I believe not.

Whose office in her Royal Highness's household was it?—This I do not know.

Was it your office?—I was ordered to carry the water into the bath.

Did you carry the water into the bath, or only to the door of the dining-room?—I was ordered to make the bath, and I filled the bath with water about one-half; then I called Bergami, he came down and put his hand into the bath to try the temperature, and then he told me to get ready some more water, and to give it him, in case it should be wanted.

When you were there and put in the water first to make it half full, and called Bergami down to see whether it was of the right temperature, was there any body else in the room but Bergami and yourself?—No one else.

Did you not then retire and leave Bergami to see whether the bath was rightly prepared or heated?—After I had called Bergami, and he had thrust his hand into the water to try the temperature, I was told to go and get some more water, hot and cold, that I might give it to him in case it was wanted.

In this dining-room was there not another room opening into it, besides the room where the bath was?—I do not recollect.

Will you swear there were not two, one belonging to the Princess, and the other belonging to the Countess Oldi?—This I do not remember, whether there was any other door.

But you will swear that Camera did not sleep there?—No.

Maurice Camera?—I never saw him sleep there.

Did you ever see Maurice Camera upon the voyage at all?—I do not remember whether he slept there.

Was he not on board?—He was on board.

Was he not on board, and was he not with her Royal

Highness during the whole of the long voyage?—Yes; but I do not remember where he slept.

You will not swear he did not sleep in that very dining-room?—No, I can not swear that.

Was he not with her Royal Highness during the whole of the land journey, as well as during the voyage?—He was.

Was he not a page and courier?—I remember he was a courier, but I do not know that he was a page,

Camera was no relation of Bergami, was he?—This I do not know; I can not know.

You have told us that another Carlino was, because he was said to be a relation of Bergami's; was Camera said to be a relation of Bergami's in the same way that the others were said to be?—This I never heard.

What number of maids had her Royal Highness with her, upon the long voyage?—There were Mademoiselle Dumont, Brunette, and the Countess Oldi.

How long is it since you have seen Dumont?—At Naples.

You have never seen her since you saw her at Naples; where did you see her last?—At Pesaro, when I left the service of her Royal Highness.

You have never seen her since that?—Never.

Do you know where she is now?—No, I have never seen her since.

Perhaps you do not know whether she is dead or alive?—I can not know it.

Have you never heard of her since you left her at Pesaro?—Never.

Have you never heard her talked about since you left Pesaro?—No.

Have you never heard her name mentioned since you left Pesaro?—I have never heard it.

Have you never heard Sacchini talked of since you left Pesaro?—Yes, I have heard his name mentioned.

Have you not seen him, too?—I have spoken to him once on the Piazza of the Cathedral of Milan.

Have you never seen him since?—I do not remember to have seen him after that, I do not remember to have spoken to Sacchini; it is possible, it may be, that I may have done it, but I do not remember.

You said yesterday you had seen the Princess and Bergami at breakfast together?—Yes.

Who saw them at breakfast besides Hieronimus and yourself?

The Solicitor-General objected to the question, as assuming that the witness had said that Hieronimus had seen them at breakfast together.

Mr. Brougham. You saw them yourself?—Yes.

Hieronimus was there too, was not he, at the same time?—I do not remember.

Was the Countess Oldi present?—I do not recollect.

Was not Hieronimus present one of the times you saw the Princess and Bergami together at breakfast?—I do not recollect whether Hieronimus was present.

Who was by at the time that you saw Bergami salute her Royal Highness, upon going to do some business for himself at Sicily?—I had seen nobody else but myself, the Princess, and Signior Bartolomo Bergami.

Who was present besides yourself at the time that Bergami saluted her Royal Highness on landing, on account of the quarantine at Sicily?—There was nobody but myself, the Princess, and Bergami?—I had seen nobody else.

Was it not on the deck of the vessel, after dinner, that this happened?—Under the deck, before going up to the deck.

Was it not after dinner?—Yes.

Where had they dined?—I do not remember where they had dined, but I know it was after dinner.

Was it not in the room in which they had dined that this took place?—It was in the dining-room; the Princess was there, and there came Bergami to take his leave about his departure.

Have you not represented yourself to have been in the same room at the time?—I was present.

When her Royal Highness slept in the tent on deck, did she burn a light during the night?—She did not burn a light.

Have you ever been at the Villa d'Este since you quitted her Royal Highness's service?—Yes, I have been; after Pesaro, I went to the Villa d'Este.

Did you go to the Villa d'Este straight from Pesaro?

—I went straight forward from Pesaro to the Villa d'Este.

How long did you remain there?—I do not remember the time.

Was it days or weeks?—I think days, but precisely I can not tell the number of days.

Have you ever been there since that time?—I have been there a second time.

How long after that first time was it?—I can not recollect.

Was it months or weeks?—I do not think it was past months.

Did you ever apply to be taken back into the service of her Royal Highness after you left it? I do not remember.

Did you ever apply to Count Vasali to be taken back?—I do not recollect.

Did you ever apply to Baron Bergami to be taken back?—If I well recollect, never.

Did you ever make application to Louis Bergami, or any other of the Bergami's, to be taken back?—I do not recollect it.

Did you ever apply to Mr. Scavini to make interest for your being taken back?—Once I did.

When was that once?—At the Hotel of Italy.

About how long after you left Pesaro was that application?—I do not remember.

Was it a week after?—More than months.

Will you swear it was not half a year?—I can not recollect the number of months, how many there were.

Did you ever write a letter to be taken back?

The Solicitor-General objected to the question.

Her Majesty's Attorney-General. Did you ever write a letter to Bartolomo Bergami, or Scavini, or Vasali, after leaving her Royal Highness's service?—Never; because for my misfortune I know very little to write.

Did you ever make any other person for you write a letter to Vasali, Scavini, or the Bergami's, after you left her Royal Highness's service?—Never, as far as I recollect.

When you made application to be taken back at the Albarga Italienne, some months after you left the ser-

vice, were you not refused to be taken back?—I do not remember whether it was answered yes or no.

Were you, in point of fact, taken back to the service of her Royal Highness?—No.

Have you ever been taken back since, in point of fact?—After I left the service of her Royal Highness, I never again entered into her service.

Was not Scavini with her Royal Highness upon the whole of her voyage to the East, the long voyage?—He was on board.

Was he not on shore, too, during the journey?—And he also came on shore during the whole time of the journey.

In the journeys by land which her Royal Highness made, did not Madame Oldi, and the child Victorine, travel in the same carriage with her Royal Highness?—I do not remember.

Was Billy Austin, William Austin, in the same carriage with her?—I do not remember that ever he was.

Whose house did her Royal Highness occupy when she was at Carlsruhe?—This I do not know.

Was it an inn or a private house?—I believe it was an inn.

Was it not an apartment in an inn which the English Minister had given up to accommodate her Royal Highness?—This I do not remember.

Were William Austin and Madame Oldi, and Victorine, upon that journey, and at Carlsruhe, with the Princess?—I do not remember.

Will you take upon you to swear that they were not at all there with her?—They were on the journey.

Were they not on that journey during the whole time?—They were.

Did they not go wherever her Royal Highness went on that occasion?—Yes, they followed her.

Was that not a journey which her Royal Highness undertook to pay a visit to her relation, the Grand Duke of Baden?—Yes, I remember we set out on a journey to Baden.

Did the Elector wait upon her Royal Highness at Carlsruhe, and did her Royal Highness go to the Court of Baden?—This I do not remember precisely.

Do you mean to say that you do not remember whether or not her Royal Highness, when she was at Baden, went to Court at all?—Her Royal Highness went to Court.

Did the Grand Duke wait upon her Royal Highness at her hotel?—This I can not assert; I do not know.

Was the English Ambassador seen with her Royal Highness at that place?—This I do not know.

Do you happen to know the name of the English Minister at that place at that time?—I do not recollect it.

You have described a change being made in the Villa d'Este during the long voyage, was there not a new wing built to the villa during that time?—I do not remember whether a new apartment had been built.

Do you mean to represent to this Court that you do not recollect whether a new building was entirely added to the Villa d'Este during the time that you and your mistress were in the East?—I do not remember whether they had erected a new building.

But you perfectly recollect the little alteration in one of the doors of the rooms?

Mr. Solicitor-General objected to the question, as assuming that the witness recollected a fact which he had stated he did not recollect.

At the time that those sports were performed by Mahomet, was not Dr. Holland present as well as her Royal Highness the Princess of Wales?—No, I have not seen him.

Will you swear that Dr. Holland was not then present?—No, I have not seen him.

Must you have seen him if he had been there?—I have not seen him.

Will you swear that Lieutenant Hownam was not present when Mahomet played off those tricks?—I have not seen him; that which I have seen I say; what I have not seen, I say no.

Who else was there beside yourself and the black performer, and her Royal Highness herself?—I have not seen any body else. I have seen the Princess, Bergami, and Mahomet with my own eyes.

Whom did they send for Mahomet on that occasion;

were you the person sent to bring Mahomet on that occasion to perform?—This I do not remember.

Were you so placed that her Royal Highness saw you at the time as well as Mahomet?—I was in such a position, that when Mahomet played his tricks, her Royal Highness did not see me, but Mahomet saw me, and Bergami saw me.

Was it in a room?—No, in a court.

Were there any windows looking into that court?—There were all the windows of the apartment.

Where were you placed?—I was near the door which leads to the Lake.

Were you in the court in which Mahomet was?—On the door that leads to the Lake.

Where was her Royal Highness?—At the window of her bed-room, or the cabinet, precisely I do not recollect.

Where was Mahomet?—He was coming out of the door of the stable alone.

Did Mahomet stand in the court to perform those tricks?—Near to the window of her Royal Highness.

Was the back of Mahomet turned to you?—I was by his side?—Mahomet was looking at her Royal Highness.

You were at the same side of the court at which her Royal Highness was looking out of her window?—I was on the same side, for Mahomet was on my left; Mahomet was looking at the window of her Royal Highness, and this was near the door leading to the Lake.

You were at the door on the same side of the court on which her Royal Highness was looking out at the window?—No; her Royal Highness was on one side of the door, and the Lake on another.

Were you on the side opposite to the side where her Royal Highness was?—For instance, that was the door of the stable, that (*at right angles*) was the window, from which her Royal Highness looked in the court, and I was at the door of the Lake, which was that way (*at right angles*).

From the position in which you stood on the side of the court, you could see her Royal Highness?—More than seeing her; for I was at that door there, and I saw

her Royal Highness at that window there (*describing them*).

Did not you swear that her Royal Highness could not see you at that door?—Yes, she could not see me, but I do not know whether she did see me.

Who ordered this Mahomet to come and perform those tricks upon that occasion?—I do not know.

Then for anything you know, there might have been some persons in the same room with her Royal Highness, standing a little way behind her?—I could not see; I saw her Royal Highness looking out at the window, but any other people I could not see; she put her head out at the window to see this Arabian play these tricks.

Did you never see this Arabian play these same tricks on any other occasion?—I saw him at Barona.

Was her Royal Highness present upon that occasion also?—With Bergami.

Anybody else?—The people of the family.

Men as well as women?—Footmen, coachmen, kitchen people, scullions, who were there to look at it.

When you left her Royal Highness's service, you have told us you first went into the service of Odescalchi?—Yes.

Were you in her Royal Highness's family at the time the affair of the Baron Ompteda happened?

The Solicitor-General objected to the question, as assuming that some affair had happened, in which the person styled Baron Ompteda was concerned.

Mr. Brougham. Did you ever see the Baron Ompteda?—I do not remember that name.

Did you ever, during the year after the long voyage, see a German Baron dining at her Royal Highness's, at the Villa d'Este?—In the house Villani I saw him.

Then you do know a certain German Baron who used to visit her Royal Highness?—He was a Prussian.

What was his name like, as nearly as you can recollect?—I do not remember the name because it was an extraordinary or unusual name, the Baron—Baron—Baron—something.

Was this Baron, whatever the extraordinary name might be, very frequently at her Royal Highness's house?

—Yes, I remember myself well; that I can swear he has come twice to the house Villani.

What makes you recollect this Baron coming there?—This I do not know.

Was there any affair happened in the Princess's family—anything that made a noise in the family, connected with this Baron, whatever he was?—This I do not remember.

During the time you were in the service of her Royal Highness at the Villa Villani, or the Villa d'Este, do you recollect any blacksmith or locksmith being examined there with respect to picking of locks?—This I do not remember.

Or about making false keys?—This I do not remember.

Or about making false keys?—This I do not remember.

You never heard of any such thing in the family while you were there?—This I do not remember to have heard; I do not remember it.

Do you remember no quarrel taking place between Lieutenant Hownam and this German Baron, while you were there?—I have heard that they had quarreled together, but I do not know the cause of the quarrel.

At about what time did you hear this about the quarrel?—I do not remember.

Was it before or after you came from the long voyage?—This I do not remember.

About how long?—I do not remember.

About how long was it before you left her Royal Highness's service, was it years, or months?—I do not remember these things.

Do you mean to say you can not remember whether it was a week or two years before?—I do not remember the time.

Do you recollect what company used to come to the theater at the Villa d'Este, where you state her Royal Highness acted twice?—This I do not know.

Did you ever see the Prefect of Como Tomesoa and his lady attend that Theater?—This I do not remember.

Professor Mocatti, of Milan, did you ever see him there?—I have seen the Professor Mocatti there.

Do you mean visiting at the Villa, or at the Theater?—I have seen him come and pay a visit; but in regard to the comedy I have not seen him.

Did you ever see General Bugner, the Austrian Commandant, there, with his lady?—Whether she was his wife I do not know; but I remember to have seen General Bugner come to pay a visit to her Royal Highness, with a lady.

Did you ever see General Pino visit her Royal Highness?—I recollect once, it may have been more, but I remember his coming but once.

Used you to wait at table at dinner?—Yes.

Will you take upon yourself to say that you do not know that your old master, General Pino, dined there more than once while you were in the service of her Royal Highness?—Once alone that I have seen him; I have seen him but once that I recollect.

Do you know the person of the Prefect Tomesoa, at Como?—Yes.

Will you take upon you to say you have not seen him and his lady dine with her Royal Highness more than once?—I do not recollect.

Do you mean that you never recollect to have seen him dine there once, or only once?—I remember once alone; it might have been many times, but once alone is what I recollect.

Did not the persons who happened to be visiting in her Royal Highness's house take parts indiscriminately in those plays which were acted at her private theater?—I do not recollect.

Did Mr. Hownam never act?—I do not recollect.

Mr. Cavalletti?—I do not recollect.

Do you mean to represent, that you never saw any other parts performed upon that stage, except by her Royal Highness and Bergami?—This I do not know; in the moment I entered I saw her Royal Highness and Bergami; other people I saw not, for I went away; there might have been.

What sort of a comedy were they acting while you saw them?—When I was entering the room, I saw Bergami dressed as a sailor, performing the part of a buffoon, with a bladder striking like a fiddler, but then I

went away and saw nothing else, because I did not remain at the comedy.

Did Mahomet perform his dance on that stage as an afterpiece?—I saw nothing of that.

You say you were four or five months in the family of Odescalchi, when did you go from his service?—Not in the service; I was more than five months in the service of Odescalchi.

How long were you in the Marquess Odescalchi's service?—Near a year.

Were you all your time in Italy with him?—No, I was with him in Germany.

How soon after you went to him did you go with him to Germany?—Perhaps two or three months, precisely I do not know; I may be mistaken perhaps; a few days more or a few days less.

How long were you with him at Vienna?—Six or seven months, but precisely I do not recollect.

What wages had you from the Marquess?—At Milan. I had fifty soldi per day, five-and-twenty pence at Vienna, four livres.

Do you mean livres of Milan?—Yes, livres of Milan.

How many soldi are in a Milan livre?—Twenty.

Was this rise of wages on account of your being living at inns and hotels?—Because I was not at my own house, for at my own house I had my own dinner; being on a journey, he gave me four livres a day.

How much wages had you with her Royal Highness per day?—Every three months I received thirty ducats; twenty-nine ducats every three months.

How many livres of Milan is there in a ducat?—A ducat contains about six livres and a half of Milan; but I do not know precisely.

Had you with her Royal Highness these twenty-nine ducats every three months, living all the while in her Royal Highness's house, and supported at the table?—Yes.

Had you any other perquisites or advantages of any sort besides that, when you were with her Royal Highness?—I do not recollect.

Was her Royal Highness kind to all her servants?—She was kind and affable.

At the Marquess Odescalchi's, where you had fifty soldi per day, you had to find yourself, had you not?—I had pottage.

Interpreter. It is not the same as soup, it is a species of hotch-potch, but without meat.

Mr. Brougham. Had you made money, and saved a little fortune in her Royal Highness's service?—I had put by seven hundred livres.

What time had you taken to make this; in how many years?—Three years.

Did you save anything afterwards on your fifty soldis a day, when you were at the Marquess Odescalchi's?—I was making economy to save a little money for my family.

What does your family consist of?—A wife and two small daughters.

How old are the daughters?—One of them is nine years, the other is between two years and two years and a half.

About what time did you quit the service of Marquess Odescalchi at Vienna?—About two years ago.

Into whose family did you go as a servant from the Marquess Odescalchi; who hired you after him?—The Ambassador at Vienna.

Was it the English Ambassador?—The English Ambassador; it was him I went to live with.

What is the name of the English Ambassador?—Lord Stewart.

Did you go as a postillion and courier, or a lackey, to the English Ambassador?—The Lord Stewart gave me only my subsistence.

Do you mean that you became attached to his Embassy, as a sort of private secretary, or what?—I was always at the Ambassador's, and the Ambassador gave me something to live upon.

Do you mean that you were in his house on the footing of a private friend?—No, not as a friend.

When did you first see his Excellency the English Ambassador at Vienna?—I do not remember when I saw him; I saw the secretary.

What was the Secretary's name?—Colonel Dureno.

Was he an Englishman or an Italian?—I do not know; I can not say.

In what language did he talk to you?—In French.

Do you know a certain Colonel Brown?—I do.

What countryman is he?—I do not know of what country he may be.

What language does he talk?—In French.

Where did you first see Colonel Brown?—At Milan.

Was it while you were in the service of the Odescalchi family?—No.

Whose service were you then in?—I was serving no one at that time; I had left the service of Erba Odescalchi.

Do you mean that you left the family of Odescalchi for some time, and then went with him on a second hiring to Vienna?—No, I left Vienna and went to Milan to Colonel Brown.

Do you mean to Colonel Brown, or with Colonel Brown?—I went to Colonel Brown.

Whom did you go with from Milan to Vienna?—With my father.

At what time was it you went from Milan to Vienna with the Marquess Odescalchi?—On the 30th of August, three years ago.

Do you mean in the year 1817?—Yes; I think so.

At what time did you leave the service of the Princess? In the year 1817.

In what month of the year?—This I can not remember.

Was it summer or winter?—It was during summer; half summer.

How long after you left her Royal Highness's service did you go with the Odescalchi family to Vienna?—About five or six months afterwards.

How did you return to Milan from Vienna?—I came to Milan to Colonel Brown.

Who accompanied you?—My father.

Was your father in the service of the Odescalchi family at Vienna?—He was not.

How does he happen to come to Vienna, your respectable father?—My father came to Vienna to take me.

Who sent him for you?—I can not know that.

What is your father?—A carter, a carrier, carrying merchandise with horses.

Does he carry from Milan to Vienna; is that the constant course he makes with goods?—No.

How did this carrier happen to set out, to pay you this visit at Vienna?—He came to Vienna, to tell me to come to Milan.

Did he come with his carrier's cart?—No, no.

At the time that your father came to Vienna, were you in the Ambassador's service?—I was not.

Were you living in the Ambassador's house?—No.

Was it during the time that you was supported by the Ambassador?—No.

In whose service were you?—Of the Marchesse of Odescalchi.

When your father took you to Milan, did you there see Colonel Brown or Colonel Deering?—I saw Colonel Deering at Vienna, and Colonel Brown at Milan.

You have seen Colonel Brown, have not you, when you were in the service of the Marchesse di Odescalchi? Not during his service, but after my father came to fetch me.

What induced you to leave the service of the Marchesse Odescalchi, whom you liked so well as to accompany him to Vienna, and to go back with this respectable old carter to Milan?—My father told me to go to Milan together with him, and I went to Milan together with my father.

Did you go to Milan because your father desired you, merely from respect for the orders of your parent?—No; he told me that at Milan there was Colonel Brown, who wanted to speak to me.

Did you not humbly represent, upon that occasion, that your bread depended upon your place in Marquess Odescalchi's family?—Yes.

But still he told you to go and speak to Colonel Brown, and, therefore, you went with him to speak to Colonel Brown?—Yes.

Do you go everywhere whenever anybody comes to say to you Colonel Brown wants to speak to you, do you immediately leave your place to go to him?—When my father told me so, I went to Colonel Brown directly.

If your father were to go and ask you to speak to Colonel Black, would you go also there?

Cries of order, order.

The Solicitor-General objected to the question what the witness would do under particular circumstances; that what his conduct had been, and what his motives were, was proper subject of examination; but not what would be his conduct under certain circumstances.

Mr. Brougham. I submit that it is a perfectly legal question, such as is put in every court of justice, and such as has lead before now to the discovery of conspiracies against the lives of individuals. Noble lords and judges are now present whom I have seen save the lives of their fellow subjects by such questions, and so put, and who could not have done it if they had been disturbed by cries of "order."

Her Majesty's Attorney-General. Did you ever before go, at your father's desire, anywhere to speak to Colonel Brown, or Colonel anybody else?—Never, before my father spoke to me, I never went to any place.

Had you ever seen Colonel Brown before you went to speak to him at Milan?—Never.

How did you support yourself on the journey from Vienna to Milan to speak to Colonel Brown?—My father paid my journey.

Has he made a private fortune by the lucrative trade of a carter or wagoner?—No, he has not made a fortune as a carrier.

Has your father any money at all, except what he makes from day to day by his trade?—I do not know.

Did your father and you live pretty comfortably on the road from Vienna to Milan, when you were going in order to speak to Colonel Brown?—We wanted nothing.

In what sort of a carriage did you go?—A carratina, or small calash, or cart.

When you got to Milan, did your father introduce you to this Colonel, to whom you had come so far to speak?—Yes.

Did you complain to Colonel Brown of the loss you had sustained by giving up a good master and a good place?—I do not remember.

Had you made any bargain with the Marquess Odescalchi before leaving here, that he was to take you back

when you got back from Milan, after your conversation with Colonel Brown?—I do not recollect.

Have you any doubt, that you will state on your oath here, that you made no such bargain whatever with the Marquess Odescalchi?—I do not remember.

Have you ever again been in the family of Odescalchi as a servant, since that conversation with the Colonel?—Yes.

When did you go back to the Odescalchi family?—Not in his service, but he was going to Hungary, and he sent for me, to ask whether I would accompany him to Hungary.

Did you go with him as a friend, to go to a *partie de chasse* in Hungary?—No, I was asked by the Marquess de Odescalchi whether I would go with him into Hungary as a cook for three months.

Did you go with him and receive wages as a cook for those three months?—He made me a present; I was not at his wages, but he made a present.

How long were you in Hungary?—Three months, or three months and a half.

Was Odescalchi a friend of his Excellency the English Ambassador at Vienna?—I do not know.

Did you ever see the English Ambassador at his house?—I do not know.

How long is it since you came back from that trip to Hungary with the Marquess Odescalchi?—Last year, after the month of August; I do not know precisely whether it was August or September, but it was between those two months.

From the time you went to Milan to the time you came back to Odescalchi's family, to go to Hungary, how did you support yourself, having ceased to receive wages from him?—The Ambassador gave me something to live upon.

Did the Ambassador give you anything when you left Vienna, to go to Milan with your father?—I do not remember.

Did you and your father pay for your own expenses upon that comfortable journey to Milan, which you took together?—My father paid.

Did you travel by post-horses or by *veturina*?—By post

Both coming and going back?—No.

How did you return from Milan to Vienna?—By *veturina*.

Who paid for your place by the *veturina* from Milan back to Vienna?—I and my father.

How did you pay; who gave you the money that enabled you to pay for yourself?—Colonel Brown.

Did your father go back to Vienna from Milan with you?—Yes.

Is your father in this country at present?—Yes.

And your wife?—Yes.

And your small family of children?—No.

What square or street do you all live in?—I can not tell the name, for I do not know the name.

How did you come down here to-day, did you walk or come in a carriage?—On foot.

About how far was it that you came; how many streets did you come?—I can not ascertain the distance.

How many minutes did you take to walk from your residence, or hotel, or house, to the place where you now are?—Ten minutes.

Who came with you?—I do not know; it was a gentleman who came to call me.

Do your father and your wife live in the same hotel with you?—Yes.

And nobody else lives in the same hotel with yourselves, I suppose?—Yes.

About how many others may there be?—I can not recollect; I do not know.

Will you swear that there are not 70 of you?—I can not tell, because I do not know the number.

Are they all Italians?—I have never asked them; I do not know.

Are there any other Italians but yourself, your valuable parent, and your amiable wife?

The counsel was informed that in the opinion of the House the question was irregular; that it was slanderous.

Are there any other Italians besides your father and your wife?—I believe there are some Italians.

Have you any doubt of there being any other Italians besides yourself?—Yes, there are some other Italians.

Are there many waiters upon this inn?—I do not number them.

Do you know the name or the sign of the hotel?—I do not know.

The Solicitor-General objected to the question, as assuming that the witness was at an hotel, which he had not stated.

Mr. Brougham. Is it an inn at which you lodge?—I do not know whether it be an inn.

Is there a sign above the door?—I made no observation.

Have they ever brought you in a bill to pay?—No.

Have you ever paid anything?—Not yet; but I am to pay.

Are you to pay yourself for your own entertainment at this inn, or whatever it is?—This I have not been asked for yet, whether I am to pay; I do not know whether I am to pay.

Have you to pay for your entertainment at the place where you are lodging; are you to pay for your own keep?—I do not know.

Were you ever in such a place before in your life, where you did not know whether you were to pay for your keep or not?

AUGUST 23.

Theodoro Majocchi was again called in, and cross-examined by *Mr. Brougham*.

Do you recollect a German Baron visiting the Princess of Wales at Naples?—I do not recollect.

Do you recollect a German Baron visiting the Princess of Wales at Genoa, afterwards, on her way from Naples to Milan?—I do not recollect.

Did any German Baron visit the Princess of Wales at the Villa Villani, during her residence there?—There was a Baron whom I think to be Russian, who twice paid his visits, but I do not know what name he had, and this is the same which was mentioned to me also yesterday.

Was the name of that person Ompteda, or Omteda, any name sounding like that?—Precisely, I can not recol-

lect the name by which he was called, for it was an extraordinary name or unusual name.

Are you sure it was not Baron Pampdor?—I do not recollect.

Do you recollect that Baron, whatever his name was, at the Villa Villani more than once?—Once I remember; more I do not remember.

Had he not a servant with him who used to live with the other servants of the house?—I remember he had a servant, but whether he lived with the servants of her Royal Highness, I do not recollect.

Was there not a room in the house of her Royal Highness at the Villa Villani, which was called the Baron's room, giving it the extravagant name whatever he had?—I do not remember this.

Do you recollect a thunder storm upon the lake, in which her Royal Highness's party of pleasure was exceedingly wet?—I do not remember this.

You have said that in the house at Naples, the rest of the suite of her Royal Highness except Bergami slept in another part of the house from her Royal Highness?—I do not remember whether the other family slept separate or distant.

Do you now mean to say that the rest of the family of the suite, excepting Bergami did not sleep at a distant and separate part of the house?—I remember the position of the bed-rooms of her Royal Highness and Bergami, but those of the family I do not recollect.

Then you do not recollect now, and you will not swear now, that the rest of the suite of her Royal Highness did sleep apart at a separate part of the house?—I remember well where her Royal Highness and Bergami slept, but as to the rest of the family, I do not recollect where they slept.

Was not this question put to you the day before yesterday, "Did the other people of the suite sleep in that part of the house or at a distance?"—I remember the position where her Royal Highness slept.

Answer the question put to you, was not the following question put to you the day before yesterday, "Did the other people of the suite sleep in that part of the house, or at a distance?"—Yes, it is true.

Did you not give to that question the following answer: "They were separated?"—I said they were separated, but I meant that they were so situated that they could not communicate together; I meant to say that they could not communicate together.

Did you mean by that, that there was no passage, no way by which a person could go from the room of her Royal Highness to the rooms of the others of the suite?

The Solicitor-General. The first answer given by the witness was, that the rooms were separate, and he now repeats it.

Mr. Brougham. I know that perfectly well, and have so stated it. My learned friend seems to triumph in a mare's nest which he thinks he has found.

Do you mean to represent, that there was no way of going from the Princess's room to the rooms of the rest of the suite, except by Bergami's?—What I remember that I have seen no passage.

Do you mean to represent, that there was no way of getting from her Royal Highness's room to the rooms of the rest of the suite?—I have seen no other, I have seen no passage.

No other passage than what passage?—I have not seen any passage that led from the room of her Royal Highness to that of the family. I have seen no door except that which led into that of Bergami.

Do you know where the rest of the family, in point of fact, had their rooms?—I do not remember that.

Will you swear that the rooms of Hieronimus and Doctor Holland and William Austin were not close by the room of her Royal Highness?—This I do not recollect.

When you went from Vienna to Milan with your father, where did you lodge?—At my house at home.

How did you support yourself?—With my money.

How long did your own money last?—I do not remember how long it lasted me.

Did anybody give you any money there?—I do not remember; when I left Vienna, I received money, but after I had left Vienna nobody gave me money, for I must speak clearly or openly.

Did anybody give you money at Milan, after you got there?—I remember that they did not.

How long did you remain at Milan at that time?—Precisely I do not recollect, but I think I remained between the space of eighteen and twenty days.

When you had returned with your father to Vienna, did you not yourself pay for the *veturina* who carried you back?—Yes, I did pay the *veturina* back.

Who gave you the money at Vienna before you set out from Milan?—Colonel Brown.

At Vienna?—Colonel Brown gave me the money to go to Vienna.

Who gave you the money at Vienna to go to Milan?—My father paid for my journey; this I do not remember; but I know well that my father paid for my journey.

Who gave you money at Vienna, before you set out?

The Solicitor-General objected to the question, as assuming that some person gave him money at Vienna.

The preceding questions and answers were read, and *Mr. Brougham* was directed to proceed.

Mr. Brougham. Who gave you money at Vienna before you left it?—My father paid the journey; nobody gave me money; my father paid me my journey, and I remember that nobody gave me money.

How soon after you got to Milan did anybody give you money?—Nobody gave me money when I arrived at Milan: when I arrived at Milan nobody gave me money.

While you remained at Milan did anybody give you money?—I remember not: I remember that nobody did: I do not know.

What is the answer you mean to give?—I remember to have received no money when I arrived at Milan; I remember I did not: “non so;” I do not know: “*piu no;*” more no than yes: “*non mi ricordo;*” I do not remember.

Mr. Cohen being directed by their Lordships to state whether he agreed in the interpretation given by the *Marchese di Spineto*, stated that he did.

Mr. Brougham stated, that he had no desire to put any other question to the witness.

Re-examined by *Mr. Solicitor-General*.

Did your father conduct you from Germany to Milan,

for the purpose of your being examined as a witness with respect to the conduct of the Princess of Wales?

Mr. Brougham objected to the question as leading.

Mr. Solicitor-General. Upon your arrival at Milan, to which place you say you were conducted by your father, were you examined as to your knowledge of the conduct of the Princess of Wales during the time that you were in her Royal Highness's service?—I was.

Had you any other business in Milan?—No.

Where, after that examination was done, did you go to?—To Vienna.

When you were at Milan, before you were about setting off on your journey to return to Vienna, do you recollect having received any money or not?—Before my setting out from Milan, yes; before my departure.

For what purpose did you receive that money?—To make my journey.

Did you receive any money before you received that money for the purpose of enabling you to make your journey?—I do not remember.

What do you mean by "Non mi ricordo?"—When I say "Non mi ricordo," I mean that I have not in my head to have received the money, for if I had received the money I would say yes; but I do not remember it now, but I do not recollect the contrary.

The Interpreter sworn on behalf of her Majesty was informed by their Lordships, that the House expected him to interpose whenever he apprehended that the interpretation given by the other Interpreter was not correct.

Mr. Solicitor-General. You have stated that after this examination you returned to Vienna; who sent you to this country now?—Colonel Brown; he sent me from Milan to Vienna.

Who sent you from Vienna to London at this time?—This I can not say, for a person came to fetch me and tell to come from Vienna to London.

Did that person come with you?—This person has conducted me to London.

After you had arrived in London, did you go over to Holland?—Yes, I set out for Holland.

Did you remain in Holland with the other witnesses?

Mr. Brougham. I submit to my learned friend whether anything in my cross-examination justified this close re-examination respecting where the witness was in Holland, how he come from thence to England, and who accompanied him.

The Solicitor-General. I repeat that the object of my learned friend's cross-examination was with the palpable view of discrediting the conduct of the witness. I think I have, therefore, a right to examine the witness so as to place his conduct in a clear point of view. I am justified in taking this course, both on the rules of law and of common sense, and have a right to follow the witness in his journeys backwards and forwards up to the moment I find him here.

The Lord Chancellor. I am of opinion the Solicitor-General has a right to pursue his re-examination.

Mr. Brougham. I objected more on account of regularity than on any importance which I attached to the mode of re-examination about to be pursued by my learned friend. I said not one word about his going to or coming from Holland. I certainly examined him touching what happened in London. If it were in this way open to a counsel, merely because one question was asked respecting a part of a witness's journey, to go through the whole of that journey in a re-examination, then there would be no end to a waste of time—the whole of a witness's birth, parentage, and character.

The Lord Chancellor. Whatever difference there might or might not be on the rules of evidence in the courts below, or the forms of parliamentary proceedings, certainly the person who has the honor of now addressing your lordships is strongly influenced by his judgment to say, that the nearer your lordships follow the rules adopted by the courts below, the better. When I conjure you, therefore, to adhere to the rules of the courts below, I am ready upon my solemn honor to give my opinion—an opinion which, I believe, has the concurrence of the judges near me—that this inquiry of the Solicitor-General ought to go on.

The question was proposed to the witness?—Yes.

Mr. Brougham. To the best of your recollection,

asked once for my dismissal at Rome, and twice at Pesaro, and the second time Bergami granted it to me.

At the time when you left the service of her Royal Highness, did you receive from her Royal Highness any certificate of your good conduct?—Yes; I had it not in the hand-writing of her Royal Highness, but there is her seal; Scavini wrote the paper.

Have you got that certificate about you?—The witness produced it.

It was proposed that the Counsel should be directed to deliver in plans of the rooms, if they were in possession of them.

It was intimated to the Counsel, that if they were in possession of plans, it might be useful to deliver in plans, but in that case it was desirable that the rooms should not be designated as the rooms of particular persons, but be numbered and be referred to in the examination of the witnesses by those numbers.

The Solicitor-General stated, that the Counsel in support of the Bill, were in possession of some plans, but that they were subject to the objection referred to by their Lordships; but that copies should be prepared according to the intimation now made by their Lordships.

Mr. Brougham stated, that the Counsel for the Queen would be under a great disadvantage, if this were directed; and that the laying plans before their Lordships might conduce to their being seen by other witnesses, the effect of which might be prejudicial to the Queen.

The Lord Chancellor stated no plan could be delivered until it was sworn to be an accurate plan; that, supposing the plan to be accurate, the witnesses would have a right to look at it; but that it might be left to the Counsel on one side to produce a plan, and prove it to be correct, and the Counsel on the other side to object to it, if they were informed it was incorrect.

The Marchesse de Spineto was directed to translate the paper delivered in by the witness.

Mr. Brougham stated that he had not cross-examined as to the conduct of the witness while in the service of her Royal Highness, but that he was ready to admit he

was considered as a good servant, particularly a good traveling servant, during the whole time he was in her Royal Highness's service, and, therefore submitted that the reading of this paper was inapplicable and incorrect.

The Solicitor-General submitted that the course of the cross-examination had been to impute misconduct to the witness; that certain questions had intimated that he was to be considered as a member of a gang which attacked the house of her Royal Highness; that he afterwards applied to her Royal Highness to be taken into her service again, but that his services were refused.

Mr. Brougham was heard in reply, and further stated, that it was not brought home to the knowledge of her Royal Highness, being written by Scavini, who was not proved to be connected with her Royal Highness.

The Lord Chancellor stated that there were two questions:—First, whether this was authenticated to be the act of the illustrious personage implicated in the inquiry:—Secondly, whether, if so authenticated, it could be received in evidence: that upon the latter question he did not understand there was any doubt in the minds of the learned judges, and there was none in his own; but that he did entertain a doubt whether it must not be proved that the person who put that seal had some authority to do so, before it could be read.

Mr. Solicitor-General. Do you remember Scavini?—I do.

What situation did he hold in the household of the Princess when you left?—Equerry Marshall.

What do you mean by Marshall?—The person who commands.

Had he the general management of the house?—To command; I do not remember.

Where was the Princess at the time when Scavini gave you this character?

Mr. Brougham. I again object to questions being put upon this paper until it is capable of being put in evidence. Let it first be brought home to her Royal Highness.

The Lord Chancellor. If the paper can be proved to have been framed and delivered in the presence of her

Royal Highness, then prove that fact, and let it be given in as evidence.

Mr. Solicitor-General. Can you say whether Scavini had the general management and superintendence of the servants of the household?—I do not know who commanded, for Bergami commanded, Scavini commanded, both commanded; it was impossible for me to know which of the two commanded, who was the superior commander; Bergami came and commanded, Scavini came and commanded; all commanded.

One of their Lordships intimated, that the words servants had been translated "le courte," and the Interpreter was asked whether that would include the personal attendants on her Royal Highness.

Marchese di Spineto. It would include the whole of the establishment of a person of the rank of her Royal Highness.

This was acquiesced in by Mr. Cohen.

Mr. Solicitor-General. Who, at the time when you left the service, had the immediate superintendence of the servants?—This I do not remember.

Did you apply to Scavini to give you this paper?

Mr. Brougham objected to the question.

The Lord Chancellor intimated, that applications to Scavini, unless the evidence should be carried further, would be useless; that the Counsel who offered it must at all events, prove that Scavini was in the habit of giving similar testimonials to other servants.

The Solicitor-General withdrew the question, stating that he was not able at present to carry it further.

Gaetano Paturzo was called in, and the following questions proposed through the interpretation of the *Marchese di Spineto*.

Mr. Denman. What religion are you of?—A Roman Catholic.

When did you last take the sacrament of the Lord's Supper.

The Counsel were informed that the question was not usual.

Mr. Denman stated that he should be able to show that, in the opinion of Catholics, an oath was not bind-

ing, unless taken soon after confession, and the Lord's Supper being taken.

The Counsel were informed, that in the opinion of the House the oath would be binding; and their Lordships directed that it should be administered.

The witness was sworn.

Examined by *Mr. Attorney-General*, through the interpretation of the *Marchese di Spineto*.

What countryman are you?—A native of Naples.

What is your occupation?—Captain of a merchant vessel.

Are you part owner of the vessel which you command?

—I am.

What share?—One-fourth.

In the month of April, 1816, were you mate of a ship then commanded by a person of the name of Garliullo?

—I was.

What was the size of that vessel?—About 300 tons.

Do you remember the Princess of Wales coming on board that ship at Augusta, in Sicily?—I do.

To what place did the vessel sail from Augusta with the Princess on board?—Directly to Gergenti; at Gergenti we had not sufficient water for the ship, and we sailed to Tunis.

Do you remember the names of the persons who accompanied her Royal Highness on that occasion?—Almost all.

Mention the names of those whom you recollect?—A certain Bartolomo Bergami, a Count Scavini, a certain William Austin, a certain Camera, Theodoro, Carlino, a cook named Francis.

Any females?—Yes.

Who?—The Countess Oldi, I believe, but I do not remember quite well; the dame d'honneur, two chambermaids, one of whom was called Dumont, the other was called Brunette, and a little child, called Victorine.

When you first sailed from Augusta to Tunis, do you know the situation of the cabins appropriated for the Princess's and the Countess Oldi's sleeping-rooms?—The real cabin of the ship was divided into two on the right

hand there was the bed of her Royal Highness; on the left that of the Countess.

Outside those cabins, was there the dining cabin?—There was.

Do you know where, at that time, Bergami's cabin was?—I do.

Where was it?—In the first cabin, on the right hand, immediately after the dining-room.

Interpreter. I can not make out whether it was immediately after, on a straight line, or on one of the sides.

The question was proposed to the witness.

The whole size of the ship almost was divided into three parts, not quite equal; the two lateral parts were divided into small cabins; one of those small cabins, that properly which was most near to the poop, and was near to the dining-room, was that appropriated to Bergami.

Did the dining-room extend the whole breadth of the ship?

Mr. Denman objected to the question as leading, and submitted that the witness should be directed to describe the situation of the rooms.

The Attorney-General was heard in support of the question.

The Attorney-General was informed by their Lordships that he might put the question: Did the dining-room, or did it not, extend the whole breadth of the ship? or that it might be preferable to ask, how much of the breadth of the ship did the dining-room occupy?

The question as thus modeled was proposed.

The whole breadth.

After you left Tunis, did Bergami continue to sleep in the cabin in which he had slept upon his voyage to that place, or did he sleep in any other part of the vessel?

Mr. Denman objected to this question, as assuming that they did leave Tunis.

Mr. Attorney-General. After you had been at Tunis did you sail from thence to any other place?—We sailed for Malta.

After you left Tunis, did Bergami continue to sleep in the cabin he had first occupied, or did he sleep in any other part of the vessel?—His bed was removed into the

dining-room, and most specially, or properly, or particularly, on the right hand of the dining-room.

Interpreter. I have translated that word in several ways; I can not give the proper meaning of the word in one word; I should translate it, "more particularly on the right hand," or "to speak more correctly, on the right hand.

Mr. Attorney General. Was the right hand side of the dining-cabin nearer or further from the Princess's room than the left-hand side of that cabin?—As the chamber the Princess was on the right-hand side, it was more near, because they were both on the same side.

Whereabouts was the door leading into the Princess's bed-room?—The room of the Princess had a door which led into the dining-room, and then it had another door of communication with the chamber of the dame d'honneur.

Was that communication with the chamber of the dame d'honneur from within the Princess's room?—Yes; the cabin was divided into two chambers, as we have said, one for the Princess and the other for the dame d'honneur, by a painted canvas; before reaching the end of this canvas, at the boards or partition which divided the ship, there was a door of communication.

When Bergami's bed was removed into the dining-room, how far was it from the door of the Princess's bed-room?—The room of the Princess had a wooden partition which divided it from the rest of the ship; on the opposite side was the poop of the ship; near to the canvas on the left hand was the bed of the Princess; nearly in the middle of this partition there was a door which led from the room of the Princess into the dining-room; on the right hand, in this dining-room, at a proper distance, was situated the bed of Bergami.

If the door you have mentioned was open, could a person in the Princess's bed see Bergami's bed?—Why not, according to the division which was made; in whatever situation a person was in this bed of Bergami's he could not help seeing the bed of the Princess when the door was open; the situation of the bed was such that they could not help seeing both together; but a person might stand up in the bed in such a position that he

might not see the bed of the Princess; if he stood upright he might put himself into a situation not to see the bed of the Princess, but a person in the bed of Bergami might see the bed of the Princess, because they were in the same line.

You have stated that the body of the ship was divided into three divisions; on each side were cabins, a passage in the middle terminating in the dining-room; in going from that passage into the dining-room, how many doors were there leading into that dining-room?—There were two doors.

After the ship sailed from Tunis, was one of those doors closed?—Yes, one was closed; it was nailed up.

After that, was there one entrance or two from the dining-room into that passage?—Of the outer door.

Where did you go from Tunis?—To Malta.

From Malta where?—To the Archipelago and the Island of Milo.

Did you afterwards go to St. Jean d'Acre?—After much voyage, we went to St. Jean d'Acre.

Where did the Princess go to from St. Jean d'Acre?—To Jerusalem, to visit the holy places.

Did you accompany the Princess on that visit to Jerusalem?—I went in her company.

During that journey did you travel by night or by day?—We traveled the whole of the night and part of the day; but during the other part of the day, when it was very hot, we rested.

When you rested by day, were any tents erected?—Not always, for at Nazareth we lodged at a private house; but when we left Nazareth, until another convent at a little distance from Jerusalem, we rested in tents.

In what tent did Bergami rest?—Where the tents were raised, we dined also; and in one of those tents was the Princess; and in this tent was immediately placed an iron traveling bed; and upon a piece of matting, like that in this House, was put another bed; then they there dined, with the Countess Oldi, and Austin, and Bergami: and then I saw nothing else, because I went to dine myself.

Do you know who slept in that tent?—For the

Princess I know, because it was the tent of the Princess; but as far as the others are concerned I do not know, for I went to rest myself.

Do you know where Bergami slept?

Mr. Denman objected to this question, the witness having stated that he was in a situation in which he was disqualified from knowing where Bergami slept.

The Attorney-General was heard in support of the question.

The Counsel were informed, that in the opinion of their Lordships that question might be asked.

Mr. Attorney-General. Do you know where Bergami reposed during the time these tents were erected?—I positively can not know where they slept, because I left them and went to dinner.

Mr. Denman interposed, and desired that no more might be interpreted; stating, that in the further part of the answer the witness stated his imagination.

The Attorney-General objected to the Interpreter being interrupted while giving the answer of the witness.

The Counsel were informed, that it was the desire of their Lordships that the Interpreter might not be interrupted in giving the answer of the witness, that the House might judge of its application to the question.

Mr. Brougham submitted, that their Lordships might ask the Interpreter, whether it was or not an answer.

The Counsel were informed, that the Interpreter being sworn to give the answer, their Lordships must hear it as he translated it, and must judge of its application, the Counsel resting perfectly satisfied that if it should not be evidence, it would have no weight in their Lordships' minds.

The Interpreter was directed to proceed with the answer.

Interpreter. The words are, "but I imagine."

Mr. Denman objected to the Interpreter proceeding with the statement commencing with the words "I imagine."

The Lord Chancellor stated, the Interpreter could not be stopped in giving his answer, until it appeared from so much of his interpretation as he had made, that he was then about to state imagination, and that it now ap-

pearing what the witness was about to state, was the witness's imagination and not his knowledge, that he could not give that in evidence.

The Interpreter was directed to inform the witness, that he was to state to their Lordships only the facts within his knowledge.

Mr. Attorney-General. Did you ever see Bergami reposing under any other tent?—No.

When you were at Jerusalem, were you present at the church there at any ceremony?—I was.

Was the Princess there?—She was.

What was the ceremony?—Bergami, Austin, and the Court Scavini were made Knights of St. Sepulchre.

Do you know whether that is a Catholic Order?—It is, because they wished first to know something about the holy sacraments from us Catholics.

Whilst you were at Jerusalem, was any other order conferred upon Bergami?—Whilst we were at Jerusalem I know nothing of it.

Did you remain at Jerusalem with the Princess, or return before her to Jaffa?—I went to Jaffa before her Royal Highness.

Did the Princess and her attendants embark at Jaffa on board the same ship?—They did.

After they left Jaffa, was any tent made upon the deck of the vessel?—There was.

Was that closed at night?—It was.

Was any sofa or bed placed under that tent?—There was a sofa and a small bed, the same which her Royal Highness had on the journey.

How were that sofa and bed placed under the tent?—They made an angle, with a little distance to make a passage.

Have you yourself ever assisted in closing that tent at night?—Outside I did.

Who was in the tent at the time you have assisted in closing it?—The Princess, Bergami, and some person belonging to her service—some of her suite.

Do you know who remained in that tent during the night?—Those who remained under the tent I do not know; but the servants who were in tent, came out of it, for I saw them on the deck, and spoke to them.

A doubt was suggested whether the witness had not said they came in and out of the tent, and the question was proposed to the witness.

Under the tent I do not know who remained; for this tent had a communication which communicated also below; and whether the Princess went out also from it, I do not know.

Have you ever seen the tent raised in the morning?—Yes.

Whom have seen under that tent, or have you seen any persons under that tent when it has been raised in the morning?—For the most, the Princess either sitting or lying on the sofa, and Bergami on the bed, and some person in the service; sometimes I did, and sometimes not.

When you have seen Bergami so on the bed, how was he dressed?—With his usual lower dress; and above he had a species of Grecian cloak or toga—a species of morning-gown with large sleeves.

Have you ever known that tent closed during the day? I have.

For how long at a time?—A little time, half an hour or an hour.

Who were under the tent when it was closed in the day?—It appeared the same as it appeared in the evening when the tent was closed.

Who were under the tent at the time it was closed in the day?—The Princess, Bergami, and some person belonging to her service that assisted in closing the tent.

Did that person who assisted in closing the tent come out from it, or remain under it?—Many times I have seen this person on service come out, but at other times I was employed about the business of the ship; I do not know whether this person came out or remained.

Interpreter. I used the word person, as he does not say whether it was male or female.

Mr. Attorney-General. Do you know by whose directions the tent has been closed on those occasions?—Sometimes the Count Scavini, or Camera, but always one of the suite of her Royal Highness.

Have you ever seen the Princess and Bergami walking together upon the deck?—I have.

In what manner?—Arm in arm.

Have you ever seen them upon the deck when they have not been walking?—I have.

In what situation have you seen them then?—In different situations.

Describe some of them?—Sometimes sitting on a gun, with the arm of one behind the back of the other, because the gun was small, supporting each other with the arm; sometimes Bergami lying on his back upon his small bed, and the Princess standing near to the bed of Bergami leaning forward; but whenever this happened, the captain, now with one excuse now with another, sent me away, because we are distant relations.

You say you have seen the Princess and Bergami sitting on a gun, with their arms round each other; have you ever seen the Princess and Bergami sitting in any other situation?—I have.

In what situation have you seen them?—Sometimes I have seen Bergami sitting on the bench near to the main-mast, and the Princess sitting on his lap or thigh, with an arm round his neck over his shoulder.

Have you observed how Bergami's arm was upon that occasion?—Bergami's arm was behind the back of the Princess, and the arm of the Princess was round the neck of Bergami.

You have stated that there was a sofa and a bed placed under this tent, do you know where that bed was taken from when it was placed under the tent?—This small iron bed came on board when the Princess came, with all of her furniture or luggage.

Do you know, before the tent was erected, where that bed was placed?—First of all we must observe the nature of the bed, which had the legs of iron, and a piece of canvas without boards at the top; when we began to stretch the tent upon deck to shelter from the sun, then the Princess ordered this sofa to rest herself during the day, and then also from out of her luggage was brought forward this small bed.

Do you remember, in the course of your voyage, Saint Bartholomew's day, the 24th of August?—I do.

Did anything particular take place on board the ship on that day?—During that day there was general mirth

through the whole of the equipage, or the whole of the crew, which could hardly be kept in during the evening; afterwards dishes were set with lights to make an illumination all over the ship, and to all the sailors was given to drink; by the order of Bergami, they had a dollar each; and all the crew danced, and they cried, Long live St. Bartolomo! Long live the Princess! Long live the Chevalier!

When Bergami came on board at Jaffa, did he wear any other orders than the order of St. Sepulchre?—At parting from Jaffa it was seen several of her Majesty's court appeared with orders, with a yellow or straw-colored ribbon.

What was that order called?—Saint Caroline.

Cross-examined by *Mr. Denman*, on behalf of the Queen.

Who of the household had those orders you have last named?—Bergami, Austin, the Count Scavini, the Doctor, Camera, and the two English officers who were in the service of her Royal Highness.

Had not every one who had been at Jerusalem with her Royal Highness those orders?—Not all; but only those seven persons whom I have mentioned.

You say you are a Neapolitan by birth, where do you live now when you are at home?—I am fixed at Messina, because I live with my father, who is established at Messina.

Interpreter. He means that he is still with his father; that he is not emancipated.

What is your father?—Jean Baptista Paturzo.

What business or trade?—First pilot in the royal navy of Naples, with the rank of an officer.

You are not married yourself, are you?—I am not.

Have you always borne the same name?—Yes, certainly; I never changed my name.

Was your name well known on board the ship you have been speaking of?—Yes, certainly; by all the crew who knew me to be the pilot.

Of how many did the crew consist?—The crew consisted of two-and-twenty in the whole.

They were all constantly employed in managing the ship?—The crew was employed both in the service of the ship and the service of the Princess, as I was employed myself.

Have you seen any of them lately; within this week?—I have seen the Captain.

What is his name?—Vincenzo Gargiulo.

Have you seen no other of the crew during this week? I have not.

Have you seen any of them within this half-year?—About two months ago; but during the last six months, as Messina is a thoroughfare, I have seen some of the sailors on board other vessels.

Who was the man whom you have seen within the last two months?—Francisco a Caompora.

Where did you see him?—At Messina.

Was the little gun you spoke of upon the deck?—On the deck; we could not carry it in our pocket.

The bench near the mainmast was on the deck, also?—The bench was upon the deck, because it forms the trap-door.

The crew had access to all parts of the deck at all times?—As soon as the tent was closed, nobody could pass through the place occupied by the tent, but in all the other parts of the ship they might go on deck, I mean.

Were you ever at Milan?—Now in my way here.

You came from Messina to England by Milan?—I came from Messina by sea to Naples, from Naples by land to Milan, Paris, Dieppe; from Dieppe I crossed the sea to Brighton, and from Brighton by land to London.

Was that the first time you were at Milan?—Yes.

Who first applied to you to come here?—For this business, the English Vice-Consul at Messina.

When was it?—Towards the 23rd and 24th, or 25th of the last month, July.

Was that the first time you were desired to give evidence upon this subject?—Yes.

Did you go to the Consul, or did the Consul come to you?—The Consul sent for me; because he had been charged by the Minister at Naples.

What are you to have for coming here?—For what I have lost, it will be very little indeed.

How much is it you are to have?—For coming here, I must receive, as a compensation for the ship and the trade I have been obliged to give up to come here, eight hundred dollars a month.

Interpreter. The dollar is about 4s. 3d. to 4s. 4d., but I remember once to have changed it as high as 4s. 5d.

Mr. Denman. Did you pay your own traveling expenses?—I have paid nothing, because I came accompanied by a courier. I have been obliged to come, because the Minister applied to the Consul, and the Consul told me that if I would not go I should be made to go, by means of the Government; and as the business was to say the truth, I was not willing to come to such extremities.

Who was that courier?—From Naples to Milan, Nicola Janneo; from Milan here, a Mr. Krouse, or something like it.

How did you travel from Naples to Milan?—In a carriage; I could not go on foot.

Do you mean a stage-coach, or a diligence?—A hired carriage, which the courier hired.

Then it was hired for you two; not a carriage which any person might take his seat in for paying?—Those questions it is useless to put to me, because I know nothing at all about it. I saw the horses changed; the only thing I know is, that the Minister gave me to the courier, and the courier brought me here.

The Minister gave you to one courier, and that courier gave you to the other, Mr. Krouse?—This courier brought me to Milan; at Milan Colonel Brown gave me into the charge of the other courier, when the courier brought me to Milan; at Milan we delivered a letter to Colonel Brown, which letter the minister had given me; and Colonel Brown gave me to the charge of Mr. Krouse, who conducted me here.

How long were you at Milan?—I have not my memorandum-book in my pocket-book, perhaps two or three days.

Where did you live during those two or three days?—At an inn.

How often did you see Colonel Brown there?—When I took the letter to him, and when I went to take my leave to set out with the second courier.

Did you see a man of the name of Vemecarti?—The name of Vemecarti I do not know at all, this is the first time it reaches my ear.

Did you see any person there who examined you, and took down what you had to say?—Yes.

What was that person called?—There was present Colonel Brown, two persons, the person who wrote, who made four, and I made five.

Did Colonel Brown put questions to you?—Just like this gentleman, to tell the truth and what I had seen.

Were you sworn upon the Cross of Christ?—I did not take any oath on the Cross, because I was not asked; but it was the same, because if I did not take it then I can take it now, and a thousand times before I die, because it is the truth.

Were you sworn at all at Milan?—Not at all.

Had you been examined at Naples before you set out?—No.

How did you travel with Mr. Krouse from Milan to Paris?—Also in a carriage.

Were you and Mr. Krouse alone in it, or were there any other persons?—I and Mr. Krouse and the post-boys that were changed.

Was it a cabriolet?—What we call a calashe, with four wheels, with two seats to sit upon.

When did you arrive in London?—Yesterday.

How long did you remain at Paris?—We arrived in the morning and set out in the night.

In the course of that day did you see any person at Paris who talked to you on this subject?—No, in regard to my deposition, no.

Did they ask you any questions upon this subject?—I want to have a better explanation, because I do not understand.

Did anybody talk to you at Paris as to what you were to say against her Royal Highness?—No; because otherwise it would have been the same that we have just been saying now of the deposition.

I do not ask whether anybody told you what to say, but whether any person had any conversation with you on the subject. Did anybody talk to you at all at Paris on the subject of the Princess?—No, for in Paris I was

so little a time that it was hardly sufficient for me to rest, for I was traveling by post.

Were you never examined before upon this subject, before you set out from Messina for Milan?—No.

What day was it you were at Paris?—What is to-day? For I do not know.

This is Wednesday; how many days ago is it?—Those are such minutiae that I do not remember.

Do you mean to say that you can not tell whether you were at Paris during the last week or not?—Saturday, the last week, I was at Paris.

Have you been examined since you came to England?—Yes.

Before you came into this House, I mean?—Yes.

Have you been brought into this place before you came in just now as a witness?—No.

When were you examined here in London?—Yesterday.

Do you know the name of the gentleman who examined you?—No.

You were not sworn, I suppose, yesterday?—No.

Where have you been since your arrival in London?—There; where all the rest were, where there is a communication with this room, down below.

All the rest of whom?—Others; persons who are there.

How many?—I never had the curiosity to reckon them.

Can you tell whether there were twenty or one hundred?—I have not reckoned them; I think of my own business.

Do you mean to say that you do not know whether there are ten persons only or ten times ten?—Ten and ten times ten make an hundred, if I do know arithmetic that will do.

In the place from which you came here, were there as many as six persons?—Whether there are six or whether there are more, I do not know; I do not know more than three, which is the Captain, Theodore, and the cook.

Do you mean Theodore Majocchi, who has been here examined?—Yes.

Where did you sup last night?—At a table.

Did those persons sup with you, the Captain, Theodore, and the cook?—First of all last night I took tea; secondly, there are persons, the servants in the employ of the place: then, in the room where I took tea we were five, the Captain, this Theodore, and the other; I do not know who were taking tea, there were two, three, or four; I paid no attention to the number.

Did you sup together afterwards?—I took no supper last night; I took tea.

What day was it you came from Dieppe to Brighton?—Yesterday I arrived here, which was Tuesday; Monday we set out from Dieppe, and on Monday evening we reached Brighton.

Mr. Brougham stated, that not being aware of the attendance of this witness, he trusted their Lordships would not feel him precluded from putting further questions to him as well as to the former witness, at a future time, in case of receiving information which might render it material to do so.

The Counsel were informed, that the House would judge of the application when it was made, with the circumstances occasioning it.

Re-examined by *Mr. Attorney-General*.

Have you left your ship at Messina?—Yes, certainly.

What is the size of your ship?—Two hundred and sixty-nine tons.

Is eight hundred dollars per month more than an adequate compensation for your coming here, in consequence of your ship and yourself being unemployed during the time?—I want to know whether it is meant to apply to a compensation for myself, or for the ship.

Is that more than an adequate compensation for the ship being unemployed during the time you are here?—This eight hundred dollars per month is not so much for the mere hiring of the ship, for I and the other men of the same kind do not reckon so much upon the hiring of the ship merely as a carrier of goods, but from what we can derive from our own trading, because we load the ship, together with some other merchants, at our own

account, and we may lose a great deal, but we may gain a great deal.

Taking those circumstances into consideration, is the sum you have stipulated for more than an adequate compensation, in your judgment?—I can not tell; if my speculation would succeed, I could gain a great deal more; but if my speculation should fail, I could lose more.

AUGUST 24.

Vincenzo Gargiulo was called in, and sworn, through the interpretation of the Marchese di Spineto.

Mr. Williams. Before the witness is examined, I wish to know your Lordships' decision on a particular point, which I am about to submit. I do not wish to renew discussion on any subject already decided upon by your Lordships, but I am anxious to know from your Lordships, if the point which I have to submit has been decided by your Lordships in any other case; in the case before the House it has not been mentioned, much less argued upon. I will not attempt to call up any question wherein I find the larger body of authorities against me; but I apprehend that my opinions are fortified by all known precedents which are acted upon in determining such a point. I am anxious to know if I may be allowed to put a question to the witness as to the importance of the oath which he has taken in binding his conscience. I am aware that I have no right to inquire of a witness believing in the existence of a God and a future state, respecting his belief. I am perfectly ready to admit—it can be no question—that has been decided several times. But, although this is perfectly true, it is equally certain that every person adduced in a court of justice as a witness, ought to be sworn according to that form or sacramental ceremony which will be the most binding on his conscience. It is not on slight grounds that I maintain this opinion. Your Lordships will find by the case of *Omeston and Parker*, in *Cowper*, and by cases which have occurred since, in which that case is referred to, that such is the general decision of the authorities. The question argued in the first case was, whether or not a person

being not of the Catholic or any known religion, and not believing in the faith, but being perfectly a heathen, could be admitted as a witness, or could be held responsible for his oath, if taken according to the ordinary form. A long discussion took place, and on that occasion it was determined by all the judges, and their decision was received as authority in all subsequent cases, that the person to be sworn should be sworn by the ceremony most binding on his conscience, according to his own acknowledgment. Now, suppose a Chinese to appear as a witness, which had since been the case; or, suppose a Mohammedan to appear as a witness, which had since been the case; if they had taken the oath usually administered to them, and no further pledge had been required of them as to the bond of conscience, there would in no respect be any binding obligation at all. The oath would have been only good in form—to effect it would have been useless. A Gentoo may be sworn in a British court of justice; it has been done. But the court, referring to the decision of the first case, required him to be sworn by the ceremony which he considered the most binding on his conscience.

The Lord Chancellor. There can be no doubt as to the point of law. If a witness believed in no God, and had no belief in a future state, he could be no witness.

Mr. Williams. I admit that, generally speaking, no further question can be put, if the witness acknowledges the oath he takes to be binding. I know that Mr. Justice Buller refused to allow a witness to be asked whether he believed in the Gospel when he had acknowledged that he believed in a future state: but this does not apply to the present objection. I apprehend that the counsel for this important case has a right to ask the witness whether, according to the mode of swearing in his own country under the forms of law to which he is accustomed, there is not certain ceremonies which he believes to be essential in the administration of an oath, and the want of which will be regarded by him as an important deficiency. It surely will never be thought sufficient to swear a Gentoo upon the Gospel. I think, therefore, that I may be permitted to ask the witness whether he does not think

the mode of administering an oath in his own country necessary. I do not mean to impugn the witness's religious belief: I only wish to know whether, in the language of Chief Justice Parker, in the case to which I have referred, the witness has been "most solemnly sworn."

Mr. Brougham. Lord Mansfield, in citing the case of Omichund and Barker, has stated that the principle was then admitted, that every man of every religion should be bound by that form which he thought would bind his conscience most. I will suppose the case of an Englishman in Turkey or in China, called on to give evidence in a criminal case, as a Chinese some years ago had been at the Admiralty sessions held at the Old Bailey. On that occasion a porcelain saucer was given to the Chinese, which he held up; and on some words being repeated by the interpreter, he threw it down, and broke it. This was the form of the most solemn imprecation in his own country, and on that account the judges held it to be a proper mode of administering an oath. Now, suppose an English seaman was to have a saucer put into his hand in a Chinese court, and was desired to go through such a ceremony as that to which I have alluded to, would it be reasonable to regard that mode of administering an oath sufficiently solemn in his eyes, because, from respect to the court, or from other motives, he did not object to be so sworn? He might, indeed, think the oath binding, but would it not be wiser in the court to swear him, not in the manner which he said was sufficient, but in that which they knew he held to be most binding to his conscience.

The Lord Chancellor. I wish the counsel to state to the House the nature of the questions they wish to put to the witness.

Mr. Williams. I wish him to be asked whether he has ever been examined as a witness in his own country. If he has not, whether he has ever seen any person so examined; whether there are any ceremonies used in his own country in administering an oath which has not been observed here, and which he thinks binding on his conscience.

The Lord Chancellor. The witness may be asked

whether he considers the oath which has now been administered to him finally binding on his conscience; but no other questions can be asked.

Lord Erskine. I agree that the legal question is, whether the oath taken by the witness is binding on his conscience?

Mr. Brougham. I wish it to be understood that the objection is not made because it is expected the witness may say he was not bound, but because it is desirable to ascertain whether there is any other form by which he may be more bound.

It was proposed that the following question be put to the Judges:

If a witness produced in the courts below, without objecting to it, take the oath according to the usual form, can he be asked whether he considers the oath he has taken as binding upon his conscience; and can he be also asked whether there are other modes of swearing more binding upon his conscience than the oath he has taken?

The question was handed to the Lord Chief Justice, and the learned Judges withdrew with it.

After some time the learned Judges returned.

Lord Chief Justice Abbott. My Lords, the Judges have considered the questions proposed to them by your Lordships, and they have taken the liberty to detain your Lordships while they sent for books, in order that they might consult the authorities referred to in the course of the argument before your Lordships. My Lords, the Judges are of opinion, that the most correct and proper time for asking a witness whether the form in which the oath, as about to be administered to him, is one that will be binding upon his conscience, is before that oath is administered; but inasmuch as it may occasionally happen that the oath will be administered in the usual form by the officer of the court before the attention of the Court, or party, or Counsel, is directed to it, we think that the party ought not to be precluded; and therefore, my Lords, in answer to your Lordship's first question, the Judges are of opinion, that although the witness produced in a court of law shall have taken the oath in the usual form, as therein administered, without making any objection to it, he may, neverthe-

less, be afterwards asked, whether he considers the oath he has taken as binding upon his conscience. I am further to inform your Lordships, that the Judges are of opinion, that if the witness, in answer to that question, shall declare in the affirmative, namely, that he does consider the oath he has taken as binding upon his conscience, he can not then be further asked, whether there be any other mode of swearing that would be more binding upon his conscience than that which has been used. Speaking for myself, not meaning thereby to pledge the other Judges, though I believe their sentiments concur with my own, your Lordships will allow me to speak in my own person; I conceive that if a witness says he considers the oath as binding upon his conscience, he does, in effect, affirm, that in taking the oath he has called his God to witness that what he shall say will be the truth; and that he has imprecated the Divine vengeance upon his head, if what he shall afterwards say is false; and having done that, that it is perfectly unnecessary and irrelevant to ask any further questions.

The witness was examined by the Solicitor-General through the interpretation of the Marchese di Spineto.

Were you master of the polacre called the Industry?

—Yes.

Are you also the owner of that vessel?—Yes, I am also the owner; but she is now no longer called the Industry, but is called a praun, because I have turned her into a brigantine.

Was that vessel engaged for the purpose of conveying the Princess of Wales and her suite on the voyage from Augusta to Tunis, and afterwards to Greece?—This polacre was hired at Messina, where she was fitted out, and at Augusta her Royal Highness embarked for Tunis and Greece.

Before her Royal Highness embarked on board the vessel for the voyage at Augusta, had the arrangement of the cabins been made by you?—Yes; the distribution of the cabins was made at Messina.

Before the Princess embarked on board the vessel for the voyage at Augusta, did she, attended by Bergami come on board the vessel?—She came at Augusta.

Did she view the arrangement of the cabins which had been made by you?—She did; nay, she ordered the door in the dining-room to be closed.

Before that door was closed, how many doors led from the body of the vessel into the dining-room?—Two; one to the right and another to the left.

Which of the two doors was it that she directed to be closed?—The door that was on the left.

Do you mean on the left as you look towards the prow of the vessel?—On the left, when from the poop you look to the prow.

In what way was that door closed; was it merely locked or was it closed up, so as not to be opened during the voyage?—It was nailed up.

Was there any cabin contiguous to the dining-room on that side of the vessel where the door was nailed up?—There was the line of the cabins that ran towards the prow, which formed the line on the left hand of the ship.

Can you tell, after the suite embarked on board the vessel, who it was that occupied that cabin nearest the door which had been so closed?—The two maids, Mademoiselle Dumont, and Mademoiselle Brunette.

Can you tell us who occupied the cabin on the opposite side next to the door that was left open?—Bergami.

After the door had been closed, in the manner you have described, was there any mode of going into the dining-room from the body of the vessel, except through that door that was near the cabin of Bergami?—There was the ladder that came from the deck into the dining-room, and there was the door which led near to Bergami's room.

Did the ladder which came from the deck go directly down into the dining-room, or was there a door at the foot of it shutting the steps from the dining-room?—The ladder came directly into the dining-room, but at the top there was a hatchway, which, when it was desired to be shut up or closed, might be closed to stop the communication.

Then when that hatchway was closed, was there any other communication except through the door by the cabin of Bergami?—There was no other.

Beyond the dining-room, towards the stern of the vessel, how many cabins were there?—There was another room divided into two apartments, on the right hand was the bed of the Princess, on the left of the bed of the dame d'honneur.

What kind of bed was it that the Princess occupied, was it a single bed, or was it a double bed?—Two sofas joined together, that would make together six palms and a half; it was about the breadth of six feet and a half.

Did Bergami continue to occupy the cabin so assigned to him for the voyage, or did he afterwards change his sleeping apartment?—A few nights he slept in his own cabin, then he passed to sleep in the dining-room upon another sofa.

Where was the sofa, on which Bergami slept in the dining-room after he had thus changed, situate?—On the right hand.

Was it so situated that a person lying in the bed occupied by the Princess would be seen by a person lying in the bed occupied by Bergami, or was it not?—If the door of the room of the Princess had been open, they would have seen each other.

Do you know the length of an English foot?—I do.

About how many English feet, not speaking with perfect accuracy, were they from each other?—Ten or twelve feet.

Did any person sleep in the dining-room, or within and beyond the dining-room towards the stern, except Bergami, the Princess, and the Countess of Oldi?—No, Bergami slept in the dining-room; her Royal Highness slept in the room in the stern on the right hand, and the dame d'honneur slept in the stern in the room on the left hand.

Did this occupation of beds continue during a greater part of the voyage?

Mr. Williams objected to the question as leading.

Mr. Solicitor-General. How long, to the best of your recollection, did that occupation of the beds continue?—Till June; the Princess came on board towards the end of March, and it continued till June; then at the departure from Constantinople, the air became warmer, and the Princess preferred to sleep on deck under a tent; but after her departure from Jaffa, where seven horses with

two asses were brought on board, she always slept on board, on the deck, under the tent.

What bed or beds were placed upon the deck under the tent of which you have spoken?—A sofa for the bed of the Princess, and a traveling bed that the Princess had, was put up for Bergami.

You have told us that until the month of June, the Princess and Bergami slept below; and you have told us, that after leaving Jaffa the Princess continued to sleep on deck under this tent; where did Bergami sleep after the leaving of Jaffa?—Under the tent, together with the Princess, in the two different beds.

Mr. Brougham stated that there was a difference in the interpretation.

Mr. Solicitor-General. Have the goodness to repeat in Italian what the answer was.

Interpreter. "Sotto la tenda unito alla principessa," adding, "condue letti devisi." I have said under the tent, "unito;" I have explained to your Lordships, that I took it as an adverb "together;" and in order that your Lordships should not mistake my meaning, I said he means, together with the Princess, but not in the same bed; and I immediately applied to the witness, and he told me that he meant in the two beds.

Mr. Cohen. My only objection was, that "unito" would mean joined.

Mr. Solicitor-General. How long did Bergami continue to sleep in this manner?—Until they landed at the Porto d'Anza, in the Pope's dominions, thirty miles beyond Terracini.

At night was the tent open, or was it closed all round?—During the night the tent was closed, shut as a pavilion.

Who was it that usually closed the tent at night?—I was commanded to close it, and I commanded to others.

Was it so completely closed, that persons on the deck could not see within, or was it at all open?—It was my care to close all openings; and when I could not do it with curtains, I did it with pins.

Interpreter. By curtains I understand him to mean sails.

What do you mean by curtains?—Other pieces of sail.

About what time in the morning was the tent usually opened?—About eight.

Were you often present at the time when it was opened?—Often I was.

Did you, upon those occasions, see the Princess in the tent at the time of the opening?—Yes.

Upon those occasions was she always up, or sometimes on her bed?—For the most part I have seen her sitting on the bed.

At the times when the tent was opened, and when you were present, where was Bergami?—Under the tent coming out.

Was he always entirely dressed, or in what manner?—I have always seen him entirely dressed.

In what species of dress have you so seen him?—On deck he went with a Grecian robe of silk, which he bought at St. Jean d'Acre; but when he went on shore, either he wore a coat, or was dressed as a Colonel.

After the tent was closed at night, in the manner you have described, was any light occasionally or generally left within the tent?—No.

It is not asked whether any light remained under the tent all night, but whether there was any light there at the time the tent was closed, to the best of your recollection?—When the tent was closed, if there were light airs, no wind, the light was given from out of the tent; if it blew hard, then the light was carried away by the ladder.

Can you recollect who it was that was in the habit of taking the light from out of the tent upon those occasions, when it was delivered out upon the deck?—Whoever was present; sometimes I have taken it myself.

How long, to the best of your recollection, did the light usually remain after the tent was closed?—Ten or twelve minutes; it remained a short time.

Do you know who it was that usually handed the light out?—Bergami.

Do you recollect whether in the day-time the Princess sometimes sat or lay upon the bed under the tent?—Often; she ordered that the tent might be made as a pavilion, because in the morning it was raised up as a ceiling.

You have told their Lordships, that the Princess often sat or lay on the bed during the day-time, did she do this after dinner?—Yes, after dinner.

Have you seen Bergami there at the same time?—Yes.

In the day-time?—Yes, during the day.

Have you ever received any directions during the day-time, when the Princess and Bergami were under the tent, as to closing it?—Yes.

Have you, in consequence of those directions, closed the tent with the Princess and Bergami within it?—Yes.

Did you do this frequently, or only seldom after dinner?—In detail, I can not say always or seldom, but it was three or four times a week.

With the Princess and Bergami both inside the tent?—Both the Princess and Bergami.

Can you state upon those occasions about how long the tent was continued closed?—About half an hour, a quarter of an hour, or an hour; the time was not certain: not the same length of time always.

Upon those occasions, upon closing the tent, have you ever seen the Princess and Bergami both upon their beds.

Mr. Williams objected to the question as leading.

The Solicitor-General submitted that this was not a leading question, but expressed his willingness to alter it.

You have told their Lordships you have seen the Princess on the bed in the day-time, at the time when you were closing the tent?—Sometimes I saw her upon the bed; sometimes I saw her standing when the tent was closing.

As to Bergami?—For the most part he was lying on the small bed.

Did you close the tent, leaving them so?—Yes.

Have you, on any of those occasions, seen Bergami afterwards come out from the tent?—I have.

In what position have you seen Bergami lying on the bed; have you ever seen him lying on his back, on his side, or how?—Lying on his back.

Do you remember, on any occasion when you saw Bergami lying on his back, in the manner you have de-

scribed, receiving any directions from the Princess as to closing the tent?—I remember that Bergami was lying on the bed on his back, her Royal Highness sitting near Bergami; the Count Scavini was walking near the tent, on the opposite side, and, having received the order for closing the tent, Count Scavini delivered this order to me.

Did you, in consequence of this, close the tent upon the Princess and Bergami, so lying as you have described?—Yes.

Do you remember Bergami afterwards coming out of the tent?—Yes.

About how long after?—About the time I have mentioned, a quarter of an hour, half an hour, or an hour; this happened many times.

Upon the particular occasion to which you have now referred, of being directed by Scavini to close the tent, do you remember afterwards Bergami coming out; and how long was it after you closed the tent before he so came out?—About a quarter of an hour.

Did the Princess ever take a bath on board the vessel?—She did.

Did she do that more than once, to your recollection?—More than once.

Do you remember her going below for that purpose?—Yes.

State who went below with her?—Bergami.

Upon all occasions which you remember of the Princess going below for the purpose of taking a bath, was she or was she not accompanied by Bergami?—I have always seen her accompanied by Bergami, not only when she was to take the bath, but for any other thing she was doing.

Were there other occasions then, besides the bath, that rendered it necessary for the Princess to go below? The greatest reason was that for going to the water-closet; for the water-closet was down below.

For whatever purpose she went, was she, or was she not, always, to the best of your recollection, accompanied by Bergami?—She was.

Have you at any time seen Bergami sitting on the deck?—Yes.

Have you ever seen the Princess with him upon those occasions?—I have seen Bergami sitting on a gun, and the Princess sitting on his knees, and that they were kissing.

Has this kissing, to your personal knowledge, been only once, or more than once?—More than once I have seen them.

When the Princess walked, did she take the arm of any person, and if so, of whom?—The Princess walking took the left arm of Bergami for the most, nay, always, for I have never seen her take the arm of any one else.

Have you ever seen, during the voyage, any jokes, any thing jocular, done by Bergami?—I have.

Did you ever see this in the presence of the Princess? I have seen it.

Describe what it is you allude to?—I have seen him once, under the Grecian robe that he had, put some cushions and pillows, and make some motions to make her Royal Highness laugh.

Where were those cushions placed; in what part?—Round his belly.

Do you know what that was to represent?

Mr. Williams objected to the question, stating that the witness was not to state his opinions, but the facts, from which their Lordships were to form their own opinion.

The Counsel was informed that he might put the question, whether he knows what this was intended to represent.

Mr. Solicitor-General. Do you know what that was intended to represent?—He wanted to play some apish tricks to make her Royal Highness laugh, as well as all others who saw him.

Do you know what those cushions, placed in the manner you have described, were intended to imitate?—As far as I know, it was a buffoon trick.

After this tent was erected upon the deck, in the manner you have described, where was the Princess in the habit of dining?—Under the same tent.

Who usually dined with the Princess under the tent?—Generally it was Bergami, and always Bergami.

Did those two persons generally dine alone, or with

some other person?—Sometimes they dined alone, sometimes there dined William, one that was reported to be the son of her Royal Highness.

What was William called, either by her Royal Highness, or in the presence of her Royal Highness?—Some called him William, some called him Principino, the little Prince, or the young Prince; and sometimes I have seen her Royal Highness, when she was going to bed, give him some token of affection, as, a mother does to her child.

During the time that the Princess and Bergami slept on deck during the night, where did the little Victorine sleep?—As the room for the maids was for two maids, so when her Royal Highness wanted to sleep on deck, one of those maids went to sleep in her Royal Highness's room, and Victorine went to sleep in the same room with her.

Do you mean in the cabin of the Princess below the deck, and adjoining to the dining-room you have before described?—Yes.

Mr. Cohen assented to this interpretation.

Do you remember the Christian name of Bergami?—Bartholomew, whose festival is to-day.

Do you remember anything that took place on Saint Bartholomew's day, on the voyage in question?—I remember to have been at anchor at Syracuse from the Holy Land, and that night there was a general illumination on the ship, as far as it was possible: Bergami rendered the crew all merry, they all got drunk, and he gave a dollar a-piece to each of the sailors; there was no other thing.

Do you remember any shouts?—When they were drunk the sailors shouted "Live the Princess," "Live the Chevalier."

While this was going on, those rejoicings and those shouts, what were the Princess and the Chevalier doing, were they together?—Bergami was walking on the deck applauding the sailors, the Princess was sitting under the tent, which was raised like a ceiling.

Do you remember the Princess walking about at that time on the deck?—I remember her also walking, for she could not be always sitting.

With whom did she walk?—With Bergami.

Did she merely walk side by side, or arm in arm?—
Arm in arm.

Do you remember Bergami landing at Terracina?—I remember to have seen him embark in the launch which I sent on shore, and I remember to have seen the launch return without Bergami.

How long did he remain absent?—Three days.

About what time of the day or the night was it he returned?—During the night, at Porto d'Anza.

About what hour?—About ten o'clock.

Was the Princess on board at that time?—The Princess was on board, and under the tent.

Where did Bergami go upon his coming on board?—The Princess went to meet him at the top of the ladder, and they went both together under the tent.

Was the tent afterwards closed?—They supped first, and afterwards the tent was closed, and they went to lie down, and in the morning they landed.

Did they remain under the tent all night?—Yes.

Did you go on shore at Jaffa or at St. Jean d'Acree?—I have landed at St. Jean d'Acree and at Jaffa.

Did you go on the journey to Jerusalem with the Princess or not?—No.

No part?—I saw her mount, and then I went on board, and they took the road to Jerusalem, and I returned on board.

On the return of Bergami on board the vessel, after the return from Jerusalem, do you know whether or not he had any new title or order?—Yes, he had the order of the Holy Sepulchre.

Any other?—No other; but on board was instituted the order of St. Caroline, which had been spoken of at Jerusalem.

Do you know, from anything you heard from the Princess, or in the presence of the Princess, what rank Bergami had in that order of St. Caroline; what station he held?—Grand Master of the order.

Have you ever, in Italy, been examined by any person as to the conduct of the Princess and Bergami during this voyage?—Yes, I have been.

At what place?—At Milan.

Do you know the name of the gentleman by whom or before whom you were examined?—Yes; by the Advocate Vimercati.

Was Colonel Brown present?—He was.

About what time were you so examined?—The latter end of December.

Last year?—Yes.

Where did you go to after you had been so examined?—I went to Naples.

Did you go about your own affairs, or what?—Yes, about my own affairs.

Were you afterwards applied to to come here?—I was.

Where were you at that time?—At Naples.

When were you so applied to, as nearly as you can recollect?—On the 21st of June I was asked to come here, and as this journey was too long, and could not be done on account of my health, for I suffer the gout, I gave to our minister a certificate of two physicians to exempt myself from it; the minister commanded me to come, and also made me to be commanded by the minister at Milan, the Marchese Circelli, who has given me a letter for the Neopolitan Ambassador.

Mr. Williams objected to these questions on the original examination.

The Counsel were informed that those questions would be more applicable in re-examination, if the cross-examination led to them.

Mr. Solicitor-General. Where is your vessel at present?—My ship at present is on her way from Puglia to Naples; my interest did not allow me to come here, for my ship was loaded on my account, and I had given orders that she should be unloaded at Reggio.

Cross-examined by *Mr. Williams.*

When did you leave the ship of which you have been last speaking to come here?—I have left off sailing, and I have given myself to trade, so that my ship was loaded on my own account; I had an interest in half the cargo of my ship; that very ship which carried her Royal Highness is now commanded by Giacomo Pettotuzzi.

If you are rightly understood, you are now the owner or part owner of the vessel, and not the captain?—I am the owner of the ship and the cargo I have left when I came here, one-half of that cargo was my own.

You are understood to have said, that a certain person whom you have named is captain of that vessel now?—Jiaco Petotuzzi is the captain whom I had appointed.

From what place was it that you came to England, as you did not come from your ship?—I was at Naples.

Is that the place to which you belong; is that your town?—Naples is my native country, but I dwell in the Piana di Sorrento.

Who was it that applied to you to come to this country?—The minister sent a messenger to find me, because my commercial affairs are at Naples.

Did you see the minister?—I did.

Name him?—Sir William A'Court, the English Ambassador at Naples.

Have you made any bargain with any person as to the sum you are to have?—Yes, I have.

Have you made this agreement with the minister?—During the five days that I have been at Naples, endeavouring not to come, I have told all my circumstances to the minister; but the minister being convinced of my situation, has appointed to me a thousand dollars a month; but I have already lost four thousand, because the cargo that I have sent to discharge at Reggio I have not sold at a price which I ought to have sold it. I have advanced money to Manfredonia to buy another cargo, and that has remained unemployed; and the minister has given me this paper at the last moment when I set out.

Do you understand English?—No.

How often have you been in England before, if ever?—Eighteen months before; I was once before in England with my ship.

Were you ever before that in England?—No.

Only once then?—Once before this; this is the second time.

Have you received any money in advance, or is this sum you speak of in expectancy?—I have received one month.

In advance?—I received it at Milan.

I understand you to say that you no longer go with the vessel, but that you have a captain on board that vessel; how is it that the captain could not go with the vessel without you?—The captain navigates the ship without me, but he receives the order from me, and as soon as I am absent he cannot receive such an order, and acts according to his pleasure.

If you are understood right, you left the vessel actually performing a voyage?—I left my ship which had sailed from Manfredonia to go to Reggio, where she was going to discharge her cargo; after having arrived here I have learned that my captain has sold the cargo at less per bushel than was the price, at five carlini less per bushel than was the price.

Interpreter. Five carlini is about twenty-five pence, as a carlini is five pence of this country.

Do you mean to say, that if you did not come to England it would have made any difference as to the sale of that cargo?—Yes, that for one reason; a second reason, if I had not set out for England I would have continued my commercial affairs, for I have left my country just at the time of the harvest; and I advanced money to Manfredonia to buy corn, and by this time, if I had not come here, I would have gained as much as to compensate me for the loss of eight thousand dollars which I made in the year 1818.

Explain, if you can, how your coming to England makes any difference as to the profit or loss of that voyage?—Yes; I had ordered the captain to sell the cargo at not less than twenty-four carlini per bushel; the captain having arrived at Reggio, and hearing that I had gone away, has taken upon himself to sell at 21 carlini, and since my arrival here I have heard that the price of corn was raised to twenty-six carlini, and now I am told it has reached nearly to thirty.

Do you mean to state that your being here affects the price of corn in Italy. *Order! order!*

Mr. Williams. I am not aware that this question is irregular.

The Lord Chancellor. There is no objection to the learned counsel's question.

Mr. Williams. It is usual for silence to be observed in those courts with which I am familiar—in those courts where the judges preside; your lordships will therefore excuse me if I do not quite understand the interruption.

Then you mean to state, that the captain has disobeyed your order, and that you have in consequence lost the sum you have stated?—It would have been a disobedience if I had been present; but as I was not present, he has not foreseen: I would have foreseen; and has suffered himself to be deceived by those who were present, and has caused me that loss.

Have you not said that you gave an order to the captain?—Yes.

Which order the captain has broken?—He has disobeyed this order immediately after he heard I had set out from Naples for England.

Do you mean to represent, that when you made the bargain for one thousand dollars a month, you foresaw anything of this that you have heard since?—I have always foreseen an evil, for I did not wish to come here, not only on account of my health, but also on account of my interest.

Where was the sale of the cargo?—At Reggio.

How far is that from Naples?—Reggio is opposite Messina; on the straight line it is one hundred and ninety miles distant; by land, going a circuitous route, it is more than three hundred miles.

When did you last see Gaetana Paturzo?—The last time I have seen Gaetana Paturzo was here in London.

At what time?—Two days.

You did not see him yesterday?—I had not seen him before I saw him here; I had not seen him for eighteen months.

When did you see Paturzo last; the day, hour, or the minute, if you can state it?—Last night we supped together, and last night we slept together; that is, in two rooms adjoining to each other.

You did not breakfast with him this morning?—On the contrary, I have taken my coffee with him this morning.

You have had no talk upon the evidence that Paturzo gave yesterday?—No, because Paturzo would not tell

what he said, nor am I a person to state what I am obliged to say in this room.

Did you inquire of Paturzo what he, Paturzo, had said?—No.

What do you mean by saying that Paturzo would not tell you?—Because I had told him to say the plain truth that he knows, as I have also come into this place to say the plain truth, upon which I have taken my oath.

How could you tell that Paturzo would not mention what he, Paturzo, had mentioned here, unless you had asked Paturzo?—I have said he would not tell, but I meant to say that the matter can not be told.

Mr. Cohen said that he agreed in this interpretation.

Marchese di Spineto. That the subject was of such a nature, that it cannot be talked about; that is the meaning in which *Mr. Cohen* and I agree.

Mr. Williams. Did anybody tell you not to speak to Paturzo about what Paturzo said here yesterday?—No, I have told Paturzo myself by my own act, without being prompted by anybody, not to talk about it.

Do I understand you right that you told Paturzo, “Now mind, Paturzo, you and I do not say one word about our examination of yesterday?”—This is very natural; for to tell to others all those things which we say in this house is not decent, it is not creditable.

You say you told it of your own accord to Paturzo; did you tell Paturzo last night or this morning, that it would not be fit for you and Paturzo to talk about his examination of yesterday?—Yes, upon this matter.

Had you no curiosity to know from Paturzo who examined him, or what sort of a man *Mr. Attorney-General* or *Mr. Solicitor-General* was?—That does not belong to me to ask those things; for all my attention, I have thought of nothing else but that I was obliged to make this appearance before these gentlemen, these Lords.

You thought so entirely about that, that you could think and talk about nothing else?—Before these gentlemen, no other.

Have you been in this room before?—Yes; but there were no gentlemen here.

When were you in this room before?—On Sunday.

Who came with you?—A gentleman has brought me to show me the curiosities, not only in this room, but even where the coronation is to take place, to see those places.

Was it an Englishman, or who, who brought you?—An English gentleman.

Do you know his name? Who is he?—No.

Do you know his person?—I know his person.

Have you seen him before you came before their Lordships this morning?—I think not.

Have you looked about you to see?—I have not.

Should you know his name if you heard it?—Because it is a person whom I know, but I should not by name; even if his name was mentioned I should not know it.

How often have you seen him?—I have seen him often, many times, but always transiently, because I do not understand his language, nor he mine.

Did you see him at Milan?—No.

Only since you came into this country?—After arrival in England.

When did you arrive in England?—On the 14th instant.

When were you examined as to what you had to say?—I was examined at Milan.

Have you not been examined since you came to England?—Yes, but verbally so.

Who examined you?—A gentleman whom I do not know.

That was not the same gentleman who showed you this place, was it?—No.

Look in that quarter to see who it was who showed you this place?—The person who is called Major Domo; I do not know by what name he is called.

Do you see that person?—No.

What did you mean by turning and pointing to that gentleman behind you?—Because he examined me. (*Pointing to Mr. Bouchier, one of the Solicitors of the Treasury.*)

Do you see the person who showed you the room?—I do not.

Who came with you from Naples to this country?—

I have come with the King's messenger and my own servant.

Who paid for the expenses of the journey from Naples to this country?—The King's messenger.

Did you see Colonel Brown before you came from Italy to this country?—Yes.

Were you examined then, just before your departure, by Colonel Brown?—No; Colonel Brown examined me last year, in December, as I have said before.

And a certain lawyer, Vimercati, was present, was he not?—Yes; Vimercati put the questions in the presence of Colonel Brown.

Were your answers put down in writing?—I believe so.

Were you sworn to the truth of them?—I subscribed my name at the end of the paper; but I did not swear to it.

That was in the presence of Colonel Brown and Vimercati?—Yes.

Have you seen this lawyer, Vimercati, since you were examined?—No; now that I passed through Milan I have not seen him.

You have not seen Vimercati since you were examined by him in December?—No.

Did you see any other person on the subject of your testimony, except Colonel Brown and Vimercati?—No.

The question refers to the subject of the Princess of Wales?—I have seen no other but Vimercati and Colonel Brown.

As you passed through Milan in your way hither, did you see Colonel Brown?—Yes.

Had the Colonel at that time the examination which you gave and signed in December?—I have not seen it.

Nor any paper at all?—No.

Have you never seen it since December?—No.

You have never seen the examination taken in December from that time to the present?—I have not seen it, and even now I do not see it.

Re-examined by *Mr. Solicitor-General.*

You have stated the sum which you have received,

and are to receive, as a compensation for your time and trouble, and loss in coming here; according to the best judgment you can form, is that more or less than a fair compensation for such loss?—According to the success of my trade this year, it is not sufficient, what I have for what I lose.

Mr. Brougham stated to their Lordships, that in consequence of information which appeared to him of very considerable moment, as well as to his learned coadjutors, they were exceedingly anxious to be permitted to ask one question of *Theodoro Majocchi*, without further delay; that the first question which he should wish to put, was, Whether he was at Bristol at any time in the course of the last year.

The Lord Chancellor stated, that it became a very important question for their Lordships' consideration, whether the cross-examination was to be permitted to be taken piecemeal.

Mr. Brougham admitted that the application was out of the strict and ordinary course of proceeding, but pledged himself, that if it was granted, he should not ask that witness any other question until he had opened his case; that he should be content with putting three or four questions to that witness, if permitted, at the present time.

The Lord Chancellor stated, that, with that pledge, their Lordships would not refuse the application that had been made; that the Counsel might suggest his question, and their Lordships would propose it.

Theodoro Majocchi was again called in, and examined as follows, through the interpretation of the *Marchese di Spineto*:

Were you or not at Bristol in the last year, or in the course of this year?—I do not know this Bristol.

Were you at Gloucester?—Gloucester I knew very well.

Were you in the service of a gentleman of the name of Hyatt?—Yes.

Did you ever declare to any person that the Princess of Wales was a most excellent woman?—Yes; that the Princess was a good woman.

Did you ever declare that the conduct of the Princess of Wales was highly becoming?—Of her conduct I always said that she was a good woman, but she was surrounded by bad people.

Did you ever say that she was a prudent person, and that you never had observed anything improper in her conduct?—I do not remember at all whether I did say so.

Did you ever say that the Princess of Wales always behaved herself with propriety?—This I have never said.

Do you remember a gentleman of the name of Hughes; William Hughes, at Gloucester, or at Bristol?—This I do not remember.

Do you know a person of the name of William Hughes?—I may know him, but I do not remember his name.

Do you know a person who was a clerk to Messrs. Turner, bankers, at Gloucester?—I do not know the name of this banker.

Do you know, or have you ever had any conversation with any clerk of any banker at Gloucester?—This I do not remember.

Did ever complain to any person, at Gloucester, that Bergami had kept part of the servants' wages from them, in the household of the Princess?—Yes, I did.

To whom did you make this complaint of Bergami?—Precisely I do not remember; but I remember that Signor Hyatt asked me why I had left the service of the Princess, and then I answered him so; and then I remember to have added, after my return from the long voyage, Bartolomo Bergami wished to lower my wages.

Did you ever say the same thing respecting Bergami and your wages, to anybody beside Mr. Hyatt?—I do not remember that I did.

Do you remember Mrs. Adams, Mrs. Hyatt's mother?—Yes.

Do you remember Mrs. Hughes, Mrs. Adam's house-keeper?—I remember that there was a woman who did all the business in the house, if this was her name.

Had she a son a clerk in a banker's house?—I remember the son to come and pay a visit to his mother, but I

do not whether he was in any bank, this I do not remember.

Did you ever tell this son of the housekeeper the circumstance respecting Bergami and your wages?—I do not remember precisely whether yes or no, whether I ever complained myself of this man.

Did you ever represent to this young man that the Princess of Wales was a most excellent woman, a prudent woman, and that you had never seen anything improper or indecorous in her conduct?—This I do not remember.

Did you ever represent to this young man, the son of the housekeeper, that the Princess of Wales always, as far as you had seen her, had behaved herself in a most proper way?—This I do not remember.

Did you ever travel in a stage coach between Gloucester and Bristol, or between Gloucester and any other place?—I remember to have traveled from Gloucester when I came to London, this I remember; when I came away on my departure.

Did you ever make any other journey in a stage coach from Gloucester to any other place than London?—This I do not remember.

Were you ever asked, by any gentleman in a stage coach, with respect to the deportment of the Princess of Wales during the time you were in her service?—This I do not remember.

Did you ever represent her to any person in a stage coach, as behaving herself very prudently?—I do not remember to have ever spoke of these transactions.

Did you ever represent the Princess of Wales to any person in a stage coach as a much injured woman?—This I remember no more no than yes.

Did you represent to any person in a stage coach, or elsewhere, that you had been applied to, to swear against her Royal Highness the Princess?—What I remember of these things is, that I have never spoken of these things in any place; in whatever carriage I may have been I do not remember to have spoken of these things.

Did you represent yourself to have been applied to to swear against her Royal Highness, the Princess of Wales,

to any person in any place, whether in a stage coach or any other place?—I do not understand what you mean by the word jurare.

To give evidence?—At what time.

Did you ever say to anybody that you had been applied to, to give a deposition against the Princess of Wales?—I can not understand what this term means; I can not understand what this thing can mean.

Did you ever say to anybody in England that you had been applied to, to give an account respecting the Princess of Wales upon oath?—In England; no, never.

The Solicitor-General. I hope your Lordships will permit me to offer a single remark on the course of examination now pursued by my learned friend. I understand your Lordships to have laid down, as a rule, that the examination of witnesses should be conducted according to the mode adopted in courts below. I conceive the object of the questions now put to the witness is to elicit denials as to statements made by him, which denials will afterwards be contradicted by another witness. It is the practice on all occasions of this kind, in the courts below, to mention at once the name of the witness with whom the supposed conversations have been held.

Mr. Brougham. I submit that such a rule can not be uniformly acted upon. It must be necessary, sometimes, to conceal the name of the person who is to prove the falsehood of a witness, as the witness will be put on his guard if he has reason to believe that that person is forthcoming.

The Solicitor-General. I find my learned friend is totally unacquainted with the rules of the courts below.

Mr. Brougham. The Solicitor-General appears to me unacquainted with these rules, as well as with the first rule of all judicial proceedings, which is not to interrupt an adversary before he has concluded his observations. I apprehend that my learned friends who are with me on this occasion, have had as much experience and knowledge of these rules as the Solicitor-General, and I shall, therefore, consider the rule which the Solicitor-General attempts to establish as a mere *dictum* of his own. It may be very well to observe such a rule on particular

occasions, but in a case of this kind, it would prevent the most perjured witness from being detected. I confidently appeal to your Lordships, notwithstanding the monopoly of legal learning claimed by the Solicitor-General, whether I am not entitled to draw from the witness declarations that he had never made this or that statement to any person, and then to produce, for the first time, A. or B., to whom such declarations had been made.

The Lord Chancellor. I am inclined to think that the ordinary rule is, to mention, in the first instance, the name of the person to whom the witness is supposed to have made certain communications; I will not, however, pledge myself to the affirmative. It is certainly obvious that a very honest man might forget generally that he had or had not stated a particular fact, and yet recollect it when he heard the name of the individual to whom he had made the statement. This I do not consider could throw any slur on the testimony of such a witness. I have had no experience in proceedings at *Nisi Prius* for the last twenty-five years, and I do not know what rule is now generally adopted; but in my time such a rule would at least have been thought fair and reasonable.

Mr. Brougham. I merely protest against the universality of its application. I will, however, at once mention the name of the individual.

Did you ever say to Mr. Johnson in the stage coach, that you had been applied to, to appear as a witness against the Princess of Wales?—I swear that I do not know this name, and this man I do not know, either the name or even the circumstance of taking this oath.

Did you ever say to any person, "I have been applied to, to be a witness against the Princess of Wales," or words to that effect?—Never.

Did you ever say to Mr. Johnson, or any other person, in a stage coach, in England, "I have had considerable advantages offered to me, if I would be a witness against the Princess of Wales," or to that effect?—I lay my head or my life there, this offer has never been made to me by any one.

The question is not whether an offer was ever made

to you, but whether you have said that an offer was made to you?—I lay my life if I have ever said so.

The Marchese di Spineto was desired to state the answer in Italian.

Interpreter. “Eo netto la mea testa que se io no tatto questo discorso di giaramento.” I lay my head, which means my life, here, if ever I have made this discourse about an oath; he repeats now, I never made this discourse with anybody concerning an oath here in London.

Did you ever say to Mr. Johnson, in stage coach, that you had been offered a sum of money, or a situation under government, for giving evidence against the Princess of Wales any where?—But if I do not know even the name of this Johnson.

Did you ever say to any person, in a stage coach, that you had been offered a sum of money, or a situation under government, for giving evidence against the Princess of Wales?—I lay down my life if this be true; and to you, I will answer no more, because you ask me things I have never dreamed about; things that have never entered my head.

Had you ever any conversation with anybody, in a stage coach, respecting her Royal Highness, the Princess of Wales?—I never spoke about the business of the Princess of Wales in a stage coach.

When you were traveling by a stage coach in England, did you ever, at an inn, speak upon the subject of the Princess of Wales?—Never about the affairs of the Princess of Wales, I never have meddled with those discourses.

Did you ever, in a diligence, or at an inn, when you were traveling by a diligence, say that you expected money, or a place under government, for giving evidence against her Royal Highness?—Never, never this.

How long were you in England at that period when you lived with Mr. Hyatt at Gloucester?—This I can not remember, because I have not the book in which I have marked the time.

About how long were you in Mr. Hyatt's service?—This is the same answer, because I have not the book in which I put down how long I was there.

Mr. Brougham returned thanks to their Lordships for the indulgence he had received.

The Solicitor-General requested the following questions to be put :

Did you come from from Vienna to this country as the servant to Mr. Hyatt?—It is Mr. Hyatt who brought me here.

Did you continue in the service of Mr. Hyatt till you set off to return to Vienna?—Yes, till that moment ; and he paid for my fare in the coach to London.

Mr. Brougham stated, that in putting the questions which he had proposed to the witness, he had not done so under the slightest suspicion that any person had offered him a place under government, but with another view, which might be perceived.

Francisco Birollo was then called in, and having been sworn, was examined by *Mr. Parke* as follows, through the interpretation of the Marchese di Spineto.

Of what country are you a native?—Of Vercelli.

In what country?—In Piedmont.

In what employment were you when you were applied to, to come here?—I was at the service of my master.

What master?—Marquis Incisa, a Piedmontese nobleman.

Were you at any time in the service of her Royal Highness, the Princess of Wales?—Yes.

In what capacity were you in her service?—Cook.

At what time did you enter into that service ; in what year?—When she came from Venice ; I do not remember the year.

How long did you continue in her service?—About two years, or two years and a half ; I did not stay two years and a half, but precisely I do not know.

By whom were you hired to go into the service of the Princess?—Seignior Bergami.

Were you acquainted with Seignior Bergami before that time?—Yes.

What was Seignior Bergami when you first knew him?—He was in the same service with me.

Was that in the service of General Pino?—It was.

In what capacity was Bergami acting in the service of

General Pino?—His valet, because he came down into the kitchen, to get the dishes to wait at table; then afterwards he took the situation of courier.

How long were you with Bergami in the same service at General Pino's?—I was at the service of General Pino, and he was at the service of the Countess of Pino.

How long did you know him in the service of the Countess of Pino?—I can not tell, because I went out of the service of General Pino, and he remained still in the family, for he became courier.

How long was Bergami in the service of the Countess of Pino before you left Count Pino's service?—I do not know, because when I went into the service of General Pino he was in the service of the Countess, who married one another.

How long were you in the service of General Pino?—I have served him three times: once when he was minister at war; another time when he was with the army of Moscow; and a third time I served, but I do not count that as a service.

Was Bergami in the service of the Countess at all those three times when you were in the service of the Count?—Yes; the only difference was, that I was paid by General Pino, and he was paid by the Countess of Pino; but we were all in the same service, and dined together.

For how many years before you entered the service of the Princess of Wales had you known Bartholomew Bergami?—I did not see him before; I had known him at the time when I entered into the service of General Pino, when General Pino took the Countess Pino for a wife; before I did not know him.

How long was that before you entered into the service of the Princess of Wales?—I do not know; having served another master, I do not know; I had to work, and it was impossible for me to remember all those things.

At what place was it that you were taken into the service of her Royal Highness?—When she went to the Casa Formigine, opposite to the house Boromeo, when she came from Venice the first time.

Were you with her Royal Highness at the Villa Villani?
—I was.

Were you at the Villa d'Este?—I was.

Did you accompany her Royal Highness in her voyage to Greece?—I did.

Did you act as cook on that voyage?—I did ; but on board the two ships, the *Clorinde* and the frigate, I did not act as cook.

Did you return with her Royal Highness from Greece into Italy?—I did return ; but before I returned I performed the office of cook on board the polacre.

Were you at La Barona with the Princess?—Yes.

At what place was it you left the service of the Princess?—At the Barona.

How came you to leave the service of the Princess?
—Because it was the brother of Bergami who persecuted me, and then I could not stand the labor.

What do you mean by that, that you could not stand the labor?—Because it was too much labor.

Do you recollect where the Princess slept in her voyage out to Greece?—I do ; on board the polacre.

Before the Princess went to Palestine, do you know in what part of the polacre she slept?—Sometimes on deck, sometimes under the deck ; sometimes she lay under the tent, and sometimes she lay down below.

Where was the tent which you speak of?—It was there in going to the poop, but I have no knowledge of a ship.

What was the usual place where her Royal Highness slept on her voyage from Jaffa to Italy?—She always slept under the tent, except when we landed ; because then, on land, she did not sleep under the tent, for we had horses, beasts, and other things ; and she was under the tent on her return.

Do you know where Bergami slept on the voyage from Jaffa to Italy?—In Jaffa, when we were on board this polacre, I saw him enter in the evening under the tent, and the tent was closed, and here was the Princess, and he was sitting here.

Did you ever see Bergami in the morning coming out of the tent?—Sometimes, but not in the morning early ; about a certain hour he came out of the tent, and came there, on the fore-castle, to make water.

At what time in the morning was it that you saw Bergami come out of the tent?—Sometimes I saw him in the morning early, sometimes a little later, when I was already at the kitchen, boiling potatoes for breakfast for the crew.

In what part of the vessel was your kitchen?—Near the foremast.

Was the tent always there, or was it let down at any particular time?—Sometimes it was taken up or raised up.

Was the tent let down at night?—It was.

In what way was the tent fastened down at night?—The tent was closed, and was covered with several things, and it was all closed; and sometimes I could not see what they were, because I was attending my kitchen; and then, in going about, I saw what had been put round, and everything was snug.

Did you ever see a light in the tent at night when it was closed?—Twice I have seen the light put out of the tent.

Do you know who put the light out of the tent?—How can I know that, I was at the kitchen, I saw only the light put out.

Do you know who received the light when it was put out of the tent?—Either Theodore, or a man called Carlino.

When you saw Bergami in the morning come out of the tent, how was he dressed?—He had on a gown which he had made in the parts of Greece, which was of silk.

Counsel were directed to withdraw and the House adjourned.

AUGUST 25.

Francisco Birollo was again called in, and examined by *Mr. Parke*, through the interpretation of the Marchese di Spineto.

In the course of the voyage from Jaffa to Greece, did you at any time see the sides of the tent let down at day time?—Do you mean on shore.

On board the ship?—Yes, I have seen them.

At what time of the day was that?—In the morning, when I got up.

Did you see the sides of the tent at any time in the middle of the day let down?—Also in the middle of the day I have seen it.

What persons were under the tent when it was so let down?—As usual, there were Bergami and the Princess.

Did you accompany the Princess on shore when she went to Jerusalem?—I did.

Did you go with her to Ephesus?—I did.

Do you remember in what place dinner was prepared for the Princess at Ephesus?—I do not remember exactly the place, but I know that we had been at the Consul's before Nazareth; but I do not know the names of the places.

Do you know where the Princess dined at Ephesus?—I do not remember; I was working for the family, and I did pay no attention to those things.

Do you remember where she dined at Scala Nuovo?—No, because I went before with the luggage, and I went on board ship.

After the Princess returned to Italy, were you with her at the Villa d'Este?—I was.

Were you also at the Barona?—I was.

Before the time that you went on the voyage to sea; after that time, had you opportunities of seeing the Princess and Bergami together at the Villa Villani, the Villa d'Este, and the Barona?—Before the voyage, no; because they possessed not yet the Barona.

At the Villa Villani and the Villa D'Este, had you opportunities of seeing the Princess and Bergami together before the voyage?—I had.

On those occasions how did they conduct themselves towards each other?

Dr. Lushington objected to the question as leading, that it was too general and ought to be made more pointed, that it was a summing up of the whole.

Mr. Parke was heard in support of the question.

The Lord Chancellor stated that there was not the least doubt that the question was proper.

The question was proposed to the witness.—They were arm in arm.

Have you seen that more than once?—Yes, many times.

Did you ever see them together in the kitchen of the Villa d'Este?—I have.

What did they do when they were together in the kitchen?—Sometimes they came there, ordered something to be prepared, a napkin was spread, and something was laid to eat.

Were they alone at that time, or was any other person with them?—Sometimes they were alone; sometimes there was with them the dame d'honneur.

Was that the Countess Oldi?—No Oldi, but the sister of Bergami.

When they were in the kitchen, eating, in what way did they eat?—She cut some pieces, stuck a fork into it, and ate herself, and then took another piece, and said, "here it is, you eat also."

Did you ever see the Princess and Bergami on the lake together?—I have.

Was any person with them, or were they by themselves?—Sometimes they were alone; for he rowed, and she was with him in a small canoe.

Do you recollect a person of the name of Mahomet?—I do.

Do you know of any exhibition made by Mahomet in the presence of the Princess?—I do.

What sort of dress had Mahomet on; was it European or Turkish?—A Turkish dress.

Describe what Mahomet did in the presence of the Princess?—He did so (*making a dancing motion*), saying "Deura," "Deura."

Did he do anything with his trowsers in the course of those gesticulations?—He made a kind of roll to represent something. I do not know how to call it decently.

Did you observe the Princess on that occasion?—She was looking and laughed.

What did he do with this roll when he had made it?—He took it in his hand and made gesticulations; I can not say what he meant to represent.

What do you mean by non posso dise?—I can not say what he had in his head to represent by that, what he meant to represent.

Did that take place before the Princess more than

once?—Once I have seen it in the kitchen; another time he was in the court, and she was at a window.

Were you with the Princess at Turin?—I was.

Were you at an inn there?—We were.

Do you recollect the Princess going to Court any day?—I do.

Do you recollect whether, on that morning, you were in Bergami's bed-room?—I do.

At what time of the morning was it?—About nine, or half past nine.

Had the Princess got up at that time?—I do not know.

For what purpose did you go into Bergami's bed-room?—I went to carry a ruff to the dame d'honneur, to put round her neck, and a pair of gloves.

Did the door of the chamber of the dame d'honneur open into that Bergami?—We entered into the room of Bergami, and then on the right there was the door of the room of the dame d'honneur.

Did you observe the state of Bergami's bed, whether it appeared to have been slept in or not?—At the moment I was coming out from the room of the dame d'honneur, I saw Bergami coming out from the room of the Princess, open the curtains of his bed, I saw that it was made, and he scolded me.

Was Bergami dressed when he came out of the Princess's room, or half dressed; what clothes had he on?—No, he had a morning gown of silk striped, he had his drawers, his stockings, and his slippers.

Do you recollect when you were at Barona, any balls being given by the Princess?—I do.

What description of persons were at those balls?—People from the neighborhood, no gentlemen, people of the low and middle rank.

Cross-examined by *Mr. Brougham*.

When did you come to this country?—When they brought me here.

When did they bring you here?—About nine or ten days ago.

Where were you before that?—I was with my master.

Who was he?—The Marquis Incisa.

Where did he live?—In Piedmont.

How long had you been with him?—I am still with him; I have been with him nearly three years.

When were you examined first in this business?—About two or three and twenty months ago.

At Milan?—Yes, at Milan.

Who examined you there?—An advocate, called Vimercati.

Who was by, besides Vimercati?—There were three or four gentlemen writing there.

Have you ever seen them since?—I have seen one.

When?—Before I came here.

Did you go to Vimercati at Milan, or did anybody take you there?—They sent for me, saying that they wanted to speak to me, and I went.

Was it at that time that you agreed to come over here?—Yes.

Have you ever seen them since?—No, because I went into Piedmont; but I have been twice at the advocate's, Vimercati's; the first time, as I have said, there were three, and Vimercati four; and the second time there was only the advocate Vimercati, and this gentlemen whom I knew.

What is the name of this gentleman whom you know?—Colonel Brown.

Was it Colonel Brown that sent for you from Piedmont?—Yes.

How do you know Colonel Brown?—Because I saw him at the advocate Vimercati's, and the servant of Colonel Brown lives near me.

Do you mean near you at Milan or at Piedmont?—At Milan, next door at Milan.

What wages had you with the Marquis Incisa?—One livre of Milan per day; eating, drinking, everything comfortable, and plenty of perquisites, which are a good many, and indeed there are many perquisites.

Interpreter. He says in this country they say, give me something to drink, in Italy it is something of the same species; he says he has a good many.

What wages had you with the Princess?—Every three months I got ten Napoleons, that is to say, ten twenty francs.

Had you your keep there!—Yes.

And everything comfortable?—Nothing else but eating and drinking; all the rest I was to supply myself.

Does the Marquis give you clothes?—Not through obligation or agreement, but as presents.

There were no presents in the Princess's household, were there?—I never received any presents except when we returned from the voyage; for instance, I received a present when he was made a Baron, he gave me two dollars.

Were not you cook with the Princess?—Yes.

Had you no perquisites as cook, did you make nothing of being cook there besides your wages, no perquisites?—The profits I left to the other people who worked with me, for their pay was small.

Did the Baron Bergami pay you?—Yes.

Did not the Baron overlook the accounts of the house?—Yes.

Was not he very exact?—I do not know that, the accounts were so many.

On board the ship, was it your business to be on the deck, or below, cooking?—On deck, on the foremast.

Do you mean that the kitchen was upon the deck?—Yes.

Where did the Princess's maids sleep on board the ship?—I do not know that.

Where did Mr. Hieronimus sleep?—That I know, because sometimes I went into his cabin to have a glass; his room was in a corner.

Where did Mr. Hownam sleep?—I know he was in one of the cabins; there were so many cabins, right and left, I do not know precisely which, but I know he was in one of them.

Where did Captain Flynn sleep?—I saw them go into their rooms, one on one side and one on the other, but I do not know precisely the rooms. I was always on deck.

What have you had for coming here?—Nothing at all but the trouble.

Do you expect nothing?—I hope to go soon home to find my master.

Is nobody to give you your livre a day during the

time you are absent from your master?—There is my daughter, I do not know whether he pays her still; I have received no letters, and I do not know whether she still receives money.

Samuel George Pechell, Esq., a Post Captain in the Royal Navy, was then called in and examined by Mr. Attorney-General.

I believe you are a Post Captain in his Majesty's Navy?—I am.

In the month of March, 1815, did you command his Majesty's frigate, the *Clorinde*?—I did.

Were you in that month at Civita Vecchia?—I was.

Did you at Civita Vecchia, receive her Royal Highness the Princess of Wales, on board the *Clorinde*?—I did.

Do you recollect by whom she was accompanied?—By Lady Charlotte Lindsay, the Honorable Mr. North, Dr. Holland, Madame Falconet, her two daughters, and various servants.

Among these servants, do you remember a person by the name of Bergami?—I do.

In what capacity did Bergami act, on board the *Clorinde*?—As a menial servant.

Were you in the habit of dining with her Royal Highness during the time she was on board the *Clorinde*?—I was; her Royal Highness was entertained at my table.

Did Bergami wait at table?—He did.

Did he wait at dinner as the other servants, as a menial servant?—He did.

Where did you convey her Royal Highness at that time?—To Genoa.

In the course of your voyage to Genoa, did you touch at Leghorn?—We did.

Did any of her Royal Highness's suite quit the ship at Leghorn?—Lady Charlotte Lindsey and Mr. North quitted her at Leghorn.

Was there a boy of the name of Austin on board?—Yes, there was.

You say you conveyed her Royal Highness to Genoa, did her Royal Highness quit the ship at Genoa?—Yes, she did.

With her suite?—With her suite.

Do you remember how long she was on board your ship at that time?—Seven or eight days.

In the course of the autumn of that year were you again at Genoa?—I was.

Do you remember the month?—In August, 1815.

Did her Royal Highness in that month embark at Genoa on board the Leviathan?—No, not till November.

Were you at Genoa when her Royal Highness embarked on board the Leviathan?—I was.

Had you seen her Royal Highness in the interval between March and November?—I had, in the month of March; but not from the time of her departure from Genoa.

Did you happen to see her at the time she came to Genoa to embark on board the Leviathan?—I did.

Did you see her Royal Highness come to the shore in her carriage?—Yes, I did.

Who accompanied her in the carriage when she came to embark on board the Leviathan?—I remember the Countess Oldi and Bergami being in the carriage, with an infant, but I am not certain of any other person.

Did you go in the Clorinde from Genoa to Sicily?—I did.

Had you directions to go to Sicily for the purpose of receiving her Royal Highness at Sicily?—I had.

About what time did you arrive in Sicily?—May I refer to a paper of dates?

Mr. Brougham. Is it in your own hand-writing?—It is; it is from the log of the ship.

(*The witness referred to his memorandum, and said*) On the 7th of December.

Mr. Attorney-General. Did you in Sicily receive her Royal Highness on board your ship?—At Messina.

Previously to your receiving her Royal Highness on board your ship the second time, did any communication take place between yourself and her Royal Highness?—Yes.

What was the nature of those communications?—I received a letter from a Mr. Hownam; the communication made to me was, that her Royal Highness intended to embark from Genoa in the Clorinde.

That was before you had left Genoa?—Yes.

Did any communication take place between you and her Royal Highness before she embarked on board your ship?—There did.

State the nature of those communications?—On the morning after my arrival at Messina, Captain Briggs informed me, that her Royal Highness had expressed uneasiness at the prospect of keeping her own table on board the *Clorinde*. I therefore desired Captain Briggs to go to her Royal Highness in my name, and to say, that I was ready to do everthing in my power to make her Royal Highness comfortable while on board the *Clorinde*, provided her Royal Highness would be pleased to make a sacrifice, which my duty as an officer compelled me to exact, by not insisting on the admission to my table of a person of the name of Bergami, who, although he was now admitted to her Royal Highness's society, when she last embarked on board the *Clorinde*, was in the capacity of a menial servant. I saw Captain Briggs on the afternoon of the same day, when he told me he had had the conference with her Royal Highness which I had desired; and that, from the tenor of his conversation with her, he believed there would be no difficulty in my request being acceded to; but that her Royal Highness required a day to consider the subject. The *Leviathan* sailed the following day; and on the morning after that, I waited on her Royal Highness, to know her determination; her Royal Highness declined seeing me herself, but desired Mr. Hownam, one of her suite, to inform me that my request would not be acceded to, and that she should accordingly provide for her own table.

How soon after that did her Royal Highness embark on board the *Clorinde* at Messina?—Her Royal Highness embarked on board the *Clorinde* on the 6th of January following.

How long was that after this communication?—About a month.

Who accompanied her Royal Highness this second time when she came on board the *Clorinde*?—The Countess Oldi, Bergami, Master Austin, and a Count, whose name I understood to be Scavini and various servants.

Was there a little child with her?—And a little child which I understood to be Bergami's.

Where did her Royal Highness dine during the time she was on board your ship?—In her own cabin.

Do you know who dined with her?—I do not.

She did not dine then at your table during the time she was on board the *Clorinde*?—She did not.

How long was she on board the *Clorinde*?—Three or four days.

Thomas Briggs was called in, and having been sworn, was examined by *Mr. Attorney-General*.

You are a Captain in his Majesty's Navy?—I am.

Did you, in the year 1815, command a ship of war of his Majesty called the *Leviathan*?—I did.

Were you at Genoa in the course of that year?—I was.

In what part of it?—In November, 1815.

Was your ship ordered to Genoa for the purpose of receiving on board her Royal Highness and her suite, and to convey her to Sicily?—She was.

Did her Royal Highness and her suite embark on board of the *Leviathan* at Genoa?—She did.

Can you state by whom she was accompanied when she came to embark?—By her suite.

Do you remember of whom that suite consisted?—I do.

Be good enough to mention them?—Her Royal Highness, Bergami, Mr. Hownam, I think Count Scavini, and two or three other foreigners; Montechelli I remember the name of, but I do not remember the names of the servants that accompanied the suite.

Was there Madame Oldi?—There was Madame Oldi, and there were two servant maids.

Do you remember her Royal Highness coming down to embark?—I do.

Do you remember who came with her in the carriage?—The Countess Oldi, Bergami, a small child, and I think there was another person, but I am not quite confident; I remember these three perfectly.

Did her Royal Highness dine at your table?—Always, while she was on board.

Did Bergami dine with her?—Always.

What disposition had you made of the cabins for the accommodation of her Royal Highness, previous to her Royal Highness embarking on board your ship?—I had made such arrangement as I thought would accommodate her Royal Highness and the whole of her suite.

With respect to the apartments which you had appropriated for her Royal Highness and her suite to sleep in, where did you assign a cabin for her Royal Highness?—The after apartments of the Leviathan were divided into two cabins, which I intended for her Royal Highness; the one as a sleeping-room, and the other as a sort of drawing-room; before that there were two other small cabins in a line which I intended for her Royal Highness's suite, the Countess of Oldi and the two maids before her; and I meant to put the men anywhere, some below in the wardroom, and some in my cabin, as was most convenient, reserving one part of my cabin for myself; that was the disposition of the apartments I made then.

Was that disposition altered by her Royal Highness?—It was.

Look at that plan.

A plan was shown to the witness.

Mr. Denman stated that he should have objected to that with another witness, but did not object in the present instance, but rather wished it should be done.

Mr. Attorney-General withdrew the plan.

Mr. Attorney-General. You say that you appointed a cabin for Madame Oldi and the female servants; was that immediately adjoining the cabin intended for her Royal Highness?—It was.

You say, that disposition was altered by her Royal Highness; in what manner was it altered?—The cabin I had intended for the Countess Oldi was altered; an alteration took place in the doors; and Bergami was put into that cabin.

What alteration took place in the doors?—The two small cabins which were to have contained the Countess Oldi and the servant maids had a communication within each other, and when her Royal Highness came on board, she said that she desired Bergami's cabin should

be changed—that he should be placed where the Countess of Oldi was, and she put into another apartment, one of her own, which I had intended for her; there was only a communication between those cabins from the inside, that is to say, that to go into the Countess of Oldi's cabin, you must have gone through the cabin where the maids were; when this change took place, the door was filled in between those two cabins, and brought inside, and opened close by that cabin which her Royal Highness occupied.

So that after that alteration the door into the room appropriated to Bergami was near the door of the room of her Royal Highness?—It was.

You have stated that Bergami dined at the table with her Royal Highness; have you ever observed her Royal Highness walking with Bergami?—I have seen her Royal Highness walk with Bergami.

In what way?—Arm in arm; but I think it was at Palermo; and I think I recollect to have seen it at Messina; it would not have been considered by me at all uncommon; I have occasionally seen it, I may say three or four times in the course of the time she was with me; she walked with him occasionally when she went out; and at Palermo and Messina I remember having seen her walking with him arm in arm.

Do you remember, in consequence of a request of Captain Pechell, waiting upon her Royal Highness with any message from Captain Pechell to her, at Messina?—I do.

State what passed between her Royal Highness and you upon that occasion?—When I quitted Messina, it was very much the wish of Captain Pechell, that I should speak to her Royal Highness about embarking on board the *Clorinde*; he told me, that Bergami having been in the situation of a servant on board his ship, he could not possibly think of sitting down with him at table; and he said, "it would be very pleasant to me, if you would be so kind as to mention this to her Royal Highness before you go away, because I am left in a very uncomfortable way here by you;" upon which I asked her Royal Highness's permission to speak to her upon that subject, which she granted, and I made known Captain

Pechell's objection to sit down to table with Bergami; upon which her Royal Highness said she did not care, that she had thought as I had sat down at table with him, Captain Pechell might do the same, but she did not care, it was only to prevent the Captain's keeping two tables that she had Bergami with her; upon which I said, if your Royal Highness has no objection to Bergami dining from the table, Captain Pechell will be very happy to see you, and to keep the table as I have done.

You say, that her Royal Highness stated that you had dined at table with Bergami; did you make any observation upon that to her Royal Highness?—I made this observation, that Bergami had never been a servant in my ship; that if he had, it would have been impossible for me to have admitted him to the table.

Did you communicate what had passed between yourself and her Royal Highness to Captain Pechell.—I did.

Then you left Messina?—I left Messina on the 11th of December, three or four days after I had anchored there.

Cross-examined by *Mr. Denman.*

In the course of the conversations you had, both with Captain Pechell and her Royal Highness, did you not perceive there had been some little dispute between them, as to the former voyage?—I had seen Captain Pechell before I had waited on her Royal Highness; he came to me as the senior officer, to report himself, and he then told me the line of conduct he meant to adopt with regard to her Royal Highness.

Did you not discover, from the conversation of both, that there had been some difference about the stowing of her Royal Highness's luggage, or something of that kind?—On her Royal Highness's part I did; she repeatedly complained of Captain Pechell not having accommodated her so well as I had done.

Did it fall to your knowledge to know whether the Countess of Oldi slept on board the *Leviathan*?—It did.

It was in a room adjoining that of her Royal Highness, was not it?—It was.

And there was a door opening immediately from the one into the other?—There was.

Countess Oldi's room and the Princess's divided that part of the ship between them?—Precisely so.

And both opened into the dining-room?—They both opened into the dining-room.

Each directly by several doors?—Each directly by two doors.

Was not the cabin you had provided for the maids occupied by them?—It was.

And that also opened into the dining-room?—And that also opened into the dining-room; all the cabins opened into the dining-room.

Re-examined by *Mr. Attorney-General*.

The *Clorinde* was a frigate, and the *Leviathan* was a ship of the line?—Yes, one a line of battle ship and the other a frigate.

So that there was more accommodation on board of the *Leviathan* than could be given on board the *Clorinde*?—Certainly.

The following question was put by their lordships at the request of Mr. Denman.

Had you not received a complaint from Captain Pechell upon the subject of the inconvenience which he thought he sustained from the manner in which her Royal Highness's baggage was stowed upon the former voyage?—I had heard Capt. Pechell say that the ship was a good deal lumbered from the vast quantity of baggage that came on board of her Royal Highness and her suite; but it was merely in the nature of a remark, it was not in the nature of a complaint to me as his superior officer.

Was any remark made by Captain Pechell as to the expense of the table he was obliged to keep?

The Attorney-General objected to this question.

Mr. Denman was heard in support of the question, and submitted that it might be material to show that there was a subject of disagreement between her Royal Highness and Captain Pechell, which might be a motive for her conduct.

The counsel was informed that many parts of the evidence Captain Pechell gave, should strictly have been first given by Captain Briggs; that if it could be shown by Captain Pechell or Captain Briggs that some particular reason led to her Royal Highness's going on board under the circumstances under which she did go on board, that would be a very proper subject of examination.

Mr. Denman having had an opportunity of conferring with his learned colleagues, declined giving their Lordships further trouble upon this point.

The witness was directed to withdraw.

Pietro Cuchi was then called in, and having been sworn, was examined by the *Solicitor-General*.

Do you reside at Trieste?—Yes?

Do you now keep an inn there?—I am the agent at the great inn at Trieste.

By a Lord. What do you mean by agent?—I am acting instead of the owner.

Mr. Solicitor-General. Do you know an inn at Trieste called the Black Eagle?—I do.

Who keeps that inn?—He is called Vincenzo Bartoletti.

What is the name of the inn of which you are the agent or superintendent?—Le Burgo Grande; the great inn of the town.

Do you remember the Princess of Wales coming to that inn?—I remember it well.

In what kind of carriage did she come?—A small, open carriage with two post-horses.

Who came with her in that carriage?—Mr. Bergami was with her, without any other servant, or without any servant at all.

Can you tell about how long it is since that affair happened?—I do not remember; about four years ago, I think, more than four years.

How long did her Royal Highness remain at Trieste, at that inn?—Six days.

Do you know in what apartment her Royal Highness slept?—I do well.

Do you know also the apartment which was allotted to Bergami?—I remember it well.

After her Royal Highness and Bergami had come in the carriage, in the manner you have described, did the suite come in afterwards in other carriages?—They arrived in about an hour after the arrival of her Royal Highness.

Into what apartment did the bed-room of her Royal Highness and the bed-room allotted to Bergami open?

Mr. Williams objected to the question.

Into what place did the bed-room of her Royal Highness open?—The door was facing the room of the dame d'honneur, No. 2.

When you say it was facing the room of the lady of honor, what was there between them?—The dining-room.

Did the door of the bed-room occupied by her Royal Highness open into that dining-room?—Yes.

Did the door of the bed-room allotted to Bergami open into that dining-room?—The room where Bergami slept opened into that of the dame d'honneur, who was his sister, and came into the dining-room.

Besides the door of the bed-room of her Royal Highness, and the door of the bed-room of the Countess of Oldi, were there any other doors that opened into that dining-room?—The door of No. 4, to go out by.

Was that the only other door that led into that dining-room?—There were no other doors to that room.

Can you state whether that door was fastened at night?—It was fastened.

Was it fastened from the inside or the out?—I do not know; I do not know whether it was shut from the inside or from the outside; I do not know whether they closed the door themselves, or whether any of the servants closed it.

Was it always closed at night during the six days that her Royal Highness was there?—Always shut up at night, at the time they went to sleep.

What beds were there in the bed-room occupied by her Royal Highness; how many?—There were two beds near one another.

What bed or beds were there in the room that was appropriated to Bergami?—One single bed.

Did you, at any time in the morning, during the period

that her Royal Highness was at Trieste, see Bergami come out of any room into the dining-room?—I have seen him come out of the room of the Princess.

About what hour in the morning?—About eight, or half-past eight

How many times did you see that during the six days that the Princess was at Trieste?—Three or four times.

Describe the manner in which Bergami was dressed at the time when you saw him so coming out of the room of her Royal Highness?—He had a surtout made according to the Polish fashion, which had some gold lace behind, that reached from the waist down.

Besides that robe what had he on?—He had drawers.

Had he any stockings?—Sometimes stockings and sometimes pantaloons which are stockings and pantaloons together; but this I can not precisely say, for I was looking out from the key-hole of my room.

What had he on his feet?—It appeared as if he had some strings, as if to fasten the drawers.

At the time when you saw this, was the door of the dining-room opened?—It was still closed.

What led you to look through the key-hole in the manner you have described.

Mr. Williams objected to the question.

Mr. Solicitor-General. Where did you yourself remain in the morning, before you went into the dining-room?—In my own room, which was at the end of the dining-room.

What was the situation of your room?—My room was between the corridor and the dining-room, having a door that led into the dining-room; from the key-hole of this door I looked into the dining-room.

What were you doing at that door at that time?—I was with my breakfast service, to give it in when it was asked for.

Did you go into the room at the time?—When they asked for breakfast, I entered the room.

Did you remain there with the breakfast service, or did you go back?—I remained with the breakfast service in my room.

Were you afterwards suffered to go with your service

into the dining-room?—At the first, to carry away those things that were there, sweep the dining-room, and then take in the breakfast service.

Did you go in before you were called for that purpose?—Never.

During the time that the Princess was there, did you ever see her walking with Bergami?—All day, every day; they were always together.

How did they walk together, in what way?—Speaking together; sometimes in the hall; sometimes in the dining-room; sometimes in the room of the dame d'honneur.

Did they talk together separately, or in what other manner?—Sometimes alone, and sometimes one spoke on one side and the other one spoke on the other side to those of the suite.

When they were walking together, in what manner did they walk together; did they touch each other, or were they separate from each other?—They did not touch each other, as far as I have seen, but they were arm in arm.

Did you ever see the Princess while she was at Trieste walking arm in arm with any other person?—The Count Cotto, the vice-governor, came to take her to the theater, and she gave the right hand to Count Cotto, and the left to Bergami.

Did you make any observation on the beds in the bed-room of the Princess, whether they had both been slept in, or only one?—They were both tumbled.

Did you make any observation upon the bed in the bed-room which had been assigned to Bergami?—Yes, I did.

Did that bed appear to have been slept in?—Never.

After Bergami went away, did you make any observations upon the sheets in the bed-room assigned to Bergami?—The sheets had been put on the bed clean, and they were taken away clean.

How many chamber-pots were there in the bed-room of the Princess?—Two.

Did you observe whether or not they had been both made use of?—I say yes.

Was either of the two empty?—There was a good deal in each; they were not empty.

In the bed-room of the Princess was there more than one basin for washing?—There were two wash-hand basins.

Did they appear to be both of them used, or only one?—I do not remember that; there are many travelers who wish to have two basins, and yet they are alone.

Were you present when her Royal Highness went away?—I was.

How did she go away?—In the same way as she arrived.

Did Bergami go away with her?—They set out together without servants, in the same open carriage.

Cross-examined by *Mr. Williams*.

How soon after did the suite go?—A quarter of an hour, not quite so much; almost immediately.

Have you any doubt about her Royal Highness having remained as much as five or six days?—Six days.

Are you quite sure of that?—No more.

Are you sure she remained so many as six days?—Yes.

Do you remember the day of the week?—No.

Can you remember the day she went?—I do not; if somebody had told me something, I might have ascertained the point; but as they have told me nothing, I do not remember.

As this is some time ago, probably your memory is not full and fresh upon the subject?

The Solicitor-General objected to this, as not being in the form of a question.

Had your room, of which you have spoken, a door into the dining-room?—A secret door that could not be known to be a door.

A secret door that could not be known to be a door, by anybody that was in the dining-room; is that so?—Yes.

Was that part which formed the door covered with tapestry, or was it part of the wood like the rest of the room?—It had painted canvas.

Which covered the whole of it, so that a person could not tell that it was a door at all?—No

Was it then quite impossible for a person in the dining-room to discover by any symptom that there was a door?—It was impossible, except one of the family, one who belonged to the house.

Was not the reason of its being impossible, because the door was entirely covered with canvas?—Yes.

You are understood to say that the reason why no stranger to the room could find out that there was a door there is, that it was wholly covered with canvas?—Yes, entirely covered.

Are you still agent, or by whatever name you go, of the Grand Hotel at Trieste?—I am after taking the inn which is called the Black Eagle; but if I do not gain the lawsuit, I shall continue to be in the Grand Hotel.

You are not asked what you are after, but are you or not at present still agent to the Grand Hotel?—I am not sure, because the inn is exposed to an auction every nine years; the lease has expired, and I do not know whether my principal will buy the lease or not, because it belongs to the town.

As agent of the Grand Hotel, was not it your business chiefly to attend upon the guests?—I have waited upon them; I am always the first to wait upon them.

Was not your chief business to attend as a waiter upon the guests?—Both.

Both what?—As I am the oldest servant in the house, I know the rules of the house better than any other person in the family.

Have you any other waiters under you?—Two more.

Were they men or women?—One had the name of Justo, and the other was called Bernardo Cesare.

You are understood to have said, that you had the superintendence or management of this inn, and yourself assisted as a waiter besides?—All the affairs of the family; both those duties.

As it was a great hotel as you describe it, were not there any females engaged as servants at the time the Princess was there?—There was one.

What was her name?—She was called Marie Mora.

When you talk of the door being fastened every night, do not you speak of what was done by the other servants or some of them?—No; the waiter did not do that.

What do you mean when you say that No. 4 was fastened; was it done by the servants, or by yourself?—It was shut by themselves; I do not know whether it was from the suite of the Princess, or from Bergami; this I do not know.

How long was it after the Princess was there, that it happened that you were first examined upon the subject, or said anything upon the subject?—I think about three years before I was examined; it was past two years and a half or three years.

You are understood to have said that a great number of guests are in the habit of continually coming to that inn?—Yes.

It is the chief inn for travelers in that place, is it not?—It is the best inn.

At the end of the two years and a half, or three years, who was it that first applied to you, to know what you had to say?—Some one who came to dine at the inn, who asked me, "How did the Princess conduct herself?" I answered, "I have no reason to complain; she has behaved well."

Were you at Milan?—Yes, I have been.

More than once?—If I must go to my country, I must go through Milan; I have been at Milan five or six times.

What countryman are you?—I am of near Asti, in Piedmont.

Have you been at Milan, in order to give any account of what you are supposed to know upon these subjects?—Yes; about eighteen months ago.

Who examined you there?—Colonel Brown was there.

What lawyer assisted him?—A lawyer who is here; I do not remember his name.

Would you know it if you were assisted with it?—I know that at Milan, and the lawyer here I know also.

Was it Mr. Powell?—Yes.

Was Counselor Cook there?—I do not know how he is called; there was one who appeared to me to be a Milanese.

Was that Vimercati?—I do not know.

However, you were at that time regularly examined, were you?—Yes

Was your examination taken down in writing?—I believe so.

And you gave a full account there, did you, of the rooms, and all you have told to-day?—What I can say before God I have said here, and I said it at Milan.

Have you been examined since you came to this country by the same English gentleman that examined you at Milan?—No.

Have you been examined at all by anybody since you came here?—I was examined before the presence of the present interpreter, and of the advocate whom we have mentioned.

Where are you speaking of; what do you mean by the present Interpreter?—I have been examined upon the same business.

By whom?—By the same advocate or lawyer, in the presence of you (meaning myself, the Interpreter) and two other gentlemen.

When was that?—I think on the second or third day after my arrival.

How long have you been here?—I do not know; but I think it is about a fortnight that I have been here.

Whom did you come with?—Signior Capper brought me here.

Did you come with Mr. Capper alone, or any others in company with you?—I went as far as Boulogne with a certain Andreatzi, who has been three times at the inn where I was to take me.

Who is Andreatzi?—Andreatzi is a person sent by Colonel Brown from Milan.

To accompany you on your journey?—Yes.

You have received no money?—Yes; I did not wish to have any, but he has given me some.

You did not wish for any money?—I did not; he told me, take this, and gave me eight golden Napoleons and eleven francs.

You are understood to have said that you did not wish for any money?—I did not wish for any money.

True it is that you were examined at Milan, and your

examination was reduced into writing, and you have been examined again here?—Yes.

That is a mistake on the part of the Solicitor-General, as I understand that the room of Bergami did not enter into the dining-room?

The Solicitor-General objected to the form of the question.

Their Lordships intimated their opinion that the question was objectionable in its form.

Mr. Williams. Then it is not true that the door opened into the dining-room?

The Solicitor-General objected to this, as an inference from the evidence, and not in its form a question.

The Lord Chancellor stated, that that which is put on an original examination in the form of a question, was frequently allowed to be put in cross-examination, in the form of an assertion; that it was so put in the shape of assertion, if it was stated to the witness "you have said so and so," but the Counsel must be careful to recite correctly the statement of the witness.

Mr. Williams stated, that he was desirous of showing that that statement of the witness to-day, as to the situation of the rooms, varied from the deposition he had formerly made; the form of the question put by the Solicitor-General having assumed the position of the rooms to be different from that which the witness had stated.

The Solicitor-General stated, in answer, that the form of the question put by him was occasioned by a mistake in his reading the paper before him.

Mr. Williams. Then it is to be taken as a fact, that the door of Bergami did not open into the dining-room, but into the bed-room of his sister, the Countess of Oldi?—Yes.

State to their Lordships the name of the party that came to your hotel before the Princess of Wales?—The order came from the Vice-Governor, Count Cotti, to prepare the apartments, half an hour before.

Who were the persons composing the party which arrived at that inn last, before the Princess of Wales?—It is not possible for me to remember; one I do, a man of the name of Perrie, a manufacturer of watches at Neufchatel.

Who composed the party that came next after the Princess of Wales left?—It is impossible for me to remember; if I were at home, there is a book where the names of all the travelers were put down.

Do you recollect whether the Princess of Wales was there during a Sunday?—I do not remember.

Nor you do not remember the day she came, nor the day she went?—I do not remember; from the book everything may be known.

That book you have left behind?—The book is at Trieste, where the names of all strangers are put down.

Can you remember that the Princess went to the opera?—Yes, she did go.

Was the Princess ever at that inn of which you speak, more than once, to your knowledge?—It was the first time she ever had been there.

Has she ever been there but that one time in her life?—Once only.

Did you ever see her at Trieste but that once?—Once only; she went to Gorrizzia, and afterwards an order came that she was coming no more.

Re-examined by *Mr. Solicitor-General*

You have mentioned there was a female servant in the house of the name of Marie Mora, where is she at present?—She came to beg something to enable her to go to Jerusalem.

How long ago is that, to the best of your recollection?—Last spring.

Have you ever seen her since?—No.

You have mentioned a servant in the house of the name of Cesare?—Yes, Bernardo Cesare.

Do you know where he now is?—I do not know.

How long is it since you have seen him?—It is about three years.

Look at this gentleman?—That is the gentleman who has examined me.

(*The witness pointed out Mr. Maule, the Solicitor to the Treasury.*)

Where did he examine you?—Here below, in a room.

Did he take down in writing what you said?—Yes; I do not remember, but I think so.

You have been asked what party it was that came to the house at Trieste, immediately before the party of her Royal Highness, the Princess; was there any other Princess with any large suite that came there about that time?—At that moment there was nobody.

You have said something about receiving eight Napoleons and eleven francs, when was that?

Mr. Williams stated, that he had not asked any question as to the witness having received any money, and submitted that the fact being stated by the witness not in direct answer to the question, did not entitle the Solicitor-General to re-examine upon it.

The Counsel were informed, that the matter having come out in the cross-examination, the Solicitor-General was entitled to re-examine upon it.

The question was proposed.—At Boulogne.

How long have you been absent altogether from Trieste?—I can not say; I do not know.

State as nearly as you can recollect?—I have left Trieste since the 28th of June.

Do you lose anything by not being at Trieste?—I undergo much loss.

According to the best of your judgment, is that loss more or less than the eight Napoleons and eleven francs you have mentioned?—I derive more profit in my house.

Explain what you mean by a law-suit?

Mr. Williams stated that he had abandoned all idea of his intending to refer to the present proceeding, and understood the witness to refer to proceedings in respect of the inn.

The Solicitor-General waived the question.

You have said that the door communicating from the place where you stood into the dining-room was entirely covered with canvas; explain how it was that you saw into the dining-room?—I looked in order to be exact in my service; in order to bring in the service when they called for me.

How could you see into the room if the door was entirely covered with canvas in the manner you have de-

scribed?—I could see, because there is a key-hole that looks into the dining-room.

George William Goltermann was sworn as Interpreter.

Meidge Barbara Kress was then called in, and examined by the Attorney-General.

Are you the wife of Peter Kress?—I am.

Where do you live?—At Carlsruhe.

Are you a Protestant, a Lutheran?—I am a Lutheran.

How long have you been married?—Three years.

Before your marriage did you live at the post inn, at Carlsruhe?—Yes, I did.

How long did you live there?—One year and three-quarters.

Did you leave that inn in consequence of your marriage?—Yes, that was the reason.

Do you remember the Princess of Wales coming to that inn?—Yes, I do.

Do you remember a person coming with her Royal Highness called Bergami?—Yes, I do.

About how long ago was it that the Princess came to the inn at Carlsruhe?—It might, perhaps, be about three years.

Do you remember in what room in the house the Princess of Wales slept?—Yes, I do.

What was the room assigned to the Princess of Wales; do you recollect the number?—Yes; it was No. 10.

What room adjoined to No. 10?—It was No. 11.

How was No. 11 used; was it a sleeping-room or an eating-room?—It was a dining-room.

What room adjoined No. 11, the dining-room?—No. 12.

What was No. 12; was it a bed-room or an eating-room?—A bed-room.

Who had that bed-room?—Bergami.

Was there a door opening from No. 10 to No. 11?—There was.

Was there also a door from No. 11 into No. 12?—Yes, a double one; there were two doors, which both could be shut.

What sort of a bed was placed in No. 12?—A broad bed.

Was that bed in No. 12 before the Princess of Wales arrived, or was it placed there after her arrival, and in consequence of that arrival?—There was another there before, but I had been ordered to put a broad bed; I had been obliged to put this broad bed in before the Princess of Wales arrived.

Had the courier of the Princess of Wales arrived before that bed was placed?—The courier had arrived, and then I placed this broad bed to which I allude.

Was it your duty to attend to the bed-rooms; were you the chambermaid of the inn?—Yes, I was the maid of the rooms; chambermaid.

Do you recollect how long the Princess remained at this inn?—I can not say exactly as to the time; but according to my recollection it was about a week, say eight days.

Do you remember, on any evening during the Princess's stay at that inn, having occasion to go to No. 12, to carry some water there?—Yes, I do.

About what time of the evening was it, according to your recollection?—I can not remember; but to the best of my memory it was between seven and eight o'clock; the minutes I can not tell exactly.

Do you recollect where the Princess and Bergami had dined on that day?—No, I can not remember that.

Upon your carrying the water into No. 12, did you see any persons in that room?—Yes, I did.

Who were they?—Bergami and the Princess

Where was Bergami when you went into the room?—Bergami was in bed.

Where was the Princess?—She had sat on the bed.

Do you mean she was sitting on the bed?—Yes, on the bed.

Could you see whether Bergami had his clothes on or off?—I could not see that; but I had seen as much in the moment I entered as that the arm was white.

Where did you see Bergami's arm?—When I entered I had seen that Bergami had his arm round the neck of the Princess; and when I entered the Princess let the arm fall.

Was that arm of Bergami, which you saw round the

Princess, white, as you have described it?—Yes; as much as I had seen.

Can you describe, whether that white was his shirt, or any other dress that he had on?—No, I can not tell that; in the moment I had not observed that.

What did the Princess do, on your coming into the room?—The Princess had jumped up, and was alarmed at the moment.

Did she jump up on your coming into the room and discovering them in that situation?—Yes, she had then jumped up.

The Attorney-General asked the Interpreter, whether the words meant that she had jumped up before the witness came into the room, or that she then jumped up?

Interpreter. The literal translation of the words are, she got up, or she rose.

The Interpreter was desired to repeat the German words used by the witness.

The Interpreter stated them to be, “Sie ist in die hohe.”

By a Lord to the Interpreter. How do you translate that?—She is up.

What is the English of that taken all together?—Hohe is height, which will make, she is in the height, which otherwise means, in the language of this person, that she got up, or jumped up.

That she had got up?—Yes, that she had jumped up, or got up.

Mr. Attorney-General. When you came into the room, was the Princess sitting upon the bed?—Yes.

Upon your coming into the room and the Princess being thus seated upon the bed, did the Princess jump up?

Mr. Brougham objected to this as a leading question.

Mr. Attorney-General. What did the Princess do upon your coming into the room?—The Princess was frightened.

Interpreter. The witness’s German words, which mean in the French “Elle est de bout.”

By a Lord to the Interpreter. What is the English of that?

Interpreter. It is difficult to interpret it literally: “She had jumped up,” or, “Had risen up.”

Is not "staggan" the word to rise?

Interpreter. No, not exactly; that is more used in the north of Germany, whereas this is in the south of Germany.

Do you understand the witness to speak in the preterpluperfect mode?

Interpreter. I understand her to say, that when she came into the room the Princess had got up, or jumped up.

Mr. Attorney-General. Did the Princess get up, or jump up in your presence?—Yes; when I had entered the room the Princess had got up, and I had retired.

An objection being taken by a Lord, that the Interpreter had not given the right translation of the words, *Mr. Brougham* submitted that the examination of this witness might not be proceeded with, until there was an Interpreter on behalf of her Majesty in attendance.

The Counsel were informed, that their Lordships would postpone the further examination of this witness, till to-morrow morning, ten o'clock.

The Attorney-General stated, that if the examination was now to be broken off, he trusted that their Lordships would not suffer any other witness to be called until that examination was resumed.

Counsel were directed to withdraw, and the House adjourned.

AUGUST 26.

Charles Kersten was sworn as Interpreter on behalf of her Majesty.

Meidge Barbara Kress was again called in, and further examined by Mr. Attorney-General.

You have stated, yesterday, that when you entered the room, No. 12, on one evening, you saw the Princess sitting on Bergami's bed; what happened after you saw the Princess sitting on Bergami's bed?—Am I asked the same evening still?

What did you see, when you observed the Princess was sitting on Bergami's bed?—I have seen the Princess sit on the bed, and afterwards I withdrew.

Before you withdrew, what did the Princess do ; did the Princess continue sitting, or what else occurred?—I saw that the Princess jumped up ; I withdrew ; I was frightened.

You are understood to say, that you then withdrew?—Yes.

Did you make up the bed in No. 12, Bergami's room?—Yes.

Did you, at any time, when you were making up the bed, discover anything upon the bed?—On the bed, do you mean?

On or in the bed?—In the bed I have found a cloak.

Was that a cloak appearing to belong to a female?—Probably ; because behind it had a kind of hood.

What did you with that cloak?—I took it out and unfolded it.

At what time of the day was it you found this cloak in the bed?—It was in the morning, when I made the bed.

Describe a little more particularly the cloak—what it was made of?—It was of silk, the color gray.

Did you afterwards see any one wearing that cloak?—A servant took it out of my hand.

Did you see any person wearing that cloak afterwards?

Through the interpretation of Mr. Kersten. I have seen a cloak the next day upon the Princess, but I can not say that it was the same.

Mr. Attorney-General. Was it a cloak of a similar description to that you had seen upon the bed, that you saw the Princess wearing?

Through the interpretation of Mr. Goltermann. Yes, it was of the same color.

Do you know whether it was of the same make ; whether it was of silk that you saw upon the Princess?—Yes, it was likewise silk.

Had the cloak the Princess was wearing a hood, like that you saw in the bed?—Yes, it had such a hood.

Did you, at any time, in making up the bed, observe anything else upon the sheets, or any part of the bed.

Mr. Kersten. The word she uses is a word that can not be expressed in English, unless by asking her what

she means by it; she says, when once I made the bed I saw that the sheets were. Now she says, "Wiiste;" she may mean by "Wiiste" in disorder, that is generally understood by this word; it is an adjective. "Wiiste," in its proper meaning, is the English word "waste." "Eine wiiste" means a desert.

What do you mean by the bed being "Wiiste?"

Mr. Goltermann. She is rather at a loss to explain it.

Mr. Kersten. She says, it had stains.

Mr. Goltermann. She was at first at a loss to express it, but afterwards she said it had stains.

The interpreters were directed to give the interpretation of the evidence, word for word.

What sort of stains were they?

Through the interpretation of Mr. Goltermann. As much as I have seen they were white.

You have stated that you are a married woman?—
Yes.

What did those stains appear to be?—I have not inspected them so nearly, but I have seen that they were white.

Have you ever made the beds of married persons?—
Yes; I have made all the beds that were in the house generally.

What was the appearance of those stains which you saw in Bergami's bed?—You will pardon me; I have not reflected on this; I have had no thoughts on it whatever.

Were those stains dry or wet?—Wet.

Mr. Brougham stated, that he had but few questions at present to put on cross-examination, but that he should reserve the bulk of his cross-examination to a future time, after inquiry had been made.

It was suggested to the Counsel, whether they had not better reserve the whole of their cross-examination till a future time.

Mr. Brougham stated, that he wished to put some questions, in order to lead to those inquiries.

The Counsel were directed to state the line they proposed to take in dividing their cross-examination.

Mr. Brougham stated, that he apprehended it was to follow, from being refused a list of the witnesses, that

after the witnesses were examined at first they were then to have an opportunity of being put into the same situation as if they had obtained a knowledge of their names and places before, by being enabled to cross-examine them again at a subsequent part of the proceedings, though he could not regularly allude to the grounds of that understanding.

Mr. Denman begged to call their Lordships' attention to what had passed since the commencement of this inquiry, in regard to another witness.

The Counsel were informed that no rule was laid down at present, and were directed to state what was the nature of their application; but that nothing could be more irregular, or more inconsistent with justice, generally speaking, than cross-examining a person more than once.

Mr. Brougham stated, that he was ready to admit cross-examining by piecemeal, in general cases, would not be regular, but begged to submit to their Lordships the peculiar nature of their present position; that they had at first afforded to them no knowledge of the present situations or residences of any of the witnesses that were to be called against her Majesty; that they had, in the second place, no intimation given to them of either the time with a convenient certainty, or the place with a convenient particularity, at which the alleged acts were said to have taken place, and that this peculiarity of their situation might well be deemed justly to authorize this other peculiarity, that instead of being called upon to cross-examine at once, and, as it were, unico contextu, they should take advantage of an interval after the case against her Majesty had been gone through, to enable themselves to pursue that examination with greater effect after they should have been made acquainted with time and place.

The Counsel were informed, that if their intention was to cross-examine the witness as to her family, or connections, or situation in life, all that might be ascertained now; but that if they proposed to go into circumstantial evidence beyond what was sufficient to enable them to pursue the inquiries they might think necessary to justice, it was apprehended that could not be; and that

that which was permitted to be done when Majocchi was called back, was extremely irregular; and, therefore, that, until the matter was further considered, must not be taken as a precedent.

Mr. Brougham stated, that with respect to the circumstantial evidence, he should go no further than his Lordship had suggested; namely, as to the certainty of time and place, leaving all the circumstances to a future examination; and that he proposed to go into the description of the person, her residence, and circumstances of that nature, leaving further questions on that point to the result of future inquiry; that if any of his questions appeared to go beyond that which their Lordships were pleased to permit, he trusted he should not be considered as intending to trench upon their Lordships' rule.

The Counsel was informed that he might proceed.

Cross-examined by *Mr. Brougham*.

How long were you chambermaid at the inn?

Through the interpretation of Mr. Kersten. One year and three-quarters.

Were you married at that time?—No, I was not.

You were not married till you left the inn?—I married after having left the inn.

What were you before you were chambermaid at the inn?—I served likewise before.

In what place were you before that?—I was at a village called Beyertam.

What service were you in before you were in the inn as chambermaid?—I have been with the Geises just before; I was just before at my father's, before I went to the inn, for a quarter of a year.

Were you in any other family as a servant before that?—Yes.

What family?—At Beyertam, at several families.

Name one of those families?—Marwey.

Who or what is Marwey?—He is a landlord of an inn.

Were you chambermaid in his house?—Yes.

How long?—Half a year.

Where did Marwey live?—He lives at Beyertam; the name of the place is Beyertam.

Where were you before you were in his family?—At a servant's of the Grand Duke of Baden.

How long?—Six years.

How old are you now?—Past twenty-five.

Were you a servant any where before that time?—No, I came to that place just on leaving the school, on leaving my father's house; on leaving school I was going to say, that I was in another place for half a year.

What was that place?—At Carlsruhe.

What was the name of the family?—Schuabel.

What is Schuabel?—A landlord.

Were you chambermaid in his inn?—Cellar maid.

What is the office of a cellar maid in an inn?—I have cleaned the rooms in the inn.

Mr. Goltermann. I have cleaned the room where the master and mistress were, I have cleaned the public room in the inn.

Had you any other employment at any time besides those you have mentioned?

Through the interpretation of Mr. Kersten. None.

Mr. Goltermann. Besides the public room of the inn.

Is a waiter in an inn called a keller?—Keller is a man servant.

Is killermadchen, which you have described yourself to have been, a woman who attends upon the man keller?—She has nothing to attend to, but to clean the rooms of the inn.

How long have you been here?—This day three weeks.

Whom did you come over with?—With a courier.

What is his name?—Reissner.

Was anybody else with you?—I took my brother with me, because I did not like to go by myself.

What is his name?—Frederick Cleinbech.

How old is he?—I can not say this.

About what age?—About twenty-eight, I can not say to a certainty.

Who paid for your expenses coming over?—I do not know what the courier paid during that time.

Who asked you to come over here?—At Carlsruhe, our Minister, Monsieur Berstett.

Did any other Minister speak to you on the subject?
—When I was there; I had seen nobody else.

Mr. Goltermann. When I was with him.

When you were at Carlsruhe, did any other person speak to you about coming over here?

Through Mr. Kersten. Monsieur de Grilling.

Who is Monsieur de Grilling?—He is at Court, I do not know what office he holds there.

Did any other person besides speak to you upon coming over?—The Ambassador of the Court of Wirtemberg, whilst I was still at the post inn.

Did any body else speak to you about coming over?
—Monsieur de Reden.

Who or what is Monsieur de Reden?—They told me he was the Ambassador of Hanover.

Does he live at Carlsruhe?—Yes.

Where does he live at Carlsruhe?—He lived at a Jew's, whose name was Kusel.

Did he ever live any where else, but at the Jew's?—I can not say this.

Did he often come to the inn where you were chambermaid?—I never saw him at the inn.

Did he examine you upon this subject?—A Monsieur de Grimm asked me first.

Who is Monsieur de Grimm?—The Ambassador of Wirtemberg.

Did you ever leave Carlsruhe before, to go any where else on this business?—Yes.

Were you ever at Vienna upon this business?—No.

Did you ever see Colonel Brown?—No.

Did you ever see Colonel Deering?—I know not what was the name of the gentleman where I was.

Where were you, in what place?—At Hanover.

When did you go to Hanover?—It was on leaving the post inn I was called to go there.

Mr. Goltermann. The same quarter of the year.

Who called you to go there?

Through Mr Kersten. Monsieur de Reden

How long did you remain at Hanover upon that occasion?—Six or seven days, I can not tell exactly.

Were you examined there upon this subject?—They asked whether I had seen such and such things.

Did you go back from Hanover to Carlsruhe?—Yes.

What did you get for going to Hanover?—I received a small payment, just for the time I had lost.

How much was that small payment?—I can not exactly tell, it was little, very little.

About how much was it?—About sixteen or eighteen ducats.

Mr. Goltermann. Of which each makes five florins, she says.

What wages had you at the inn?

Through Mr. Kersten. We had only twelve florins a year at the inn, because they reckoned much upon the perquisites.

Did anybody else give you any thing besides the sixteen or eighteen ducats?—No, I received nothing else.

You are not asked whether you received nothing else at that time, or on that journey; but have you received nothing else?—I have been obliged another time to go to Frankfort.

Who fetched you to go there?—The valet de chambre of the Hanoverian Minister went with me.

How long did you stop at Frankfort?—Four or five days.

Were you examined there?—They asked me what I had seen, and then I told it in the same manner.

Do you mean you then told it in the same manner as you have here?—I have said the same thing as I said here.

What did they give you for going to Frankfort?—Twelve or fourteen ducats.

Has anybody given you any thing else?—No, except the gentleman who fetched me from the post.

Do you mean the courier?—I know not what he was; he was a foreigner or stranger.

What did he give you?—He caused me twice to go there.

To go where?—To the post, and then he told me that I should go to London; I said I would not until I was forced.

What did he say?—He said I had better go, for it would come to that that I should be obliged to go.

Mr. Goltermann. The witness adds, "then I said I would let it come to that point."

Did he give you anything?

Through Mr. Kersten. He gave me a ducat for my trouble for having called upon him; because I was then occupied.

Did he give you a ducat each time you called upon him, as you say you called twice?—No, only the second time.

Did he promise you anything?—Nothing at all, because I said I would not go.

The Counsel were directed to withdraw

The Counsel were again called in, and informed that they were to confine their examination to the situation and character of life of the person called, in case they wished to postpone their full cross-examination to a future time.

Mr. Brougham begged to elect to defer cross-examining this witness generally to a further stage; that he proposed to put one further question, and which he begged to state to the House, with a view to identify the witness: he wished to ask whether her brother had promised her nothing.

The Counsel were informed, that their Lordships did not consider that a proper question now to be put.

Mr. Brougham begged to know, whether he might ask the witness where she was now.

The Counsel were directed to withdraw.

The Counsel were again called in, and informed that that question ought not to be now put.

Mr. Brougham professed himself not to understand the decision of their Lordships.

The Counsel were informed that they might propose another question, and, if necessary, support it by argument; but that the House must proceed according to the rules by which it usually proceeded.

Mr. Brougham begged to propose a question upon the footing of the permission extending to the names and residences of the witnesses, namely—What is your place of residence?

The Counsel was informed that he might put that question.

Mr. Brougham. Where do you now live?—At Carlsruhe.

Where do you live at present in England?

Mr. Attorney-General objected to this question, and further submitted to their Lordships, that great inconvenience would result to himself and those who assisted him in conducting the case in support of the Bill, if the Counsel for her Majesty were permitted to postpone their cross-examinations of the several witnesses to a future time—that it would not be in the power of himself or his colleagues to re-examine those witnesses—that the time would not have arrived for their Lordships to propose any further questions—and that it would be impossible for the Solicitor General to sum up the case in support of the Bill, until the examinations of those witnesses were concluded. He further submitted to their Lordships, that if the cross-examination of the witnesses was not entered upon until the whole case in support of the Bill was closed, he should be deprived of the opportunity given to Counsel in the ordinary mode of proceeding, of calling witnesses in corroboration of those facts on which the cross-examination might have rendered it necessary or desirable.

Mr. Brougham was heard in support of the question, stating that he should confine himself to that; considering the point to which the Attorney-General had addressed himself as not now before their Lordships, but as having been, in effect, already decided.

The Counsel were directed to withdraw.

After some time the Counsel were again called in, and informed that the Counsel against the Bill were requested to state, whether they were desirous of proposing any, and what, departure in these proceedings from the usual course of cross-examination, and if so, that they were at liberty to be heard in support of such proposal; and that the Counsel in support of the Bill, if they desired it, might be heard in objection to such proposal. It was further intimated to the Counsel against the Bill, that if they were not prepared at the present moment to state that which they desired, and to support it by argument, but wished for further time, the House would be ready to grant their request.

Mr. Brougham requested, that upon a point of so much importance, he might have the benefit of further

time, for the purpose of consulting with the other Counsel of her Majesty upon it, previously to addressing their Lordships.

The Counsel were directed to withdraw, and the House adjourned.

AUGUST 28.

Counsel were called in, and informed that the order which the House made on Saturday, calling upon the Counsel against the Bill to state "whether they were desirous of proposing any and what departure in these proceedings from the usual course of cross-examination, and informing them that they were at liberty to be heard in support of that which they might propose, and that the Counsel in support of the Bill should be heard, if they desired, in objection to such proposal," was discharged. And they were further informed that, "it having been proposed to withdraw the permission to her Majesty's counsel, of reserving their cross-examination, and to direct that they should proceed in their cross-examination in their usual course, but with a full claim on circumstances or facts not now known to them coming to their knowledge, by leave of the House, to call back those witnesses for further cross-examination," if they were desirous of being heard as Counsel for the interests of her Majesty against this proposed mode of proceeding in cross-examination, the House would be ready to hear them.

Mr. Brougham rose and said, that he felt deeply sensible of the indulgence and kindness evinced by their Lordships, in thus giving to the Counsel of his illustrious client an opportunity of stating their objections to this mode of proceeding. It was more difficult for him to offer arguments against the course of examinations proposed, than to state another liable to less weighty objections. His first argument against it would be a vindication of her Majesty's Counsel, by reminding their Lordships, that the difficulties of the question, such as they now appeared, were of their Lordships' own making. If difficulties and obstacles presented themselves, it was not the fault of those who opposed the Bill. The

party by whom it was supported and patronized proposed a mode of proceeding with this Bill, to which objections were made by them. It seemed good, however, to the wisdom and justice of their Lordships, to adopt their own mode, and reject every other. If, therefore, there occurred great, and apparently insurmountable difficulties, it proceeded from adopting the suggestions of the other party. This was the strongest reason he had to urge why an extraordinary indulgence should be allowed to her Majesty's Counsel now, inasmuch as all their former suggestions were rejected, and because the present delays and difficulties arose from granting to his learned friend, the Attorney-General, all he asked. He did not say the present difficulties might not have been avoided. The way of avoiding them it was easy to point out, but the difficulty of the present course seemed insurmountable. At this late stage of the proceedings, a proposition was made for placing her Majesty's Counsel not in so good a situation as they occupied last Saturday at eleven o'clock, but in a much worse. Their Lordships should recollect that Counsel were never heard on the application for a list of witnesses. That question was decided on a motion for receiving a petition. A second application was made for a much more valuable privilege, that of being made acquainted with the places in which the alleged facts were stated to have occurred. This, though no extraordinary demand, was refused. It was a privilege allowed to every party in every suit. In all proceedings, whether civil or criminal, a specification was given, with convenient certainty, of the places where the alleged offenses were stated to have been committed. Here they rested on the analogy not only of reason, but of law. It was the privilege of every defendant, in every case, to know the country in which the alleged facts were represented to have occurred. On urging the justice and fairness of this demand, they were not told where the *venue* was laid. It might, for aught they knew, be laid in all or either of the three quarters of the globe. The burden was imposed upon them of preparing a defense against facts stated to have taken place, not in this or that county, in Essex or Middlesex, but in Europe, Asia, or

Africa, in towns, cities, or districts, in lands inhabited or uninhabited, on the seas, in wildernesses, or sandy deserts, in the four quarters of the globe, or any part of them. That they had not been furnished with a list of witnesses was no peculiar thing; but it was peculiar—it was without example in any case, civil or criminal, that no *venue* was laid. It should be remembered, that the task imposed on them was not merely a refutation of imputed guilt, but a defense of innocence, and the more innocent their illustrious client was, the more difficult it must be for them to prepare themselves against evidence without knowing from whence it was to come. On this second demand of a specification of places, their Lordships also decided without hearing Counsel, and her Majesty's Counsel were therefore now in a situation in which no person was ever before placed by a bill of pains and penalties. From this denial of a list of witnesses, and of the specification of places, it appeared naturally to follow that some compensation should be given for the peculiar difficulties in which they were thus placed. They humbly deemed that such compensation was implied in the spirit and meaning of their Lordships' order with respect to the mode of examination. They thought they had thereby obtained advantages not given to ordinary defendants, some means of meeting the peculiar nature of the difficulties in which they were placed. They little suspected that after their Lordships had refused the two first applications, after acquiescing for a time in the mode of cross-examination hitherto pursued, they little dreamt that what had been their comfort under difficulty and disappointment was all to be taken away, and that they were to have no advantages as an equivalent for what had been refused. Their Lordships seemed to say that though the mischiefs and difficulties of their situation were of a peculiar and unexampled kind, their advantages should not be so. The moment an extraordinary remedy was suggested to meet the extraordinary evil, their Lordships proceeded to bind themselves by common forms, to look for precedent to the proceedings of courts of law, to act upon the common rules at Nisi Prius and the Old Bailey. Their Lordships, however, did not confine themselves to precedent

throughout the whole case. The bill itself was not grounded on precedent as to the mode of proceeding on it. In the case of the Duke of Norfolk every advantage was granted to the defendant which the nature of the difficulties required. It was not true that a list of witnesses was refused, and that no specification was made but of time. At first the charge was spread over seven parishes, and a period of six months, but on complaint being made, the specification was amended. He called upon their Lordships to look at the difference between the mode adopted on that bill and the present; in that case their Lordships proceeded, in the first instance, upon documents founded on proceedings in the courts below; on the second occasion, it was true that no specification of time and place was set forth; and why? because it would have been absurd, when the proceeding in the courts below furnishes much better and more satisfactory information than could have been obtained from the list of witnesses. In that great case, therefore, they were not called for, because it would have been childish and paltry. He would now proceed to notice the nature of the evidence that was produced upon that occasion;—Four witnesses in their examination-in-chief swore positively and directly to the fact itself; the first swore that he saw the Duchess in bed with her paramour, and that she came out of the room; and another spoke of what had occurred in terms too revolting to delicacy for him to repeat—yet, notwithstanding all these proofs and circumstances, a few questions in cross-examination had such an effect as to induce their Lordships to throw out the bill. The case to which he alluded was one where proof to ocular demonstration was tendered and taken, and yet the bill was rendered a nullity by the cross-examination of the witnesses. So much for the case of the Duchess of Norfolk, in 1691. He did not mean to anticipate anything in the way of reply to the arguments used by the learned Counsel at the opposite side. On the present occasion such a line of argument would be quite premature; indeed, it would be more—it would be quite irregular, unjust, nay, indecent. If it were possible that the example had been set up of premature comment upon any arguments he might have

commenced and left unfinished, then he should say that the example was one which would be more honorable in the breach than the observance. He could not believe, however, that such an example had been set him: still less could he believe that it came from any noble person on whom would hereafter lie the responsibility of deciding "upon his honor," on the whole merits of this case. To believe that an example of such a kind could be set in such a quarter, would be to credit the existence of a monstrous indecorum, where all was no doubt pure and unsullied. If, however, the example were set even in so high a quarter, he must refrain from following it; he must in common decency keep clear from a course which he thought utterly indecorous and indefensible. But he would come to the more material part of what he had now to address to their Lordships. Did they, he asked, with an earnestness that he trusted bespoke his anxious suspense for a reply, mean now to retract what was termed "the extraordinary advantage" which from the outset they were disposed to give to his illustrious client in the progress of the case? Was this promised advantage (to use the term applied to it) to be now withdrawn? and were the Counsel for the Queen to be now placed in one part of the conduct of this cause, as parties were placed in the ordinary course of proceedings in courts of law, while in another part of the proceedings they were to be placed in quite a different situation from that in which such parties were placed in the courts below? Was this advantage, then, to be taken from them in one part, and were they in another to encounter disadvantages in which no party was ever placed in any court under either ordinary or extraordinary circumstances? In any way in which their Lordships could place him, he had disadvantages to encounter on the part of his client, which no person could have imposed upon him before the ordinary tribunals of the land. These disadvantages arose out of the very nature of the anomalous mode of proceeding which had been instituted. "O, my Lords," (exclaimed *Mr. Brougham*) "monstrous, indeed, will be the disadvantage to which we shall here be exposed, in comparison with the situation in which the courts of common law would place us, if your Lordships will now

tell us that the course of your proceeding, and the only course, will be, first, to hear the examination-in-chief, then the cross-examination, then the re-examination, and after that nothing but what shall be previously submitted to the opinion of your Lordships: no question to be asked a witness except through your Lordships; no series of uninterrupted questions to be allowed us in the situation in which we are placed. If this shall be your Lordships' final and irrevocable decision, then, I repeat, monstrous will be the disadvantages which must environ us in the performance of our duty; and still more monstrous is it to tell me, that this is done in conformity with the ordinary rules of law." He implored their Lordships to pause before they placed him in such an embarrassing situation, and before they suffered it to be pretended that it was justified by an analogy with the practice of the ordinary tribunals. The accused in the courts below had upon the very form of the proceeding against him the place where the crime was said to have been committed: in a criminal case, indeed, the law gave him this information. It was idle, therefore, to talk of any analogy between this course of proceeding and that in any of the courts below, when the very essence, as well as the form proposed to be set, showed not an analogy but a contrast. And yet this was the fair, the full, the candid manner in which the practice of the courts below had been quoted before their Lordships. All he wanted was, that they should abide by the practice of the courts below; he desired no more; that was all he asked at the beginning, and he now asked nothing more, when, as he believed, their proceedings were about to come to a close. All he conjured of their Lordships was, that they would take these rules as a whole, and not fritter them away partially; not to adhere to them rigidly where they fettered the Queen and depart from them to benefit the King. He again repeated, that all his illustrious client desired was evenhanded justice; with it she was safe, without it innocence conferred no security. He had been told, that he was to enjoy in this case an extraordinary advantage not enjoyed by an accused in any ordinary case; for that, after the whole evidence of the prosecution had been gone through, his illustrious client might have two months to prepare her

defense. He wished, indeed, he could take comfort from this, which some were pleased to call an extraordinary advantage. But where were the boasted enjoyments of this extraordinary advantage? Just let their Lordships look for a moment at the situation in which he should stand before any ordinary tribunal. Would the witness there retire from court, as he must here, without undergoing the test of a cross-examination at the instant, from a counsel well prepared by previous information to enter into minute details? In any ordinary court was the accused liable to have his judges prejudiced by the daily publication of *ex parte* evidence under all the influence which was incidental to such a situation? Not only had the illustrious accused this prejudice to encounter from the daily publication of what did occur, but, superadded to this, she had to encounter the propagation of the vilest falsehoods. For instance, in an evening paper of Saturday it was stated, that when the evidence came to the marks of adulterous intercourse in a bed, it was stopped. Now, that was a gross and deliberate falsehood; it was, too, a willful one, and fabricated for a base purpose. These infamous lies were the more dangerous from the circumstance of their being published as a representation of facts occurring before their Lordships. He prayed their Lordships to see the absolute nullity they would make of his cross-examination, if they confined it to the "extraordinary advantage," as it was called, of showing special cause for putting each question, and then putting it through their Lordships. To avail himself of this extraordinary advantage, he was in the first place left without materials. How was he to pursue the cross-examination of a witness, whose face he never saw until he was produced to give his evidence? Such was the case of the female witness whose examination was suspended; she spoke of occurrences at Carlsruhe, and that was the first time he had ever heard of such a place as having any relation to this case. To call upon him, therefore, now to cross-examine this witness, was in fact to extract from him a confession of his ignorance of anything upon which he could cross-examine her. Such was the state to which he was reduced by the ignorance of names, of dates, of time and place, in which it had pleased their

Lordships to keep his illustrious client. The consequence of the steps already taken by their Lordships became more intricate for him, from the circumstance of the great distance at which this investigation was carried on, from the places through which her Majesty had journeyed during the long period of six years; over this space and along that journey he had to cast his eye, without mark or guide to fix it on any spot which it might be advisable to measure for the purposes of her Majesty's defense. Their Lordships, with a view to obviate this difficulty, had promised to afford a delay of two months, to seek the necessary information, from which was to be drawn the materials for her Majesty's defense. Much better would it have been had their Lordships afforded that information which would have rendered any delay unnecessary. It was very easy for noble lords to say that they ought to regulate their course by the practice of the courts below; but did they not recollect, that in all judicial tribunals, any delay, so far from being considered advantageous to the accused, was felt to be directly the reverse? With that feeling it was always considered prejudicial to the party on trial, if even a single day intervened between the opening of the case and the defense of the accused. The prejudice of this delay was avoided by the very nature of the forms of judicial proceedings in this country. If the case were of a civil nature, the declaration contained a full specification of the charge: if of a criminal nature, the same information was communicated either by the indictment or the information. Such were the wholesome provisions of the English law; the descendants of the framers of it may have become wiser than their ancestors, and may lay down new rules for their own conduct. Until, however, this was done, he agreed that the established forms and practice of the courts below ought to regulate their Lordships' proceedings; and all he conjured or desired was, that he should, on the part of his illustrious client, have the benefit of these forms and of that practice. Did their Lordships believe that there was so much magic in the dress of a counsel at their bar, or such a charm in his education and legal acquirements, as that he could at sight of a witness whom he never saw, nor ever heard of before, strike

upon all those points of character and conduct which it were necessary to sift to ascertain moral credibility, and at once to enter upon a cross-examination with as little preparation as he could read from his brief? He would for a moment suppose a case which would show the difficulty in which their Lordships's rule of proceeding would, if rigidly adopted, place him. Suppose that in three or four weeks hence he discovered anything which went to destroy the testimony already given by any witness. Suppose that a witness, A. B., had received a sum of money on condition of his swearing against the Queen—nay, further, that the passing of this bill of pains and penalties was to be a condition antecedent to the payment of the money. All the noble and learned lords who heard him at least, and he trusted all their Lordships generally, would be struck with the powerful effect which this disclosure, if substantiated by proof, must have upon the nature of the evidence previously given; and yet, however important such testimony might be, if the proposed rule were adopted, he should be unable in the face of that rule to tender such evidence. How could he produce the evidence, unless he were permitted to call back, suppose, the last witness, and ask her, was such and such the fact? If she admitted it to be true, then she disqualified herself from being a witness: if she denied it, then he should have to offer proof of the facts out of the mouths of other witnesses. Their Lordships knew that counter-declarations formed a large part of the materials for cross-examination. He would appeal to those of their Lordships who had had experience in courts of law, how often a knowledge of such counter-declarations had been elicited by a sifting and persevering cross-examination. A counsel cross-examining had to feel his way with a reluctant witness: he had to get his answers just as he could, and to compare and collect the parts in his progress; he had, as it were, to eviscerate the truth from the witness. It was in vain to say this could be done if a counsel were to proceed step by step, with each question put (if it were put) through the medium of their Lordships, and liable every moment perhaps to the demurrer of the learned Counsel opposite. When their Lordships talked of any analogy with the proceedings of the other courts of law, he begged

to ask at what period since the foundation of those courts, under the guidance of upright judges, had a counsel been called upon to cross-examine as he (*Mr. Brougham*) would be called upon, if their Lordships laid down the rule against which he now contended? To call such a mode of proceeding a cross-examination would be a mockery of the term; to tell a counsel that he might cross-examine after the manner he was allowed in a court of law, and to tell him, in the same breath, that he must lay a ground for each question, and have it then put *ex gratia* by their Lordships, was to render his task a nullity, and a mockery of the sanctioned practice before the judges of the land; and this, too, was to be conceded as a favor, which, in any of the courts below, and from any of the revered judges who presided in them, he should disdain to accept in any other way than as an undoubted right. It was on these grounds he humbly submitted to their Lordships, that they would not now place him in a different situation from that in which he supposed he stood, by their Lordships' considerate attention. He hoped now, that the expectations held out to the Counsel for the Queen were to be realized, and that they were not to learn that their Lordships' rule of one day was not to be their guide for another. If it was the will and pleasure of their Lordships that the Counsel for the illustrious accused must act under restrictions like these, which trammelled the fair and full performance of their duty; if it was their final command that her Majesty's Counsel during the remainder of these proceedings were merely to sit at their Lordships' bar, and grace by their corporeal presence the business of each successive day; if that, he repeated, was their Lordships' irrevocable decree, then, he hoped at least, that he and his learned friends would be permitted to revise their first resolution of trying to assist her Majesty in the conduct of her defense. He still, however, relied upon the sense of justice which must ever reign in their Lordships' breasts, and that the influence of that good feeling would save her Majesty's Counsel from being placed in such a predicament. It was fit, before he concluded, that he should correct himself respecting a statement on their Lordships' minutes, if they would

so far permit him to aver against the record. It was stated, that when he had a former witness called back, he wanted merely to inquire into one specific fact, without going into any further examination, but that the limits prescribed had been exceeded. He admitted the irregularity of such a course, but only wished to pledge himself not again to ask for the re-examination of a witness until he came to open his case for the defense. In anything that had occurred he by no means meant to yield his right to pursue that line of ample cross-examination for which he now humbly, but, he trusted, effectually, contended at their Lordships' bar. He concluded by apologizing to their Lordships for the time he had occupied them, and for which the only excuse he had to offer was, the paramount importance of the point for which he contended.

Mr. Denman followed on the same side. He said that nothing but the extreme importance of the privilege for which he had to contend would induce him to address their Lordships, after the able and eloquent speech of his learned friend. He had to thank their Lordships for the kind indulgence he had hitherto received, but at the same time it was his duty as one of the Counsel for the illustrious accused to protest against any restriction being now for the first time laid upon their mode of cross-examination, in the course of this long, harrassing, and almost overwhelming investigation. Their Lordships could not but be seriously impressed with the reflection that no protection could now be withdrawn from her Majesty in the management of her defense of which the meanest person in the land could not hereafter be deprived upon the precedent now set; he therefore contended now on the part of the King and the people for an important right, which, if refused, wrested from an accused his stronghold, and reduced the power of cross-examination to a mere mockery and a name. If a counsel were to be restricted in the exercise of so invaluable a privilege, what security had any man either for his life or his property against the machinations of any perjured wretch who might assail the one or the other? It was not for a mere technical form that he was now contending with lawyer-like pertinacity; he was contending for

a vital principle which was essential for the attainment of the great ends of justice, and he implored their Lordships to pause before they departed from an established rule, which formed so strong a shield for innocence. He implored them to pause before they entered upon a vacillating course of proceeding, laying down rules one day which were to be departed from the next, when they were found to embarrass the proceedings of a party who did not like any obstacles to be opposed to their progress. The learned counsel then proceeded to detail the manner in which the life of a subject was fenced round by the law in cases of high treason, to protect him from the machinations of power, their Lordships, if not disposed to adopt the same principle in its full extent in other cases, should take care how they limited it in a form of proceeding so essential as this for the protection of the accused. Suppose any one of their Lordships' friends who might happen to be now traveling in remote parts of the world, were to be charged with a crime at which human nature revolted, how was he to rebut that charge, if denied the power of sifting to the bottom by cross-examination the story of the witness? He then contended that in a court of law he would be allowed at any period of a trial to recall a witness, or produce another to show a material fact which previously he had no opportunity of knowing. If, therefore, the analogy of courts of law were to be followed, the advantages which they conferred should not be lost sight of; the accused at least ought not to meet with a diminished protection. To cross-examine a witness by measured steps, and through the medium of their Lordships, upon cause being shown, was at once to set at naught the whole power and force of a cross-examination. Suppose a fact came to the knowledge of her Majesty's Counsel respecting the infamous character of a witness, who upon re-examination and the production of a further witness might be loaded with infamy, and yet that they were prevented from this disclosure by the force of a rule of evidence, would not their Lordships' minds recoil from the injustice worked by the operation of their own rule? At this very moment they were actually pestered with information of the kind to which

he alluded of witnesses in this case ; but as a counsel and as a gentleman he could not act upon such information at this moment, or until he had a full opportunity of ascertaining its authenticity, and being satisfied of its truth. If, however, the rule now contended against should be sanctioned by their Lordships' approbation, it would only remain for him to hope that its application would be restricted to such a case as that which had called it forth ; and that they should only hear of its existence when a bill of pains and penalties was heard of for the dethronement of a Queen of England. If the legal advisers of the Queen had enjoyed the advantages of seeing those papers which had been seen by their Lordships ; if they had examined those papers, seen who were the parties who had signed to the accusations, and what were the accusations to which they had so signed, they would then have possessed means of cross-examination from which the course adopted had precluded them. Because, if they had found one set of witnesses proving certain facts before what might be called the grand jury, and an entirely different set, started up since the search, since the advertisement, for evidence, coming now to support that proof ; or if they had found the original witnesses coming forward upon the present occasion, and swearing either as to the nature or as to the extent of facts, from their former testimony ; either such coincidence would most materially have aided her Majesty's defense. It was impossible not to perceive that, through the whole course of the inquiry, certain noble lords who had been upon the secret committee, had been putting questions to the various witnesses which arose out of sources to which he (*Mr. Denman*) and his colleagues had no access. That access he did most humbly implore from the House ; and if it were not granted, the Queen would be deprived of the most effectual means of defense ; she would be deprived of those very weapons which had enabled her, upon a former occasion, to confound her enemies in the face of Heaven and of the world. It was some satisfaction, the learned gentleman continued, that their Lordships had decided to hear counsel before they made the order in question ; for, with every respect for the judicial authorities of the

land, he would take the liberty to say that their decisions were always most just—certainly most satisfactory—when they proceeded upon the argument of both parties. The situation was new, for he had never before known counsel called in as to the manner of laying down rules to regulate the judgment of the House; but, generally speaking, he should contend before their Lordships, that if her Majesty's Counsel were to be deprived of the most full, the most ample, the most extensive right of cross-examination; if they were to be precluded, at the very moment which cast new light upon the case, from showing falsehood, if falsehoods existed, and from showing infamy, if to them infamy properly belonged, upon the characters of those by whom infamous charges had been supported; if those who appeared upon her Majesty's behalf were to be prevented from doing these things, it would be better for their client, for justice, and for the country, that those persons at once should withdraw from the inquiry; not, however, withdrawing the grave and solemn protest under which they had entered upon it, than continue, by their presence, to sanction a proceeding in which no real justice could be expected—a proceeding which devoted one party to destruction, and which denied to a defendant the means of a defense. The Queen protested against the whole proceeding from first to last; but she demanded the right of cross-examining, in the most effectual manner, every witness brought against her: and better it would be that the inquiry before the House should occupy the summer months for the next ten years to come, better that the inquiry should be interminable, than that their Lordships should proceed in the infliction of injustice, or establish a precedent by which themselves might be destroyed, which might involve the safety of every subject in the realm. Let their Lordships pause, let them consider of the consequences, and the learned Counsel was convinced they would but consult their own interests and their own honor by consulting the interests of justice; of that justice which, if not bound up in technical forms, rested firmly upon principles of unwritten law—upon principles which were found in the breast of every man of cultivated understanding; and in sacrificing

which men sacrificed their own most precious and most vital interest in the social compact under which they lived.

The Attorney-General apprehended that an indifferent person, hearing the address of the learned Counsel on the other side, would have supposed that their Lordships were called on to adopt some measure entirely without precedent in judicial proceedings, and new altogether to the law of England. The real consideration, however, was, not whether the House should depart from ordinary rule, with a view to prejudice the party accused, but whether they should adhere as closely as possible to rules laid down by the wisdom of our ancestors, and sanctioned by the practice of ages, occasionally relaxing from the strictness of those rules, not to injure, but to benefit the defendant? The learned Counsel had dwelt at considerable length upon topics to which he (the Attorney-General) thought himself scarcely at liberty to advert, and which he should only touch upon in order to show how improperly they had been treated, as well as introduced, upon the present occasion. The principal accusation which he had now to rebut was the general nature of the charges exhibited in the bill; and a denial of the list of witnesses by whom those charges were to be made out—topics, he thought, for declamation rather than for argument. It had been stated to the House that, in every criminal proceeding of similar description, the party accused was, as a matter of right, apprized of the time and place at which the specific acts were imputed. Surely the personal experience of his learned friends alone would convince them that they were entirely unwarranted in making such a statement. In every common indictment, certainly, the time and place was specified and set forth; but the learned gentlemen knew perfectly well, that the specification was not held binding, but that the prosecutor was at liberty to prove any other time and place which suited his purpose: and with respect to the other point, the list of witnesses, with the single exception of the crime of high treason, there was not a criminal proceeding known to the law of England in which such a document was furnished before the inquiry. Even the

exception as to cases of high treason had been treated by no less an authority than Mr. Justice Forster, as an improper and injudicious measure, calculated to clog the course of our criminal proceedings, and likely to produce even more inconvenience to the party charged than to the prosecutors. Where, for instance, a list of witnesses was furnished, it became necessary to insert in that list the name of every individual, however distantly connected with the case, who might by any possibility be called. The consequence would be, that a list of great length, serving only to embarrass the defendant, would be given; and after naming a hundred witnesses, the case, perhaps, might be proved by ten. The instance of high treason, however, was a solitary exception to the law of England. The learned Counsel had stated, that in every case of civil proceeding the defendant was informed, not only of the time, but of the place at which the acts were charged to have been committed: he (the Attorney-General) must be excused if he declared that statement inaccurate; for in the very case to which the present proceeding had been likened, in the case of an action for criminal conversation, the plaintiff was left at liberty to go over the whole globe if he pleased, to extend his charges over a period of six years, and no means were afforded to the defendant of learning either the time, the place, or the nature of the acts which were to be proved against him. The House had heard a great deal stated, and inaccurately stated, though certainly not with intentional inaccuracy, of the Duchess of Norfolk's case. The charge in the preamble of that bill would be found to state merely, that the wife of the Duke of Norfolk had committed adultery, without stating with whom, or at what period, and without confining the charge either to place or time. Upon a complaint from the Duchess that the party was not named, a particular had been given in; a particular, not confined, as had been stated, to a period of four months, but embracing an infinite variety of times and places during a term of no less than six years, from the year 1685 to the year 1691; and to that part of the complaint which prayed a list of witnesses, no answer—none at least which he (the Attorney-General) could discover—had been returned by the

House. Neither did it appear that upon the second occasion, when a list of witnesses became still more desirable, the Duchess had known what persons were to be examined against her; and the case of the Duchess of Norfolk, therefore, so far from proving that which Mr. Brougham had sought to prove—and with which, by the way, the House had nothing to do, for the question as to the list of witnesses had long since been decided—proved directly the contrary. The same learned gentleman had told their Lordships that he (the Attorney-General) came even now, at the twelfth hour, to ask of the House to introduce new rules. He denied the charge; he only asked of the House still to act upon the same rule upon which they had been acting all through the inquiry; and with which the learned gentleman on the other side had, up to Saturday last, up to the twelfth hour, been contented. It was the learned Counsel on the other side, who were calling upon the House to introduce a new rule; to introduce for their own benefit, a rule subversive of all justice, not only in proceedings of the present character, but in every description of proceeding which could be brought before that House. He had certainly understood the learned Counsel, in asking permission further to cross-examine the witness Majocchi, to state that such further questions would close his cross-examination. The impression on his mind had been, that Majocchi was then examined for the last time. Upon that point, too, he could not forbear to notice the assertion of Mr. Denman, that such further examination was matter of right. He denied that right. No judge, he believed, trying a criminal, would refuse under such circumstances to put a question suggested either by the prisoner or by his counsel: but in no case had such an examination been considered as a right, or conducted by counsel without the intervention of a judge. He objected to the course contended for by the learned Counsel on the other side, because it would lead to an interminable case. Under the present regulation the cross-examination was fully open to the defendant's counsel as soon as the witness had deposed. The House must feel that such a mode of cross-examination was alike most favorable to justice and most fair towards the wit

ness. It frequently happened, in translating from a foreign language particularly, that a question was misunderstood. Immediate cross-examination often afforded the witness an opportunity of correcting an error which, after a lapse of weeks, it would have been impossible for him to correct. The course suggested would even be unfair toward the party accused, because the very first principles of practice indicated the necessity of cross-examining a witness instantly, before he could have time to recollect himself, to arrange his answers, to model his replies, and make them correspond with his examination-in-chief. Doubtless it would be answered that the party accused was to conduct his own case; that the Queen had a right, if she thought fit, to subject herself to inconveniences; but he apprehended that the duty of their Lordships was to elicit the truth, not to consider the convenience or inconvenience of either party, but to elicit the truth. Their Lordships had already granted that which ought to be satisfactory; everything which could, with propriety, be granted; but her Majesty's Counsel insisted upon no less than this—that the House should lay down a broad general rule, in direct contradiction to their own established course of proceeding, and to the proceedings of those courts below in which questions affecting the lives and fortunes of individuals were every day decided. True, the practice of those courts were not binding upon the House; but it was practice settled by the wisdom of our forefathers, and considered by them as best calculated for the purposes of justice; and he would venture to say that departure from it would be most mischievous. Now, was there any instance in which a defendant in any one of those courts had got up and said, "This witness whom you have called against me is a man of whom I know nothing; I never saw him, nor heard of him before; give me time, therefore; delay your proceedings until I have time to inquire whether he has not formerly made declarations inconsistent with his present statement?" But the House, in acceding to the desire of his learned friends on the other side, would be acting on the assumption that facts would be discovered. The House had no right to make such an assumption. Suppose no facts

were discovered : the House would have placed itself in this situation—that the whole of the case must be gone through before one question on the other side could be put to the witnesses. For the inconvenience likely to attend such an arrangement, he would appeal to the proceedings of the House during the last week. Had not the most important information been elicited, by questions coming from their Lordships at the moment, which would probably have been lost altogether, if any bar had existed to putting those questions at that particular time? Once more he begged to be understood, as merely pressing their Lordships to proceed as they had begun ; as protesting against the introduction of a new regulation, which, far from aiding the fair investigation of the case, would have a directly contrary effect ; as requesting, on his part, no deviation from the established course of proceeding ; and as thinking that the indulgence of the House had already granted to the learned Counsel on the other side everything that could fairly be asked, or properly be conceded.

The Solicitor-General rose for the purpose of supporting the allegations contained in the bill ; but trusted that the House would permit him first to advert to some of the assertions of his learned friend, the Attorney-General for the Queen. His colleagues, as well as himself, had been charged by that learned gentleman with acting as parties in the present proceeding. Had those charges been fated merely to meet the ear of the House, he should have considered a simple reference to the conduct of his learned friend, the Attorney-General, and of himself, as sufficient to refute them ; but as he knew, from the manner in which those charges had been made, that they were intended to operate in other quarters, he should briefly advert to what had passed. The learned Attorney-General and himself had been directed by the House to lay before it the evidence in support of the Bill. In so doing, he trusted they had acted with candor and with caution ; they had laid the evidence up to the present point fully before the House ; and had not, he trusted, in so doing, pressed any argument which their duty had not compelled them to press, or taken any course but such as had appeared, to their fallible judgments, the

best calculated for the elucidation of the truth. The learned Attorney-General for the Queen had complained of misrepresentation. There was no person living but must have observed that, if there had been misrepresentation abroad, false charges and calumnies, those calumnies had not been confined to his (the Solicitor-General's) party; but had at least been equally shared by the side which the learned complainant represented. It was impossible, indeed, to take up a daily paper without finding it filled with the grossest libels against their Lordships, against the conduct of the evidence, against the characters of the witnesses, and, indeed, against every individual in any way connected with the present proceedings. When this charge had originally been brought forward, the learned Counsel on the other side had suggested that time should be afforded to the Queen to meet and answer them. In consequence of that demand, time had been afforded, not before the commencement of the proceedings (though even then some time had elapsed), but at a period far more advantageous to the defendant—at a period subsequent to the statement of the facts—after the evidence was before the House, and when the whole case of the prosecution was known to the Queen and to her advisers. In that most advantageous stage of the proceeding, time had been granted to the Queen for collecting evidence to answer the charges against her, and to refute, if it admitted of refutation, the evidence which had been adduced in support of the Bill. And yet the other side now came to complain that time had not also been allowed them to collect materials for cross-examining the witnesses. To that application the House, upon consideration, would find it impossible to accede. He would refer to what had been so often stated in the course of the present proceeding, that although the august assembly which he had the honor of addressing, was in a course of a legislative proceeding, it ought to act as if in a case of judicial inquiry. According to the language of Lord Cowper, "Although the tribunal was in form legislative, yet, in substance, its character was judicial." The learned Counsel on the other side had said that it was impossible for them to proceed at

present in inquiry, because they had not been furnished with a list of the witnesses against them. He begged leave to state as a fact not to be doubted or disputed, he stated, with the most perfect confidence, that in no criminal proceeding whatever in the country, before any tribunal, was a party entitled to come forward and call for a list of the witnesses on the part of the prosecution. Such was the rule, not in common cases, but where the life of the accused was at stake. It was said, he was aware, that sometimes, incidentally, a knowledge of the witnesses was obtained before the proceeding came to ultimate decision; but had it ever been contended in any tribunal, that, because a witness of whom the accused knew nothing was adduced against him, the court was, therefore, to postpone the trial until the defendant should have inquired into the character of that witness, not merely for the purpose of contradicting, but of cross-examining him? It might be said that when a person was charged upon a common indictment, the names of the witnesses appeared upon the back of the bill. They did; but the party accused had no right even to the inspection of the indictment until he stood arraigned upon his trial; and it could not fail to be in the knowledge of many of the noble lords whom he was addressing, that bills frequently were found by the grand jury, and the party, without the interval of a minute, put upon his defense. The learned Counsel who appeared on the part of her Majesty were not contented, however, with complaining of the denial of a list of witnesses; they had urged that the prosecution had improperly failed to specify the time and place at which the acts were charged. In answer to that complaint, he begged leave to refer the House to the opening statement of his learned friend, the Attorney-General. That statement had informed the learned Counsel on the other side, that the charge was a charge of a continued series of acts of adultery following the Queen wherever she went; so following her of necessity, because she was always accompanied by the individual—always cohabiting with him. If, therefore, the bill had stated the times and places at which the acts were charged, it must have included every place which her Majesty had visited in

the course of her voyages; it must have deposed to the whole period of time from her arrival in Venice to the institution of the proceeding against her; and the necessary consequence of omitting such continued charge would have been, that if any witness could have spoken to an act of adultery committed in a place not set forth in the bill, that witness could not have been examined. The learned Attorney-General of the Queen had stated that in every civil as well as in every criminal case, the party accused was entitled to appear before the judge, and to demand a specification of time and place.

Mr. Brougham said he had spoken of civil cases merely.

The Solicitor-General thought that the learned Counsel was more completely mistaken upon that point than even if he had contended for the practice in criminal proceeding. In the presence of almost all the law in the land he denied that there was any such rule; but the learned Counsel on the other side introduced everything, founded or unfounded, to make out, if possible, something like a plausible case before the House. After these misstatements by the Queen's Attorney-General, to which, however, he was not supported by his learned coadjutor, their Lordships would know what reliance in future to place upon assertions from that quarter. It was said, that the other side could not cross-examine. Why not? To put the case of Saturday, why could not that witness be cross-examined? She swore that the Queen was present at all the times of which she spoke; and could not the Counsel consult their illustrious client, and obtain all the information necessary for cross-examination? Cross-examination ought not to be confounded with contradiction; to contradict a witness others must be called, but if a witness had previously given a different account of a transaction, and that fact should be discovered after the cross-examination had closed, he could not be contradicted on the subject unless he had been questioned regarding it. If a witness on the other side should commit any apparent contradiction, undoubtedly the Counsel in support of the bill would not imitate the insinuations thrown out by the Queen's Attorney-Gen-

eral—too palpable to be mistaken, yet too artful to be resisted. No direct attack had been made upon the witness of Saturday, but dark hints and obscure allusions were thrown out to indicate what could be proved were an opportunity afforded. He (the Solicitor-General) would now turn the attention of their Lordships to what would be the effect of granting the prayer that had been made. In the course of this inquiry all had had occasion to observe the admirable manner in which the examinations were conducted by their Lordships: the questions of the utmost importance to the elucidation of truth had been put, but they could be put no longer if the cross-examination were postponed. He denied that the examination could be renewed at a future time; matters of the highest consequence suggesting themselves in the course of the examination would be forgotten, and it was idle to say that they might be revived by a subsequent perusal of the evidence; all who were at all acquainted with the human mind must know, that it would be cold and lifeless compared with the active suggestions of the moment. In this view the postponement would produce a grievous evil. Again, supposing a doubt were thrown in cross-examination upon any fact stated by a witness, the course was to interrogate other witnesses in confirmation; but if the cross-examination were deferred, no such opportunity would be afforded, and the case would be thus unfairly prejudiced. But this was not all; for fresh witnesses might be required in support of the bill, they must be cross-examined, re-examined, and finally submitted to the inquiries of the House. Another difficulty appeared insuperable. How was it possible for the Counsel supporting the bill to know how to conduct the inquiry, unless they were informed a little of the course of the questions and observations on the other side. Cross-examination was one of the most important inquiries in eliciting truth, not by confuting, but by confirming the witness; and, if on the other side, they were permitted to know all the case against them without giving the accused party the least hint of their intentions, it was an unfair and an unjust advantage. It had been well said by one of their Lordships—

The Lord Chancellor. You can not refer to what any lord has said.

The Solicitor-General apologized. He might, perhaps, say, that it had been suggested, that if the cross-examination were delayed till all the accusing witnesses had been heard, the Counsel in support of the bill would have a right to insist that they should not be compelled to cross-examine the evidence for the Queen until after the lapse of a reasonable time. Thus the proceeding might be eternal and interminable: it was impossible to see where it could end. He did not urge these inconveniences so much in answer to the arguments on the other side, as to show the wisdom of the rule now prevailing, and from which he hoped the House would not depart. It could not be infringed without infinite danger and positive mischief—without breaking in upon the rules and principles by which hitherto truth had been ascertained and defended. He laid no stress on the observation that counsel in favor of the Bill could not sum up the evidence until the case had been gone through. Besides, the course recommended was unjust to the witnesses themselves: much of a cross-examination depended upon minute facts and apparently insignificant expressions, which could not be recollected, explained, or reconciled, after the interval of months, or even weeks. As the object of this proceeding was the investigation of truth; he might be allowed to add, that the recommendation would be injurious even to the Queen: the witness would thus have an opportunity of deliberating upon the evidence he should give, and of preparing himself for cross-examination; and to avoid this, all courts of law required that the cross-examination should immediately follow the examination-in-chief. Besides, a witness under cross-examination might hesitate, or perhaps expose his untruth; but if he were allowed to tell his story straight forward, and was followed by other witnesses to the same fact, it might amount to confirmation that could not afterwards be shaken. After recapitulating the various points he had urged, the learned Counsel went on to observe, that although in the ordinary administration of justice the circumstance of the witnesses coming from abroad gave neither party a claim to postponement, yet their

Lordships had granted as much as possible without wholly defeating the ends of justice. An important advantage had been conceded to the other side, for it was decided that the cross-examination should not be entirely postponed; if any facts could be adduced coming afterwards to the knowledge of the party, their Lordships, relying on the candor of the Counsel for the Queen, had consented that the witness should be called back, and the cross-examination renewed. No tribunal could go further; but to grant the whole request of the Counsel for the Queen, would be to defeat the whole object of the inquiry.

Mr. Brougham commenced his reply by stating that little had been offered on the other side requiring an answer. He could not, however, allow their Lordships to separate without setting himself right with regard to a misquotation (undesigned of course) which he was supposed to have made from their Lordships' journals. It was easy to misstate a case, and easier to assert that a case had been misstated. The Counsel on the other side were very sharp, but it would have been well for them to have been accurate as well as sharp. The Attorney-General had fallen into an error, though he was aided and accompanied by the Solicitor-General, who generally spoke with great contempt of everybody but himself, and their Lordships. He (*Mr. Brougham*) made this exception, because the Solicitor-General had been pleased to bestow his high commendation upon their Lordships; though not lawyers, in the excess of his approbation he had admitted, that their Lordships had put some questions to the witnesses in a form sufficiently judicious. He was merely repeating what had been said by his learned friend, who had not been interrupted while expressing his most satisfactory approbation; it was a tribute from one who filled the high office of the King's Solicitor-General—it was of considerable value, and he (*Mr. Brougham*) trusted it had been received by the House with becoming gratitude. Let it be recollected that this came from the Solicitor-General—the only lawyer, at least the only accomplished lawyer of the profession, according to the opinion of some of his friends, who, by the by, monopolized that opinion as he did the

knowledge of the law. The Solicitor-General had, too, a most able coadjutor, and between them both it might be said that they had exclusive possession of all law, all the wisdom, all the talent, and all the accomplishments on the present occasion. In truth, the Counsel for the Queen had only one or two books to which they referred, and which they held up as a screen against the desperate severity of the attack just made upon them. Much had been said regarding the case of the Duchess of Norfolk; but while his learned friends, relying on their own resources, only furnished themselves with Cobbett's State Trials, he and the Queen's Solicitor-General had been obliged to provide themselves with the original journals of the House. The other side relied on the octavo edition, while the original folio, which would be evidence in a court of justice (if he might be allowed to state what would be evidence, not so much in the face of the judges of the land, and of their Lordships, as in the overawing presence of that greatest of all law authorities, the Solicitor-General, by whom he had been rebuked within the last half hour), had been produced in opposition to it. From that folio it was evident that all that the Attorney-General advanced was founded in error, and that all that he (*Mr. Brougham*) had said was confirmed by indisputable fact. God forbid that he should glory or triumph over the amazing powers of his learned friends but it did happen, that about half an hour ago, and in this House (for he had no objection to specify times and places with the utmost possible precision), he had read the forty-sixth and forty-seventh pages of the journals of the House of Lords, where was stated the whole of what he had ventured to submit. It there appeared that the proctor of the Duchess of Norfolk had asked many questions of the witnesses, in order to furnish himself with the means of ascertaining their conduct and character: he had inquired of Margaret Edmonds where was her last abode, whether she was single or married, with whom she now lived, and other interrogatories of the same sort; after which she was sworn, and not till then. The same course was pursued with Anne Burton: she was asked if she were a maid (he had ventured to put no such question to the witness of Saturday),

whether she always had lived in Chancery-lane, whether she had been servant to the Lords Ferrers and Devon, and whether at the time of examination she lived at her own cost and charges: to the last, much to her credit, she answered in the affirmative. Then she was sworn, and not till then; and the same mode was pursued with twenty other witnesses, one of the last of whom was Richard Owen, and he was asked whether he was kept by the Duke of Norfolk. But, said the Attorney-General, from his great authority, Cobbett's State Trials, no copy of charges and no list of witnesses was given; but from the journals it was clear that the contrary was the truth. The Duchess petitioned for them, but a difficulty was for a time thrown in the way by a Latin protest delivered in by the proctor, which, for the more easy comprehension of the House of Lords must first be translated into the vulgar. At length, however, the list was furnished, and most complete it was, for it went over the life and occupation of every witness for six or eight preceding years, and then three further days were allowed to the Duchess for inquiry. Therefore, he said, with all possible humility and deference to the learned self-complacency of the Solicitor-General (with whom he was far indeed from putting himself in competition, for all that he, *Mr. Brougham*, had acquired had come rather by the grace of God than by any industry or merit of his own), that the case completely bore him out in all the observations he had made.

The Attorney-General begged to be allowed to remark that the charges against the Duchess of Norfolk only included a period of five months, and not of five years.

Mr. Brougham answered, that if time were of any consequence to his argument, he could show here that the Attorney-General was again in error, for the specification allowed to the Duchess extended from January, 1685, to August, 1691; and if the same course had been adopted with regard to her Majesty, she would at this moment have stood before the world in a very different situation. So much for the Attorney-General. He (*Mr. Brougham*) felt infinitely more awe in approaching his most learned coadjutor, because he knew his habit always was to tell the opponent who "touched him near"—"Go away,

Sir; you are no lawyer—you can be no lawyer—you are only the Queen's Attorney-General, but I am the King's Solicitor-General; therefore I am a lawyer, and a most accomplished lawyer." That was a fact he (*Mr. Brougham*) could not dispute or traverse, and that alone was enough to deter him from attempting to grapple with any of the arguments adduced: he felt a conscious inferiority: he was aware that he was far below the King's Solicitor-General in rank and in knowledge: the Solicitor-General might say that he was only "a little lower than the angels," and a very little it was, if his own opinion were to be taken; the wonder, therefore, was, that with all his learning and greatness he could condescend to misstate the arguments used against him. He (*Mr. Brougham*) felt the highest admiration for the great man of whom he was speaking; nothing he could say could add one leaf to the wreath of laurel he had obtained—nothing he could advance could give one more spark to the glory both the Solicitor-General and his powerful coadjutor had been daily increasing during this investigation, and before the patrons of this bill, to whom they were indebted for their well-merited professional promotion. *Proprio Marte* they had acquired immortal reputation, and melancholy it was to reflect, that even these men, the most illustrious and exalted of their species, had still some taint of the frailty of our common nature. Not only had they misstated arguments, but they had substituted one for another. He (*Mr. Brougham*) had never said, that in a civil suit the defendant was entitled to a particular of time and place, but that he had a right to such a particular, as added to the contents of the declaration, made it a matter of absolute certainty that he could not be taken by surprise, but must come prepared into court. If this were not furnished, a judge would make an order for the purpose, and in his own little experience (never comparing it with that of the King's Solicitor-General) this had been done over and over again. But this was not a civil action, nothing like a civil action; and he asked whether, in all criminal proceedings, certainty was not by law secured to an individual accused? A man committed for

a felony to York Castle, and put in a course of trial in Yorkshire, knew that the offense must be charged to have been committed there ; but here the crime was extended over many years and over many quarters of the globe : Europe, Asia, and Africa were charged as the scenes of Majesty's adultery. In the same way an indictment was not for a series of felonious acts : it was for picking the pocket specifically of A. B., and not for a pocket-picking intercourse of seven years of a man's life ; and there was hardly an instance of a person being put upon his trial in this country who was ignorant of the precise nature and extent of the charge, and of the place where the offense was alleged to have been perpetrated. A great deal had been said about the necessity of laying down a rule as a guide for the future : far be it from him to object to the utmost regularity, but it did seem a little strange that all of a sudden men's minds were directed to proceedings of this kind, as if bills of pains and penalties were hereafter to form a great chapter in the law of the land. Resolutions might be made by the House not to draw certain matters into precedent ; but that was a bungling way of doing business, and he would seriously ask their Lordships if they were bound here to act as if Queen bills were to become in future as common as turn-pike-road and canal bills. The argument had been pushed even thus far : it was said, that it was better that the individual in this particular case should suffer than that a permanent rule should not be established. Surely this argument, if good for anything, might be pressed both ways, for he might ask their Lordships to lay down a rule favorable to the Queen, and pressing hard upon her accuser, in order that in future it might be adhered to inflexibly. Why was all the load to be cast upon the weaker party ? Why was a rule to be made at the cost of the Queen only ? The rule of law, and the ordinary merciful presumption of judges was, that it was better that ten guilty should escape than that one innocent should suffer : but now it was to be reversed at the instance of those two sages of the profession, and ten innocent were to be punished that one guilty might not avoid the merited sentence. But the Queen was in a situation of great disadvantage compared with her pros

ecutors; her acquittal, nay, even her conviction, could not be pleaded in bar of any further proceeding; this Bill might be withdrawn and amended, again withdrawn and again amended: *toties quoties* new measures might be offered to their Lordships against their Queen, and session after session she might be put upon her trial. This was no slight difference; and another important distinction had been demonstrated already by the evidence, that the Queen's accusers had a power of procuring witnesses which she could not enjoy. Not only were large sums at their command, not only was force used where bribery failed, but the foreign force (for the conclusion was irresistible) used to bring the King's witnesses would not be employed to make those of the Queen come. Further, the same force found effectual in driving the King's witnesses over would be exerted to keep the Queen's witnesses back. He did not profess to be so deeply skilled in human nature as his learned friends, but he guessed that the same power which said to one man, "Go over to give evidence against the Queen," was not likely to tell another, "Go you to give evidence in her favor." He might assume even more; the government which told the King's witnesses to stay away from England at their peril, would warn those of the Queen to go to England at their peril. Upon these grounds he left the case with the House, without at all pretending to be able to estimate either the importance of new impending difficulties, or of those in which it was already involved. He had of course no right to offer any advice or suggestion to their Lordships, and perhaps

—"Should they wade no more,
Returning were as tedious as go o'er,"

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Counsel were called in, and informed, "that under the special circumstances of the case, the House consented to the Counsel for the Queen proceeding in their cross-examination in the manner they proposed; namely, that they may be at liberty to cross-examine witnesses immediately after the examination-in-chief, to such extent

as they may think proper, with liberty to call back the witnesses at a future time, for such further cross-examination as they may desire."

Meidge Barbara Kress was again called in, and further cross-examined by *Mr. Brougham*.

Where do you live now?—In a private house

Where?—I can not say this.

How far is it from this place?—I came in a coach; I do not know how far it is.

On which side of the river is it?—We came over a bridge.

Who lives in the house with you?—Only the people of the house.

Where does your brother live?—He is with me.

In the same house?—Yes.

Has he given your any money?—No.

Did he never give you any money?—No, at no time, my brother did not.

Did your brother, at no time, never promise to give you any at a future time?—Not my brother; he can not promise to me anything.

Why can not your brother promise to you anything?—How could he promise to me anything?

Do you mean that he has no money of his own?—Only that which he took from home.

What trade is he?—A potter.

Is he a workman, or has he a manufactory of his own?—He is a master potter.

What is your father?—My father was a sergeant in the army; he is dead.

Is your mother alive?—No; I have a father-in-law now.

What is your father-in-law?—He is a master weaver, but he no longer carries on his business, because he is too old.

Did any person give you any money before you came over here?—No; except the gentleman in Carlsruhe: those ducats.

Did nobody promise to give you any money afterwards?—No.

Did nobody promise to give you any money after you

should come back to Carlsruhe from England?—Nobody promised me anything.

Will you swear upon the oath you have taken, that no person promised to give you any advantage of any sort after you came back from England?—Nobody has promised me anything, but they said I should have the damagement when I came over.

Mr. Goltermann. “Compensation for the time I had lost.”

How much were you to have for compensation?

Through Mr. Kersten. I can not say what I should get.

Who was it that told you you should get compensation?—The minister; our minister.

Which minister?—I said to him I must be compensated for the loss of my situation.

Mr. Goltermann. “That I should lose my place by it, and I must receive some compensation for it.”

What minister are you speaking of?

Through Mr. Kersten. Monsieur de Berckstett; that gentleman told me that if I would not go voluntarily, I should be forced.

Whose minister is he?—I can not tell this.

Is he not minister of the Duke of Baden?—I do not know whether he is Minister of Foreign Affairs, or for the interior.

Mr. Goltermann. That she does not know whether he is minister in the country, or ambassador.

Mr. Brougham. Do you mean that you do not know whether he is one of the Duke’s own ministers, or a minister at the Duke’s court?

Through Mr. Kersten. Probably; I do not know; I only know his name; I have not yet had any business with that gentleman, except just this.

How did you happen to see this gentleman?—They have called me.

Do you mean that he sent for you?—Yes.

Did he not come to the rooms in the inn where you lived?—Not Monsieur de Berckstett.

Did not Monsieur Von Reden come to look at the rooms in the inn, while you were there?—I did not see him

Do you know that he was there?—I can not tell; I have never seen him.

Did you see, after the Princess left the inn, any other gentleman come there to look at the room?—I have seen nobody except Herr von Grimm, who came in the rooms and walked about there.

Mr. Goltermann. He lodged in the inn.

How long had Herr von Grimm lodged in the inn, before the Princess came there?—I can not say this; I have not paid any attention to this; I had other business.

What part of the house did Herr von Grimm lodge in?—He lived in that house, in No. 13, and his brother in No. 14; before the Princess arrived, he lived in No. 12 and 13.

Did he not give up No. 12 for the accommodation of the Princess?—Yes, as much as I have seen.

Did he not return after the Princess left, and go into No. 12, to look at what was there?—Yes; he ran about just when the rooms were left open, and he took again the room afterwards.

Was there anybody with him when he came to look?—When he ran about in the rooms there came two other gentlemen, one of them was his brother.

Who was the other?—I can not tell this.

Was he a German or an Englishman?—I do not know this neither, I never heard them speak, and I did not pay any attention to it.

What is Herr von Grimm?—As much as I could hear he is the Ambassador of Wirtemberg.

What is his brother?—I can not tell this neither

How oft had you seen the Princess before the day that you say you went into the room, and saw her with Bergami?—I have seen her very little; I had too much occupation to pay attention to it.

Did you not wait upon her at breakfast in the morning?—No.

Did you never see the Princess at breakfast in the morning?—Once I came in, and when I was to take the mantle to clean it, I have seen her.

Was it after that time you saw her in the room with Bergami in the evening?—Yes, afterwards.

Do you mean that you saw the Princess in the room

with Bergami, after you had been called in at breakfast, or that you had been called in at breakfast after you had seen the Princess with Bergami?—Yes, afterwards they called me, for they had spilt something which I was ordered to clean away.

Do you mean that it was after you had been called in in the morning to wipe up that slop, that you saw the Princess and Bergami in the evening?—Yes, afterwards.

Where did the Princess dine on the day on the evening of which you saw her in the room with Bergami?—I can not say this, I do not know.

Did she dine in the inn?—No, I have not seen it, they have not dined with us.

Did they ever dine in the inn, during the whole time they were in your house?—I have never seen it, with respect to the dinner; I only know about the breakfast, I have seen them only at breakfast.

Will you swear they dined once in the inn during the whole time they were there?—I can not swear to that, because I have never seen that they dined there; I have not paid attention to it, I had other business.

Will you swear that the Princess and Bergami did not dine at court every day they were in your house living?—I can not know this, whether they dined at court, or where they dined.

Did you see the Princess and Bergami, and the rest of her Royal Highness's suite go to court, during the time they were there?—I have seen them twice going away in a carriage, but whether they went to court I do not know.

Have you seen the Grand Duke come to the inn, to wait on her Royal Highness?—The real Grand Duke, and several other gentlemen, I have seen come up to the Princess.

Mr. Brougham to Mr. Goltermann. Have you ever examined this witness before, out of court?

Mr. Goltermann. Never in my life.

Did you never see her before she came here?

Mr. Goltermann. Never in my life.

You never saw her till the other day?

Mr. Goltermann. I never saw her till she came to the bar on Friday last

Have you ever seen her since out of court?

Mr. Goltermann. Never.

Mr. Brougham to the Witness. What do you mean by come up to the Princess?

By Mr. Kersten. I can say nothing about it.

Do you mean that they came to pay their respects to her Royal Highness?—Yes, probably they came to make their visit or court.

Did you ever happen to see them so come more than once while the Princess was there?—Only once; it was just when I went down stairs that the gentlemen went up stairs.

Mr. Goltermann. “And then I retired up stairs.”

Mr. Kersten. She repeated that she went down stairs.

Did you ever happen to see them so come more than once, while the Princess was there?

Through Mr. Kersten. Only once.

When was it?—The other gentlemen came with him.

Where did her Royal Highness receive the Duke?—I saw that they went up stairs, and then I went up to the third story.

Do you mean to represent that the Grand Duke and his suite passed to visit the Princess at the moment that you were coming out of the room?—No; I have seen that they went up; then I went down stairs and again up.

Do you mean to say, that the Grand Duke and his suite came immediately after you left the room where the Princess was?—I can not say whether it was on the same day, or whether it was sooner or later.

Will you swear that the Grand Duke did not come on that same day to pay his respects?—I can not say; I am not alone in the House; and I had occupations; I have not paid attention to it.

Who was it that gave you the order to go to the room to carry water?—Nobody did tell me to do so; it was my business, which I knew, and I did it every evening.

When you looked at the bed one morning, as you have stated before, was it at the time you were making the bed?—Yes, when it was to be made: for I had nothing otherwise to do with the bed.

Had you made any of the other beds in the house that

morning before?—No; this was the first which I had made, just when they left it, and except the beds of my master and his wife, which I made.

When you say, “when they had left it,” do you not mean to represent only when whoever had slept in it had left it?—In No. 12, or where do you mean?

In No. 12?—As much as I know; I know that the gentleman slept there, and I went to make the gentleman’s bed.

Was there or not anybody else in the room at the time you made it?—There was nobody in the room, except a servant in a green coat who came into the room.

Did he come into the room while you were cleaning it out?—Yes, it was when I was in it, he came to assist me in turning the mattress; I asked his assistance when he just was there; he came to assist me in turning the mattress.

Who was the servant in green?—I can not tell you this; there were two of them, but I have not observed them so closely; I do not know to whom they belonged.

Have you ever seen them before?—The servants?

Yes, the servants?—I never saw them before; only at the time when the Princess was there, then I saw them running about.

Have you ever seen them since?—No, I have seen none of them since she left it.

Did you ever see any of them at any other time when you were making the bed in that room, except that day?—I do not know; I never came into that room except just in the morning, therefore I do not know whether they were there or not.

Did you not make that bed every morning?—Yes, that bed in No. 12, I made it every morning.

Did you see one or both of the same two servants on other mornings there when you were making that bed?—Now and then I have seen one of them in the rooms.

Did any of them assist you in making the bed any other day except that day of which you now speak?—Yes; now and then one of them came into the rooms and assisted me; sometimes he remained, sometimes he went out again.

Have you any doubt that those two were servants in

the Princess's suite?—The servants came with her; probably they belonged to her, otherwise they would not have come with her.

Did they not go away with her, as well as come with her?—Yes, as much as I have seen; they all went away with her as they had come.

Was one of them a jager?—I do not know this; one of them had a green coat, but whether he was a jager I have not questioned him.

When you had that conversation with Mr. Berckstett, about a compensation for coming over here, what did you say to him when you demanded it?—I said to him, "Your Excellency, must I go; for if I do not must, or if I am not obliged, I can not leave here: I am a married woman, and I have other business to attend to."

What did he say in answer to that?—He said, "If I would not go I would be forced;" and then I answered, "Well, then I will go, and God may settle the business as he pleases; my husband will not allow me to go."

When you asked for a compensation for coming, what did the Baron say?—He said he could not give me anything; I should leave it to the gentlemen; he had no doubt they would recompense me when I came there.

Did he not also say that you should be recompensed when you got again from hence?—No.

Had any of your family a promise of anything?—No.

Will you swear that no promise was given to your husband, or any of your family?—I can swear that nothing has been promised to me, and I do not think that anything has been promised to my husband, for otherwise he would have told me so.

The Interpreter was desired to state whether the witness had used the same word which he had translated in one instance "recompense," and in another, "compensation;" he stated that she had not; that in one case she had used the word "entschadigung," and in another "belohnung."

Was the sixteen or eighteen ducats you got for going to Hanover an entschadigung or a belohnung?—I can not say; it was for my going away from the post to Hanover, therefore it may be an entschadigung or it may be a belohnung.

Mr. Kersten. Entschädigung means compensation, belohnung means recompense.

Which do you reckon the ducat was, that the gentleman gave you for seeing him in the morning; was it an entschädigung, or a belohnung?—He gave me this for the time lost: therefore it may be an entschädigung for my lost time; for my trouble in going there.

How far was it that you went from the inn?—It may be half a quarter of an hour's walk; I can not say exactly.

How long did you remain with the gentleman; the ducat gentleman?—The first time it was the servant who showed me in; I did not stay long, because I had no time to stop.

How long did you stay the second time?—Not long at all, for I was just on the stairs when he gave me the ducat, and I went away; I had no time, I had other business to do.

Were any of the gentlemen that you saw upon those occasions called Mandeville, or Mandevil, or anything of that sort?—I can not say; I can not recollect the name.

What do you generally get from a person who sleeps a night at an inn, as chambermaid, when he goes in the morning?—It comes to a common purse, and the keller receives it, that is, the waiter.

How much have you ever got for your share of that purse for half a year?—It was divided every quarter of a year.

How much have you divided for a quarter of a year?—Sometimes eighteen, sometimes twenty, thirty, according to the number of strangers we have had in the inn.

Eighteen, twenty, or thirty what—ducats?—Florins.

Do you know a place called the glasshouse, near the gate of Carlsruhe?—Glashuit.

Mr. Kersten. Glashuit is a manufactory of glass, where glass is fabricated or made.

Is there not a place that goes by that name, the glasshouse, near the the gates of Carlsruhe, that serves as a pleasure garden?—Yes, many people go there.

Have you ever been there?—I walked there with my husband for pleasure.

Have you ever been there without your husband, before you had a husband?—Yes, with the person who became my husband.

Were you ever there with anybody else, or alone?—With my husband, and with more servants and maids.

Have you ever been there without your husband, and with anybody else, or alone?—Never; never with anybody else but with my husband.

Were you ever there alone?—No, never alone.

Before you had a husband?—Never, except with my husband.

Before you knew your husband?—I went there with my brothers and sisters, and that was by day, never at night.

About what time in the morning used you to make the beds in the inn at Carlsruhe?—Just when the gentlemen rose and had come down.

Do you mean to say, that you always went into the room as soon as the gentleman went out of the room?—Many times I went immediately; many times later.

After you had seen the person that you took for the Princess in the evening in Bergami's room, did you not go to see whether the Countess Oldi was in her room?—No; I carried immediately the water to No. 5, and there they were standing; at No. 5, the Countess lodged.

Did not you go to No. 5, in order to see whether the Countess was there?—Yes, I went just there.

Did you not go there for the purpose of seeing whether the Countess was there?—I went, and saw just that it was the Princess.

Did you not go there for the purpose of seeing whether the Countess was there?—No, I went not there; I just carried the water there.

Will you swear you did not go to that room, upon the oath you have taken, in order to ascertain whether the Countess was there?—I went just there to carry the water, because I must do this, as I did it every evening.

Will you swear, by the oath you have taken, that you did not go to that room in part for the purpose of ascertaining whether the Countess Oldi was there?—I can not say this; I did not go for that purpose; I have never thought that I should be asked about this.

Mr. Goltermann. She says, "I have never had any thought about this: I never thought that I should be asked about it."

Will you swear, upon the oath you have taken, that you have never told any person that you did go to the room of the Countess, for the purpose of seeing whether she was there or not?—I can not recollect it; I have no thought about it, whether I have said it to anybody.

Will you swear that you have never had any conversation with any person about your going into Madame Oldi's room that night?—I can swear that I never had a conversation with anybody about this matter, namely, that I went there for the purpose of ascertaining whether the Countess Oldi was there or not.

Will you swear that you have never had any conversation with any person about your going into Madame Oldi's room that night?—Nobody has asked me, nobody told me anything; there was a gentleman asked me whether I had been in the room; I told it to the gentleman who had asked me.

Will you swear that you have never, since you came to this country, had a conversation with anybody about your going to Madame Oldi's room?—No, I have had no conversation with anybody; nor has anybody asked me.

Mr. Goltermann. She says, "How do you mean, whether anybody has asked me."

Has anybody asked you?

Through Mr. Kersten. Yes, two gentlemen have asked me.

Have you had any conversation with any other person, besides those two gentlemen, about what passed that night?—In Hanover they have asked me, and at Frankfort; I can not tell it otherwise.

Who asked you at Hanover?—An Ambassador, who he is I do not know; he asked me.

And at Frankfort, who asked you?—I do not know who he was, it was a gentleman.

How long have you ever been at Frankfort at one time?—Five or six days.

Were you ever at Frankfort at any other time?—No, never, except just when we went to Hanover, then we passed through Frankfort.

Whom have you spoken to upon this subject since you came to this country?—Two gentlemen have come to see me, but who they are I do not know, I can not tell.

Have you ever spoken upon this subject with any other person in this country, besides those two gentlemen?—No.

Do you know a Captain Jones, or a Major Jones, in this country?—No, I know nobody of that name.

Did those two gentlemen that you talked to speak German?—As much as you (*the Interpreter*) did here, one of them.

What was his name?—I do not know.

Was he a German, or an Englishman?—I do not know, he spoke German; but whether he was a German I do not know.

Besides the House where you are now living, have you ever been in any other house since you came to London?—No, I have been nowhere else, except here in this house.

When were you first in this house; what was the first day you were in this house?—On Friday, last week.

Had you ever been here before that?—No.

When you say you never were in any other house in this country, except where you live, do you mean that you never lodged in any other house, or that you never were in any other house at all?—When we arrived we went into a hotel, only for a few hours, and then into the house where I lodge.

Have you ever been for any other space of time, however short, into any other house except those two?—No, nowhere else.

How many servants were there in the inn at Carlsruhe, where you lived?—There were two waiters, and the post boys, and a groom.

Were there any other chambermaids besides yourself?—I was the only one.

How many maids came with the Princess?—I have seen no more than two and the Countess.

Mr. Brougham stated that he had no more questions to put to the witness.

The Attorney-General stated that he had no questions to put on re-examination.

Guiseppe Bianche was called in, and sworn through the interpretation of the *Marchese di Spineto*.

Mr. Denman objected to the evidence being given through the interpretation of the *Marchese di Spineto*, not on the ground that he had not interpreted truly, but that he was informed he had seen the witness before, and had interpreted the examination taken out of Court by the Attorney on the part of the prosecution; he conceived, therefore, that the rehearsal of the evidence which had taken place before, might in some degree affect the mode in which the evidence might be given now.

Counsel were directed to proceed with the examination.

Examined by *Mr. Parke*, through the interpretation of the *Marchese di Spineto*.

What countryman are you?—I am an Italian Swiss, that part of Switzerland that belongs to the kingdom of Italy.

Of what part of Italy are you a native?—In the department of Tessin and in the town of Faido.

Where do you reside?—In Venice.

What is your employment when you are at home?—The guard or the door-keeper of the inn Grande Bretagne.

How long have you been in that employment?—Fourteen years.

Do you remember at any time seeing the Princess of Wales at Venice?—I have seen her twice.

When was the first time that you saw her Royal Highness, in what year?—About five years ago.

Was she at the inn, the Grand Bretagne?—She was for three days, and then passed to a house adjoining.

What persons were with the Princess at that time?—She had a chamberlain, a second chamberlain, three couriers, and I think two more domestics.

Do you remember who were the couriers?—One was the Brunswick courier, another was a Bartholomew Bergami, and the third was Theodore Majocchi.

When the Princess was at the other house, had you occasion to go there sometimes?—I had, every day.

What was your employment, for what purpose did

you go there?—Because it always happened that I should carry something.

Do you recollect a jeweler being in that house one day?—I do.

Did the Princess purchase anything from him?—She bought a Venetian chain; a chain made in Venice, which is called a manina of gold.

Was that during dinner-time, or before or after dinner?—The jeweler came at the end of the dinner, when all the company were going to get up from dinner.

Did you see Bergami in the room at that time?—He was always behind the chair of her Royal Highness to change her plate, in the dress of a courier.

Did you see the Princess and Bergami together after the rest of the company had left the room, on that day?—I did.

What passed between them when you saw them together?—She, after having got up, took the chain from her own neck and put it round the neck of the courier; the courier afterwards took it off from his own neck, and put it round her neck; and then he took her by the hand, and accompanied her into the room where they went to drink coffee.

Did they go out of the room together?—Yes, together; but Bergami afterwards left the room to go to dinner.

Did you observe anything more pass between them than what you have mentioned?—I did not.

After the chain had been put the second time upon the Princess's neck, did they go immediately, or did they stop a little longer in the room?—They went immediately away.

Did you see Bergami at Venice the second time the Princess was there?—The second time I did, when she came to Venice from Trieste, three or four days, and lodged there.

Had Bergami any decorations, any orders, the second time you saw him at Venice?—He had a string of orders jeweled, or ornamented with jewels.

Had he any title?—I heard him called by all Baron Bergami.

When you saw the Princess and Bergami go out of

the room the first time they were at Venice, in what manner did they go out, or in what manner did they conduct themselves towards each other before they went out?—He took her by the hand, squeezed her hand, and went to the door; she went in, and he went to dinner.

Did you see the Princess and Bergami the second time they were at Venice?—I have seen them come in and go out every day.

How many days did you see them?—Four days.

Did you see them on the canals at Venice?—They went twice a day on the canal.

Were they alone in the boat, or were other persons with them?—There was always somebody with them, except twice, when they went out alone.

When you saw them going out of the house together, were they walking together, or were they separate from each other?—They were always arm in arm; then he always gave her his hand to step into the gondola.

Mr. Cohen. He adds the words, "as I did."

What do you mean by those last words, "as I did?"

Through the Marchese di Spineto. I do not understand the question.

When you saw them going out of the house together, were they walking together, or were they separated from each other?—They were always arm in arm.

Did you ever give your arm to the Princess, as well as Bergami?—Never the arm, but I took her by the hand to assist her in going into the gondola.

Cross-examined by *Mr. Denman.*

Did you see that done with the golden chain through the key-hole?—I was in the same room where they dined.

Then the Princess and Bergami must have seen you standing by?—I was there.

Have you been to Milan to be examined to these facts?—I have been.

When did you first go there?—I left Venice on Christmas eve.

Was that the first time you went to Milan to tell the story?—That was the first time.

What money or compensation had you for going from Venice to Milan upon that occasion?—I received nothing else but my expenses on the journey.

Did you receive a sum of money, or did some person pay for you?—A commissary came to take me from Venice, and he paid the expenses of the journey.

Had you nothing for your loss of time?—Nothing.

What are you to have for coming here?—To come here I have received nothing else but my traveling expenses.

What bargain have you made; what pay are you to have for coming here?—None.

Do you mean to swear that you are to receive nothing for a compensation for your loss of time in coming here, and in staying here?—They have told me that I am to receive nothing, except to come to London to tell the truth, and this summons I have obeyed.

What are you to be paid for telling the truth?—I have made no agreement nor condition; if they give me something, I will take it; if not, I will go without.

Do you expect nothing?—I expect nothing; for this reason I have brought money with me to go back, if they let me.

Who sent you here; who induced you to come here?—Colonel Brown, from Milan.

Did you see the Advocate Vimercati?—I have seen Vimercati the first time, but not the second.

Did you say nothing to either of those persons about a compensation for your loss of time in coming to England, and staying there?—I have said nothing of that, except that at Milan, whilst they were speaking about several things, I said that I would not come any more, because I was afraid.

Are those two the only persons whom you have seen upon the subject of your coming over here?—And a certain Andreatzi, who is the same commissary who came to Venice to fetch me.

How long have you been in this country?—Just a fortnight to-day.

Are you now a waiter or a porter at the inn at Venice?—If I return back quickly, if not I shall continue in that service.

Supposing you do not return quickly, but lose your place, do you not expect to have it made good to you in money?—I expect nothing, because I know nothing; and what displeases me is, that I shall be obliged to go and beg for another master.

Do you wish to persuade their Lordships you have made no bargain whatever, and that you do not expect to receive any compensation for that which you must in that case lose?—I have come here to tell the truth without any pay, and what am I to expect.

Did anybody tell you lately to give that answer here?—Nobody; I have never spoken of this business with anybody.

Whom have you lived with in this country?—In company with twenty or twenty-five more.

Was Theodore Majocchi one of them?—He is.

Will you swear you have had no conversation with that man about the evidence you were to give here?—Yes, I can swear.

Did you not remind Majocchi that you were the person who was there when the Princess came there?—The first time he saw me, because we were together; but the second time he remained behind to pay attention to the coaches.

Have you not reminded Majocchi, that you knew one another at Venice, when the Princess first came there?—Yes, I told him so, because we went to drink together some afternoon.

Have you breakfasted every day with Majocchi for the last fortnight?—We breakfasted and dined altogether.

Do you sup together?—Those who want to sup, sup; those who do not want to sup, do not sup; whoever is present takes a supper, if he has an appetite.

Did you pass the whole day together?—Not the whole day, because Majocchi is with his wife, and sometimes he comes out, and we walk together.

Do you remember the name of the jeweler whom you saw bring this golden chain?—Yes, Faud.

Is he one of those five-and-twenty people who dine together?—No; he is a merchant who is at Venice always.

Where does he live at Venice?—He has a shop in the Old Procuratie, in the Piazza St. Marco.

Had the jeweler left the room when the Princess and Bergami remained behind?—He had gone away some little time.

Had all the company left the room?—They had.

How long had they left?—They had just gone before; three or four minutes.

Was the door shut after them?—It was.

How came you left behind, shut up with those two persons?—As people went out of the dining-room, they shut the door to prevent the wind; but I was with the servants to take away the things from the table.

What had become of the other servants?—There was only one of the waiters within, in the other room, to get the coffee ready.

Do you mean the Princess's servants, or the other waiters at the inn?—He belonged to the inn.

Who sent you here; how came you here in England?—Colonel Brown.

What power had Colonel Brown to send you here?—He has sent his Commissary Andreatzi to Venice, to tell us that we must go to Milan, to pass over to England.

What power had the Commissary Andreatzi, to send you away from your place to England?—This I do not know, because he said that if we would not come willingly, we should be made by force.

Has Andreatzi any office at Venice?—None, he also is a Swiss of Bellenzona, in the Canton of Tessin.

How does that give him any power to send you to England?—He has no authority, but he told me if we came willingly it would be better, if not, we should one day be made by force to come; and I rather preferred to come willingly, than by force.

What do you mean by being better?—I mean that it is better to come, than to be accompanied by force.

Did you see any Ambassador at Venice?—No other but the English Consul.

Who is that?—Mr. Hoppner.

Did Mr. Hoppner desire you to come?—I never spoke of this business with him.

Nor anybody in his employment, any secretary or ser-

vant?—On the contrary, I wished to call upon him and speak to him, but he was in the country.

Re-examined by *Mr. Parke*.

Did you see Majocchi at any time, between the time that you saw him at Venice and when you saw him again in England?

Mr. Denman objected to the question, as not arising out of his cross-examination.

Where had you the conversation you speak of with Majocchi?—What conversation?

Where you reminded him of having met him at Venice?—Walking below.

Was that since you came to England?—Yes.

AUGUST 30.

Paolo Raggazoni was called in, and sworn, and examined by the *Solicitor-General*.

Are you a native of Italy?—I am.

In what part of Italy do you reside?—At Biango

Is that in the territory of Varise?—It is.

What are you by business?—A mason.

Were you ever employed as a mason to do business at the Villa d'Este?—I was.

Had you any persons employed under you, or were you a mere workman?—I was a master mason.

How many men had you employed under you?—Twenty, twenty-five, thirty, eight, twelve, according to the work.

During any part of the time you were employed doing work at the Villa d'Este, were the Princess of Wales and Bergami residing there?—No: when I went to Villa d'Este they were at Bordo Vico.

Was that at the Villa, Villani?—Yes.

Did they afterwards come to the Villa d'Este while you were working there?—They came.

Did you ever see the Princess and Bergami upon the lake at the Villa d'Este?—I have seen them.

Was there any canoe there?—There was.

Did you ever see them together in that canoe?—I have

Alone, or with other people?—Alone.

Once, or more than once, or several times?—More than once, more than twice.

Did you ever see them together in the garden?—I have.

Have you ever seen them alone in the garden?—Alone.

Once, or more than once, or several times?—I have seen them more than once; but once I have seen the Princess sitting in a chair with wheels or castors, and the Baron behind pushing her to make her go.

After you had seen, in the manner you have described, the Princess in the chair, and the Baron pushing or pulling that chair, did you afterwards see anybody else in that chair?—I have not; I have only seen them alone.

At the time when you saw the Baron pushing the chair in the manner you have described, was there anybody else with them, or were they, the Baron and the Princess, alone?—The Baron and the Princess were alone.

Did you see the Baron get into the chair?—I did; the Baron and Princess made the chair get forward.

You have stated that at the time when the Princess was in the chair, the Baron pushed or drew the chair; at the time when you saw the Baron in the chair, who pushed or drew the chair?—The Princess pushed the chair.

Are you to be understood that they were at that time alone?—Alone, yes; Verone came and brought the chair and went away, and then the Princess and the Baron remained alone.

Have you at different times seen the Princess and Bergami walking in the garden?—I have seen them several times walking in the garden.

Have you seen them alone walking in the garden?—Yes, alone.

In what manner have you observed them walking, were they separate or together?—Arm in arm, walking.

Have you seen that frequently, or only seldom?—More than once, more than three times I have seen it.

Do you recollect, at any time, being at work in a grotto in the garden?—I do.

What work were you doing in that grotto?—I was making a cornice to a round room.

Was there a room adjoining to that?—Behind there was.

While you were at work, in the manner you have described, did you hear anybody in that adjoining room?—Yes, I heard somebody enter.

After you had heard somebody enter in the manner you have described, what did you hear?—I heard somebody come in, and I put myself under the scaffold to see who it was, and I saw Bergami and the Princess come; there were two figures, the figure of Adam on the right and the figure of Eve on the left, and Adam had the leaf of a fig below the navel, they then looked at those figures of Adam and Eve, and they laughed together.

You have told us that Adam had a fig leaf, was there any fig leaf to Eve?—Yes.

Can you state how they were fastened on?—They were fastened with a little bough; they put the leaf aside and looked at what was underneath; by "ramino," I mean a wire that went all round the figure; and that the Princess and Bergami put aside this fig leaf to see what was underneath.

Where were you yourself during the whole of that time?—I was behind a pilaster to look what they were doing; and when I saw that they were coming towards me, then I mounted on my scaffold, and worked at my cornice.

Are you to be understood that those two figures were in the room next to that in which you were at work?—They were behind the room where I was at work, by ten or twelve yards.

What kind of communication was there between the place where you were at work and the place where those two figures of Adam and Eve were standing?—Here was the room of Adam and Eve, then followed a small corridor at the bottom; there were two doors, one to the right and another to the left, and in the middle there was a pilaster; and I placed myself behind the pilaster to look; and behind there was the round room where I was at work.

Did you place yourself there in consequence of you

hearing somebody in the room where the figures were?—I did.

When they removed the leaf in the manner you have described, what did they do?—They talked together, and looked sometimes at one, sometimes at another, between themselves, laughing.

Do you remember an entertainment that was given at the Villa d'Este on St. Bartholomew's day?—I do.

At what hour of the night or the morning did you go home to go to bed to a place called Le Paese?—Sometimes I went to bed at one o'clock, sometimes at half-past one.

The question refers to the night on which this entertainment was given; do you remember going through the garden for the purpose of going to a place called Le Paese?—Yes, I remember one evening I was going to Le Paese to sleep.

Is that place you have mentioned part of the Villa d'Este?—Yes, it is; immediately after the Villa d'Este there is a garden, after which there is a park, at the end of which there is La Paese, and there is wood on both sides.

Do you know a person called Dominigo Brusa?—I do; we have been together.

Do you know one Enrico Bai?—I do not.

Upon the night which has been mentioned, when you were going to the place you have described, who was with you?—Dominigo Brusa.

As nearly as you can recollect, what hour was it you passed through the garden of the Villa d'Este with Dominigo Brusa?—About one or half-past one.

Interpreter. The Italian and the English time is reckoned in a different manner.

Do you reckon by the Italian or the French hour?—The Italian hour.

Interpreter. We reckon the hour, not from twelve to twelve, but from one to twenty-four; the sun, according to the Italian mode of calculation, always sets at half an hour past the three-and-twenty, the remaining half hour is generally allowed for twilight, and that completes the twenty-four hours.

Mr. Solicitor-General to the Marchese. Will you translate into English time the time?

Interpreter. Then I must know the time of year: taking it at Bartholomew's day, it would be about half-past nine at night, according to the English mode of calculating.

To the witness. When you were passing through the garden did you see the Princess and Bergami?—They were not in the garden, they were at the bottom of the park, sitting upon a bench.

Were they alone?—They were alone.

Did you ever attend at the theater at the Villa d'Este?—I have been there.

Did you ever see the Princess and Bergami act together at that theater?—I have.

Have you seen that more than once?—Only once.

Do you recollect what part was played by the Princess?—The Princess was performing the character of a sick woman, and the Baron went to visit her.

In what character did the Baron go to visit her?—He went to feel her hand, and to perform the part of a doctor.

The Solicitor-General stated, that there was some doubt whether in Lombardy they calculated by the Italian method, and that it was very desirable to know, whether the hour to which the witness referred was half-past nine or half-past one; he, therefore, requested permission to put a question upon that point.

When you say it was about one or half past one that you saw Bergami and the Princess sitting in the manner you have described, according to the best of your recollection, how long was it after sunset?—The sun had been setting for an hour and a half.

Mr. Cohen. My Lords, I was born in Lombardy myself, and I know this is the mode of reckoning.

The Solicitor-General stated, that these were all the questions he had to ask the witness at present.

Cross-examined by *Doctor Lushington.*

Have you ever been examined before?—No; I have been examined at Milan.

When was that?—In the year 1818.

By whom?—The Advocate Vimercati.

Was any one else present?—There was.

Who?—I do not know.

Do you know Colonel Brown?—I do not.

How came you to go to Milan to be examined?—The Government sent for me to go to Milan to be examined, and I went.

What Government?—The Government of Milan sent for me that I should appear before the Police.

Did they send an officer of justice to you, or how?—They sent Restelli, a courier.

Who is Restelli?—A courier.

Had you known Restelli before?—I had.

Where?—At the Villa d'Este.

Did he formerly live with the Princess of Wales?—He did.

Was he in her service as a courier?—Yes; he was chief groom or courier; he belonged to the stable.

What passed between you and Restelli when he came to you?—He told me that I must go to Milan by an order of Government.

Was that all he told you?—He told me that I must go to Milan, because the Government wanted me; I said I could not go, and he answered that I must go, because Government wanted me.

Was that the whole, did he say nothing else to you?—No.

How long was he with you?—A little.

How long, as nearly as you can recollect?—He came once to ask me.

How long, as nearly as you can recollect, was he with you?—No time at all; he came to tell me that I was obliged to go to Milan, and then went away immediately in a chaise.

Did he tell you what you were to go to Milan for?—He did not, he told me nothing.

When you went to Milan, for what purpose did you go?—I went to tell the truth, because he told me, you must go, because you have been living with the Princess at Como, and therefore you must go and tell what you know.

Then he did tell you you were to be examined respecting the Princess of Wales?—Yes; he told me

nothing to say, but merely, you have been there at work, and therefore the Government want to see you, and you must go to be spoken to by the Government.

Had you ever before that time spoken to anybody respecting the circumstances you have now stated?—No, I can swear this, that never anybody came for this purpose.

Had you ever before that time spoken to anybody respecting the circumstances you have now stated?—No.

How many workmen have you employed at the Villa d'Este?—Ten, twelve, fourteen; when the Baron told me, "I want more masons," I sent for more, and I had eighteen or twenty; when he was not so pressing I sent them away.

Were all those persons sent to Milan to be examined?—No, not one of them.

When you were examined at Milan, was what you said taken down in writing?—It was taken in writing.

Did you sign it?—I did.

Were you sworn?—Yes, I took an oath at Milan.

Who swore you?—The Advocate Vimercati.

In what form?—He told me, "Are you ready to swear upon the truth," and I said, "Yes, the truth."

Were you sworn upon the Gospels, or in what manner?—He told me, you are then ready to come and swear to the truth; I said, yes, I am ready to come and swear to the truth.

Were you sworn upon the cross at that time?—Yes, I took the oath upon the cross; I took the cross which I carry about me, and I kissed it myself before Vimercati.

Who was present besides Vimercati at that time?—There were two or four more people who were present, but I do not know who they were; I have given my examination, but I do not know who they were.

Were they Englishmen?—I believe that they were Englishmen.

Have you ever since that time seen the deposition you signed?—Yes, I signed my name, I gave it in, and then I went away.

Have you ever seen the deposition you signed since that time that you signed it?—No, I have not seen it since.

Have you been ever examined since that time?—No.

Has no one spoken to you about the evidence you were to give since you have been in England?—No.

What did you receive for going to Milan to be examined?—I have received nothing, not even this, which means not even a pin, not even a drop of water, I took my horse, I mounted my horse, and I went.

Were you then told that you were to be sent to England?—Yes, they told me that they were going to send me to England.

When was that?—Now, when the Government sent for me.

When you were examined at Milan, did they then tell you you were to be sent to England?—No, they told me that I should be obliged to go and swear before a tribunal.

What did you say in answer to that?—I said yes, I was ready whenever they ordered, because I was going to tell the truth.

Are all the bills paid for the work you did at the Villa d'Este?—They have not been all paid, but there is a little still owing to me from the chief mason.

Is anything owing to you from the Princess of Wales?—No, nothing.

From whom did you receive the money for your bills for the Princess's work?—The chief mason, the head mason paid me, gave me money, I was working, and then whenever I wanted money the chief mason gave it to me; I had nothing to do with the Princess.

Who first directed you to come to England?—The Government, who told me to come to England, for I did not wish to come, for I am a married man, and my wife is with child, and I have an old father, and I did not wish to come, and the Government told me I must come, and it would be a business of a month or six weeks.

Did you come by yourself, or with any one else?—We have been together, but I know no one, for I am alone.

Did you come with a courier?—I did.

From Milan?—From Milan.

What was the name of the courier?—Restelli.

Do you not know the names of any of the other persons who came with you?—No; they attended to their

business and I attended to mine, because I did not wish to come, and was even crying.

Do you not know the names of any one of those persons that you traveled with?—I know the names of only three, Brusa, Bianchi, and Enrico Bai.

Have you continued to live with them since you have been in England?—I have.

Where?—I do not know, it is a place just by; I do not know what it is, for I never have been in this place before; if I knew the place I would tell you.

Is it close by?—It is near.

Was Brusa with you, yesterday?—No.

From the time that you signed your deposition at Milan, have you had any conversation as to these facts, till to-day, with any any person whatever?—I have been speaking with nobody.

You have never spoken with any one, except at Milan, from the time the circumstances you have stated took place?—I never said anything to any person; I never have opened my mouth with any person, and as I never have appeared before in a tribunal of justice, I said to the curate of my country, that I did not wish to come, and he told me that I might go.

Have you been employed by the Princess of Wales to make a monument?—No, I was told by the architect Ratta to come and work at the Princess's; so I went and worked there for two years.

How many times have you seen Restelli since the year 1816?—Never; I never have seen him since he came to speak to me.

Re-examined by *Mr. Solicitor-General*.

Is Enrico Bai, whom you have mentioned, also in the neighborhood?—He is here.

The witness was directed to withdraw.

The witness was again called in.

Mr. Solicitor-General. You have told us that Restelli came to you, in order that you might go to Milan; who was it that came with you as courier to this country?—From Milan to Holland, Restelli; and from Holland here, English people.

Look at this gentleman (*Mr. Bourchier*); were any questions asked you in the place near this court, as to the circumstances to which you have now deposed?

Mr. Brougham objected to this line of examination.

The Counsel were informed, that it was the unanimous opinion of the learned Judges, that the answer of the witness on cross-examination may be read to him, and that he may be called upon to explain it.

The short-hand writer of the House being directed to read the answer of the witness referred to, stated, that conceiving the examination of this witness to have been closed, he had sent out the notes to be copied.

The Solicitor-General applied to their Lordships, that the witness might stand by until the examination of the next witness; and that in the meantime he should have no communication with any other person.

Mr. Brougham acceded to this proposal.

Their Lordships directed that his further examination should be postponed for the present.

The witness was directed to withdraw.

Gerolamo Mejani was then called in, and sworn, and examined as follows by *Mr. Parke*.

Are you a native of Italy?—I am.

Of what profession are you?—A writer

Were you at any time in the service of the Princess of Wales?—I was.

For what length of time?—About two months.

Was that at the Villa d'Este?—At the Villa d'Este.

In what capacity were you employed by the Princess of Wales?—As a director or superintendent of her gardens.

In what year was it you commenced your employment?—At the end of the year 1816 and in the beginning of the year 1817.

Do you know a person of the name of Bergami?—I do.

Did you know Bergami before he was in the service of the Princess of Wales?—I did, at Monza.

In what circumstances was he when you knew him?—He was an excise officer, that is to say, he belonged to an excise office, and went to put the excise mark upon the casks of wine under the order of the officer.

In what circumstances was he as to money?—When I have known him he was a poor man.

How long was that before you saw Bergami in the Princess's service?—I have seen Bergami in the service of the Princess at the Villa d'Este, but I do not know at what time he went into her service.

How long is it that you knew him in the employment you have stated before you saw him in the Princess's service?—I had known him between two and three years, but I am not precise as to the length of time.

When you were at the Villa d'Este, had you opportunities of seeing the Princess and Bergami together?—I had.

Did you see them often together?—Often, every day I saw them.

What was their conduct towards each other when you have seen them?—They behaved towards each other with the utmost friendship, as if they were married.

When they were walking together, did they walk separate from each other, or arm in arm?—Arm in arm.

Did you ever see them together in a canoe?—Yes, I have seen them several times, at different times.

Were they alone in the canoe, or was some person with them?—Alone, he and her Royal Highness together.

Did you ever see them together riding in a carriage?—I have.

Did you ever see them together in a carriage called a padovanello?—I have.

Describe in what manner they sat in the padovanello?—Bergami was sitting in the back part, and the Princess on his knee.

Was anybody else in the carriage?—No one else.

Did you ever see Bergami and the Princess in the kitchen together?—Several times.

What were they doing in the kitchen?—They were eating on the table there, where the cook was used to eat.

When you saw them, were they eating from one plate, or two?—Sometimes from one plate, sometimes from two.

Do you know the gate leading from the little garden into the great garden?—I do.

Do you remember seeing the Princess and Bergami together near that gate?—Yes.

How far were you off from them when you saw them together?—Twenty or thirty paces, I have not reckoned them.

Did you observe them do anything to each other?—I have seen them once kiss.

Was that on the mouth?—I was behind, and I have not made this observation.

Was that on the mouth?—They made a motion (*imitating it*); whether they kissed on the mouth or not I do not know,

Was it on the mouth or the cheek?—I was behind, and I have not been able to see whether he kissed her on the mouth or on the cheek.

Have you heard the Princess and Bergami conversing together; talking to each other?—Yes, I have seen them several times, they always were talking to one another.

In what way did they talk to each other?—They sometimes spoke French, which I could not understand, except that once I heard a word, which was “*mon cœur*” (my heart).

Cross-examined by *Mr. Tindal*.

When were you first applied to upon this subject?—I want to know whether it's meant when I was examined or spoken to; but at Milan I was spoken to.

When did any person first apply to you before you went to Milan?—They sent me a person whom I do not know; he told me that they wanted me at Milan upon this subject, but I do not know the person.

When was that?—In the month of February, in the year 1818, eighteen months ago; February or January, I do not know exactly which.

Had you mentioned to anybody before that what you knew upon the subject?—Nothing; I did no longer think of it.

Where were you living at the time that person applied to you?—At Monza.

How far is that from Milan?—Ten miles.

What situation in life were you in at that time?—A writer.

What do you mean by a writer?—I kept account books.

Whom did you keep accounts for?—For all the affairs belonging to the park, for the Prince Beauharnois, the Viceroy of Italy.

Did the person who applied to you, come more than once?—Once only.

Did you go immediately to Milan?—No, because I had something to write and to do, and I made him wait a day.

Did he tell you what you were to do when you got to Milan?—Nothing; he only told me that the Advocate Vimercati wanted to speak to me, nothing else.

Had not you the curiosity to ask what it was about?—I asked, but he would not tell me.

Why did you go then, not knowing anything about the matter?—He told me when I was at Milan, for then I asked him for what motive, and he told me for this, and this.

Then you went to Milan without knowing what you were going for?—They had told me that the Advocate Vimercati wanted to speak to me, but they did not tell me the motive till I reached Milan.

Did you know Vimercati before?—I have heard his name mentioned, for he was a friend to a friend of mine, Advocate Marochi; but I never had known him.

Whom did you see when you got to Milan?—Nobody.

What persons did you see or go before on this subject, when you got to Milan?—When I reached Milan they told me the hour at which I ought to call at the house of Vimercati; there was this Vimercati, two or three other persons whom I did not know, and two other Milanese, whom I did not know.

Were those two or three persons whom you did not know English?—They told me they were English, but I did not know them.

Did you hear the names of them?—No, then I did not; afterwards I heard their names.

Was the name of one of them Colonel Brown?—I heard it afterwards, but then I did not know him.

Was the name of one of the others Mr. Powell?—I never heard of him but after five or six months, but at that time I did not know him.

Do you now know that one of the persons you saw there was Mr. Powell?—I have known him here.

How long did you remain at Milan?—Two days.

Was that the only time you went there upon this business?—The only one.

Were you examined on each of those days, or only on one?—On the last day they examined me.

Was your examination taken down in writing?—Yes; they made me even sign it.

Did you also swear to it?—They had made me to swear to come before any tribunal, and if I had known any such thing I should not have signed it.

Did you take that oath upon the cross?—No; they only told me that here we must come and tell the truth, and that we must say the truth, neither more nor less, only what I have seen with my eyes, without lies.

What did you receive for your journey to Milan, and staying there two days?—They paid my expenses, and gave me twenty francs, and I was obliged to add a franc of my own out of my own pocket.

When did you leave Italy for the purpose of coming here?—On the 29th of June.

Who came with you?—We were twelve; the names of them all I do not know; I know them by sight.

Was Theodore Majocchi one of them?—No; his wife alone.

Do you mean that the wife came with you, or with Theodore Majocchi?—Yes, the wife came with us.

Who first told you that you were to come to England?—A certain Restelli came to tell me so.

Who is Restelli?—Restelli was a man in the service of the Princess.

Was he in the service of the Princess when he came to you?—No, he was no longer in her service.

Do you know in whose service he was at that time?—I do not know.

Do you know why Restelli quitted the Princess's service?—I know nothing of that.

Did you know him while he was in her service?—I

have known him in the service of the Princess, and I have also known him before, when I was at Court.

Recollect yourself; do you not know that he was dismissed from the Princess's service for stealing corn.

Mr. Parke objected to the question.

The Counsel were directed to proceed.

The question was put to the witness.

I know nothing of this.

Who spoke to you to come to England besides Restelli?—Colonel Brown.

Did Restelli take you to Colonel Brown?—Restelli came to tell me so on the 15th of June, but on the 27th a letter came which obliged me to go to Milan.

What agreement did Restelli or any other person make with you for your coming here?

Mr. Parke objected to the question.

Mr. Tindal. What agreement was made by you with Restelli for your coming over to England?

Mr. Parke objected to the question, as assuming that an agreement was made.

The Counsel were informed, that, in strictness, the question could not be put in its present form.

Mr. Tindal. Was any agreement made between you and Restelli for your coming over here?—No agreement.

Was any agreement made by you with anybody else?—I have made no agreement.

What was your occupation at the time you left Italy?—I was a writer, as I stated before.

Are you to be understood that you have made no agreement with any one upon the subject of your coming here?—I have made no agreement whatever.

Have you had any promise made to you that you shall receive anything?—None.

Then have you left Italy and your business without any promise of any compensation?—They have made me no promise of compensation, or anything else.

Have you seen Paturzo since you came here?—I do not know Paturzo.

Have you seen Majocchi since you came here?—I have seen him.

Has he told you how he was examined here?—Nothing, he told me nothing.

Have you never spoken to him on the subject?—We were talking together, and he said you will go up stairs, and then you will see how many people there are.

Did not he also tell you, that there were two sets of Counsel, one on your left hand, and the other on your right?—I did not hear that.

Has no other person put that into your head?—Nobody.

Did Majocchi dine with you yesterday?—Yes.

And sup with you at night?—Yes, he did sup last night.

Have you lived together every day since you came to England?—No.

Have you seen him most days?—I have seen him since the time I have been here in this place.

You stated that you saw the Princess and Bergami in a canoe upon the Lake of Como; are there not many villages and houses surrounding the Lake of Como?—There are villages and houses, many.

Is there not a great traffic kept up, in passing backwards and forwards across the Lake?—Boats are passing.

There are no roads round the Lake, are there?—There are footpaths, where the country people go.

Is not the regular traffic or intercourse from one side of the Lake to the other kept up by boats?—There are always boats going to and from, some with wood, some with charcoal.

Was the carriage, that you described the Princess and Bergami to be in, an open carriage?—It is an open carriage, it is a small chair.

Re-examined by *Mr. Parke*.

What size is the Lake of Como, what length and what breadth?—The length begins from Como, and goes straight forward, the breadth is a mile, or a mile and a half.

Do you know about how many miles the length is?—Beginning from Como to Cevinnes is nearly sixty miles they say, but I have not measured them.

The witness was directed to withdraw.

Paolo Raggazoni was again called in, and the following questions were read over to him :

“ Have you ever been examined since that time?—No.

“ Has no one spoken to you about the evidence you were to give since you have been in England?—No.

“ From the time that you signed your deposition at Milan, have you had any conversation as to these facts till to-day, with any person whatever?—I have been speaking to nobody.

“ You have never spoken with any one, except at Milan, from the time the circumstances you have stated took place?—I never said anything to any person ; I have never opened my mouth with any person ; and as I never have appeared before any tribunal of justice, I said to the curate of my country that I did not wish to come, and he told me that I might go.”

By a Lord. Do you mean to say that you never have been examined in England previously to your appearing here this morning?—There was somebody who took me into a room, and asked me whether it was true that I had said so, and I said “ Yes.”

When was that?—I do not know the day.

About how many days ago?—It was last week ; I do not know the day, but it was last week.

The following question was put at the request of *Mr. Brougham* :

Had the gentleman who took you into that room a paper in his hand?—Yes ; he had a paper in his hand ; and he was reading from this paper ; and put me the question, and asked me whether it was so, and I said “ yes,” when I knew it was true.

The following question and answer were read over to the witness :

“ Have you been ever examined since that time?—No.”

You have stated that you have signed a deposition at Milan ; you have also stated that you have not since been examined ; what do you mean by stating that you had not been since examined?—I was thinking that you were asking me whether I had been examined at Milan before I came to England, and I was not examined there.

The witness was directed to withdraw.

Paolo Oggioni called in, and sworn, and examined by the Attorney-General, through the interpretation of the *Marchese de Spineto*.

What countryman are you?—Of Lodi.

Were you ever in the service of the Princess of Wales?—I have been.

In what capacity?—Under-cook.

How long were you in that service?—Almost a year.

At what places?—At the Villa d'Este and the Barona.

About how long ago is it that you quitted the Princess's service?—In the year 1817.

Did you know Bergami?—I did.

Where did you first know him?—At Lodi.

How long ago?—Between the year 1805 and the year 1809.

In what situation was Bergami when you first knew him?—I have seen him about Lodi, and then I have seen him in prison.

Where did you see him in prison?—At Lodi.

Mr. Denman submitted to their Lordships whether this could be evidence.

Was Bergami in the Princess's service, while you were in her Royal Highness's service as under-cook?—He was.

What was Bergami's situation in the Princess's house, or service, when you were there?—Baron.

You say he was a Baron; what was his situation in the household of the Princess at that time?—He commanded over the household.

Have you ever seen, during the time that you were in the service of the Princess, the Princess and Bergami together?—I have.

Where have you seen them together?—Going out and in the kitchen.

When you have seen them walking together, in what manner were they walking?—Arm-in-arm.

Have you ever seen the Princess riding on horseback or otherwise?—I have.

Has any one been with her when you have seen her riding?—The Baron and one of the servants.

You have said that you have seen the Princess in the kitchen with Bergami; in what manner have they come into the kitchen?—They came arm-in-arm.

For what purpose have they come into the kitchen?— Sometimes to come and eat something.

By sometimes, do you mean many times or few?— Many times.

You say they came for the purpose of eating; had they anything to eat in the kitchen?—They had.

When you were at the Barona, did you ever know any balls given by the Princess there?—I have.

Who used to attend those balls?—The country people of low rank in life.

Did the Princess use to dance with those persons?— No, she danced by herself, and sometimes with Bergami.

Did she dance at the same time with the country people and low people, who were there at those balls?—She did.

Do you know the wife of the innkeeper of the St. Christopher?—I do.

Was she at those balls?—She came twice.

Do you know any of the other women who came to those balls?—There came the daughters of the farmer who had hired the Barona.

What do you mean by hiring the Barona; do you mean the tenant on the farm?—Yes; the man who hired the land of the Barona; the tenant.

In what rooms did the dancing take place?—In the dining-room.

Were any of the other rooms used upon those occasions?—There were.

What other rooms?—It was a room next to it which led on to the stairs, and led into the room of the Princess.

At those balls did any of the nobility of the neighborhood come?—No.

At the Barona have you seen the Princess and Bergami together?—I have.

Where?—In the kitchen, and walking many times.

When you have seen them walking, were they walking alone, or was any other person with them?—I have seen them alone.

Do you know a person of the name of Mahomet?—I do.

Have you ever seen him perform any dance?—I have.

Have you, at any time when Mahomet has been performing his dance, seen the Princess?—Her Royal Highness was present.

In what manner did Mahomet dance or perform at that time?—He did so.

(The witness made a motion, snapping the fingers.)

Were those the only motions he made?—I have seen him several different times always make the same gesticulations.

Have you seen the Princess present upon more than one occasion, or only one occasion, when Mahomet was performing this dance?—I have seen her more than once.

Where?—At the Villa d'Este and the Barona.

In what part of the house, or was it in the house, that the Princess was present?—Twice in the kitchen, at other times in the court.

Upon those occasions when the Princess was present, did Mahomet do anything with any part of his dress?—He took his breeches and made a kind of a roll of it.

In what position was that roll?—With the breeches twisted round before him.

When the Princess was present upon those occasions, did she look at Mahomet?—She did.

Did she say or do anything upon those occasions?—She laughed.

Cross-examined by *Mr. Wilde.*

When did you leave the Princess's service?—In the year 1817.

Were you discharged for drunkenness?—No.

Did you go away of your own accord?—When she set out to go to Rome, I was left behind, with other six servants.

Do you mean that you were discharged at that time?—I was; but my discharge was when she set out, till a further order, and this further order never came.

Did you receive any pay from the Princess after that?—No, I did not.

What service did you next enter into?—In the house of a priest; I went into the service of a priest; but I do not remember his name.

Where did he live?—He was the minister of the great hospital at Milan.

Where did he live?—He dwelt at Milan.

How long did you live in his service?—A year.

Living a year in his service, do you mean that you do not know his name?—I do not remember the name.

When did you enter into that person's service?—When I left the Princess.

How soon after the Princess left to go to Rome?—After six months.

Do you mean that you were out of service for six months after you left the Princess's service?—Now I remember the name of the priest is called Borbona.

Do you mean that you were out of service six months?—I was.

Where did you live during that time?—At my house.

Where?—At Lodi.

How did you support yourself during that time?—From my house.

How did you support yourself during that time?—Economically, with my money.

Are you a married man, or were you a married man at that time?—I was.

Have you any family?—One child.

Do you mean that you have saved money enough to live without work for six months, and to support your family?—I do.

Are your wife and child over in England with you?—They are not.

Where are they?—At Lodi.

In what capacity were you with the person you have mentioned?—A footman and cook.

How long did you continue there?—Almost a year.

What was your next service?—The Vice-Prefect of Monza.

Where were you when you were first applied to to give information upon this subject?—I was with the architect Albigi.

Where does he live?—At Milan.

Who applied to you?—I was applied to by the Police.

Had you ever mentioned any of the circumstances you have stated to-day, before that application?—I had not.

Are you quite sure that that application was made to you before you had said anything to anybody upon that subject?—I never said anything, except when I was sent for, when I knew nothing of this.

Were you examined at Milan?—I was.

How often?—Once.

Was your examination put into writing?—It was.

Have you seen that examination since?—I have not.

Have you ever been examined since, either at Milan or in England?—I have been examined also in England.

Had the person who examined you any paper to examine you from?—He did write, but I do not know what paper he had; he wrote down what I said.

The question is, whether the person who examined you read a paper?—He did.

Who applied to you to come to England?—The Government at Milan.

Were you at that time in your place with the architect?—I was.

Have you given up your place?—They have taken me to bring me here, and so I was obliged to give it up.

Do you know a person named Restelli?—I do.

Have you had any communication with him since you left the Princess's service?—I have not.

Do you know Majocchi?—I know him here.

How long have you been here?—I do not remember how long I have been here; I do not remember how many days.

Have you seen Majocchi every day since you have been here?—I have.

And Restelli?—No.

You have been describing some dances of Mahomet; who were present when those dances were performed?—The Princess and the Baron.

Were you present?—I was.

Was anybody else?—There were many others, but I paid no attention to who they were.

Re-examined by *Mr. Attorney-General.*

You have been asked whether the person who examined you in England had a paper in his hand, and

whether he read it ; did he read it aloud to you, or was he reading it to himself?—He read it to himself.

You have said that you do not know how long you have been in England ; have you been in England more than once?—Yes.

Do you remember how long ago it is, the first time that you came here?—I do not remember the day, I have it not in my mind.

Where did you come to when you first came to England?—To the inn.

Do you know the name of the inn when you landed the first time you came?—I do not know, because it was in the night.

Did anything happen there the first time you came?

Mr. Denman submitted to their Lordships whether this was a proper question.

The Attorney-General was heard in support of the question.

Mr. Denman was heard in reply.

The Attorney-General was directed to proceed.

Did anything occur upon your first coming to England which enables you to recollect about what time it was that you came here?—I do not remember when I arrived in England.

Is there any circumstance which will revive your recollection?—The first time I came to England I landed at Dover.

How long did you remain in England then?—A night and a day.

Where did you go to then?

Mr. Denman objected to this question.

Mr. Attorney-General was heard in support of the question, and stated that he put it in order to explain a circumstance referred to by the cross-examination of the witnesses living together.

Mr. Denman was heard in reply.

The counsel were informed, that if it has been the tendency of the cross-examination, for purposes hereafter to be explained, to argue upon the consequence of those witnesses being all kept together, a re-examination might be admitted to show the cause of their all being kept together.

Whereupon the following extracts were read from the evidence :

“ How long have you been here?—I do not remember how long I have been here ; I do not remember how many days.

“ Have you seen Majocchi every day since you have been here?—I have.

“ And Restelli?—No.”

The Counsel were informed that the cross-examination did not lay a sufficient ground for the above questions.

Louisa Demont was then called in and sworn.

Mr. Williams. You do not understand English, do you?—Tres peu.

How long have you been in England?—Treize mois.

Have not you talked English at all?—Tres peu.

Have you not been in the habit of speaking English? (*In French, through the Marchese di Spineto.*) I can not speak it ; I understand it very little.

Examined by the *Solicitor-General*, through the interpretation of the *Marchese di Spineto*.

Of what country are you a native?—Of the Pays de Vaud, Switzerland.

Are you of the Protestant or the Catholic religion?—I am a Protestant.

Did you enter into the service of the Princess of Wales?—I have been.

Where did you reside at that time, just before you entered into her service ; what was your home?—At Colomlier.

Where did you first go for the purpose of seeing the Princess of Wales?—To Geneva.

Did you make any engagement with the Princess of Wales at Geneva, or did you make an engagement after you had seen her at Geneva?—I had engaged myself to live in her service, with her maitre de hotel, for five years.

Was that at Geneva?—Yes.

Did you enter into her service in fact at Geneva, or did you afterwards enter into her service at any other place?—I entered her Royal Highness's service at Lausanne.

Did you proceed with her Royal Highness from Lausanne to Milan?—I did.

You have stated, that you entered into the service of her Royal Highness for five years; in what situation or capacity did you enter into her service?—First femme de chambre.

State, when you arrived at Milan, of whom the suite of her Royal Highness consisted?—Gentlemen, or all together?

State first the gentlemen?—There were four gentlemen, Sir William Gell, Mr. Craven, Doctor Holland, and Mr. Hesse.

State what ladies composed her suite at that time?—Lady Elizabeth Forbes.

At what place did you lodge upon your arrival at Milan?—In an inn.

What was the name of that inn?—The Royal Hotel, I believe.

Do you remember a person of the name of Bergami, who was engaged at that place in the service of her Royal Highness?—I remember it well.

In what situation or capacity was he engaged to serve her Royal Highness?—Courier.

As nearly as you can recollect, how many days was this before her Royal Highness quitted Milan?—About a fortnight; I do not recollect exactly.

During the fourteen or fifteen days to which you have spoken, did Bergami wait at table upon her Royal Highness?—He waited at table.

From Milan, did her Royal Highness pass through Rome in her way to Naples?—Yes, she passed through Rome.

Do you recollect a young person of the name of William Austin being with her Royal Highness?—I do.

Before the Princess arrived at Naples, where was William Austin in the habit of sleeping usually?—Generally he slept in the room of her Royal Highness.

Do you recollect in what house her Royal Highness slept on the night before she entered the city of Naples?—In a country house.

Do you recollect whether William Austin slept in the room of her Royal Highness in that country house?—I

can not positively say about that night, but generally he was in the habit of sleeping in the room of her Royal Highness.

Had her Royal Highness, about that time, any conversation with you about the place of sleeping of William Austin?—Her Royal Highness told me, during that same evening, in the country house, that William Austin had become too big a boy to sleep in her own room, and he must have a chamber to himself.

Up to this period, of which you have been speaking, did Bergami breakfast and dine with the other servants?—He dined always at our table, the table at which I dined.

Do you know what room was allotted for Bergami upon the first night of his arrival at Naples?—I do not know.

Do you remember the room in which he slept on the second night of your arrival at Naples?—Yes, I do.

Was that room near the room which was occupied by her Royal Highness?—It was near.

Was there an internal communication between the two rooms?—There was one.

What was there between the two chambers?—A small cabinet with a fire-place, and a passage.

What was there between the two chambers?—A small cabinet and a passage.

Could you pass from the room of the Princess into the room of Bergami, by going along that passage, and through the small cabinet?—Yes.

Was there any door communicating from that passage to any other part of the House?—There was a door that led out of the passage.

When that door was closed, and when the door of her Royal Highness's apartment was closed, and the outer door of Bergami's room was closed, could anybody have access to those rooms and that passage?—No, there were only those doors.

Did her Royal Highness, on the evening after her arrival at Naples, go to the opera?—Her Royal Highness told me whilst I was dressing her that she was going to the opera.

Did she return early or late from the opera that evening?—It seemed to me that she returned early.

Upon her return, did she go into her bed-room?

Mr. Williams objected to the question.

Upon her return where did she go?—I found her in her bed-room.

Were you in the bed-room yourself?—I was not there, but she sent for me.

Upon your arrival in the bed-room of the Princess, what did the Princess do?—Her Royal Highness crossed the passage, and went into the cabinet.

Do you know where Bergami was at that time?—I do not know.

After her Royal Highness had gone into the cabinet, what did she then do?—I do not know what she did, but she returned immediately into the bed-room where I was.

Did she say anything to you; did she give you any orders?—Her Royal Highness told me to forbid William Austin to enter into her room, because she wished to sleep quietly.

Where did William Austin sleep that night?—In a small cabinet, where he remained all the time we were at Naples.

Was that cabinet adjoining to the bed-room of the Princess?—It was near, there was a door of communication.

Do you know whether that door was open or shut that night?—I saw it shut.

When that door was shut, was there any communication between that cabinet and the passage of which you have spoken?—There was none but the passage.

What beds were there that night in the bed-room of the Princess?—Two; a large one and a small one.

What was the small bed?—The traveling bed of her Royal Highness.

Did her Royal Highness usually sleep on that bed?—She slept in it generally.

Was that bed, or not, made up that night for her Royal Highness?—I saw in the evening that it was made.

Did you take any notice of the other bed, whether there were sheets on it, or not?—I saw afterwards that there were no sheets.

How long did you remain with her Royal Highness that night, before you left the bed-room?—Some minutes; a very little time.

Did you make any observations upon the conduct of her Royal Highness at that time in the bed-room?—I saw she was extremely agitated.

What was your reason for remaining only a few minutes?

Mr. Williams objected to the question.

The Counsel were informed that the question might be put.

The question was proposed to the witness.

Because her Royal Highness sent me away immediately.

Had that been her usual practice?—It had not.

What time the next morning did you see her Royal Highness?—I do not remember precisely.

As nearly as you can recollect?—Near eleven o'clock, or about eleven o'clock.

Was that later, or about her usual time?—It was nearly her usual time.

When did you see Bergami that morning?—I did not see him during the whole of the morning.

When was it that you first saw him that day, and where?—At dinner.

Did you take notice of the Princess's traveling bed in the morning?—I did.

What observation did you make, as to whether it had been slept in or not?—I observed that nobody had slept in it.

Did you observe the larger bed, what appearance that had?—I did.

What observation did you make upon the large bed?—I observed it had been occupied.

Can you inform their Lordships more particularly of the state of it?—I can not.

Was it much or a little deranged or tumbled?—Not much.

Do you know where Bergami slept during the whole time he resided at Naples, from that period?—In his room.

Is that the room which you have described?—Yes.

Was it near or at a distance from the rooms of the other servants?—There was only Mr. Hieronimus, who slept on the same side of the house.

Where did Mr. Hieronimus sleep?—In a room which had a door in a corridor, which was before entering the room of her Royal Highness; the two doors were in the same passage.

Did you, whilst you resided at Naples, ever see Bergami in the bed-room of her Royal Highness, or in her dressing-room?—I have seen him in the bed-room very often.

Who was it that at Naples assisted her Royal Highness in making her toilet?—I.

Did you ever see any other person present at the time when her Royal Highness was making her toilet at Naples?—Mr. William Austin and Mr. Bergami.

Was Bergami at that time courier?—He was a courier.

How old was Mr. William Austin?—Twelve or thirteen years about.

You have said that you have seen Bergami present in the dressing-room when the Princess was making her toilet; was that once or more than once, or how?—Several times.

In what state of her Royal Highness's dress; when she was little dressed or much dressed, or how?—Sometimes she was dressed, sometimes she was not.

Did he go in only for a moment, and come out again, or did he remain for any time?—He went in and out.

Do you remember ever seeing Bergami at night in the passage of which you have made mention?—I do.

Where was her Royal Highness at that time?—In her bed-room.

Was she dressed or undressed, or in what state?—She was undressed.

Where were you standing?—I was near to the door of her Royal Highness.

Where did you see Bergami?—I saw Bergami come out of his room, and come into the passage.

In what direction; towards the Princess's room, or how?—He was going towards the bed-room of her Royal Highness.

What was the state of Bergami's dress at the time you

saw him in the passage going towards the bedroom of her Royal Highness?—He was not dressed.

When you say he was not dressed, what do you mean; what had he on?—He was not dressed at all.

Do you remember what he had on his feet?—Slippers.

Do you remember whether he had any stockings on?—I saw no stockings.

Had he on anything more than his shirt?—Nothing else.

You have said that the Princess at that time was undressed; had she got into bed or not?—She was not in bed.

When you saw Bergami coming along the passage in the direction of her Royal Highness's room, in the manner you have described, what did you do?—I escaped by the little door which was near me out of the apartment of the Princess.

You have stated what was the condition of the small traveling bed on the second night after the Princess's arrival at Naples; what was the state of that bed on the subsequent nights during her residence at Naples?—I made no observation on it afterwards.

State what was the appearance on the second night of the great bed, whether it had the appearance of one person having slept in it or more?—More than one person.

How was that bed on the subsequent nights; had it the appearance of one person having slept in it, or more than one person?—I have always seen the same thing.

At Naples?—Yes, at Naples.

Was it your business, during a part of the time of the residence at Naples, to make the Princess's bed?—Towards the latter end of the time we remained at Naples, it was I who made the bed.

Did you make the small traveling bed?—I did.

Did you make it up every day?—I do not remember at Naples.

Do you mean to say you do not remember during any part of the time at Naples?—Not during the whole time.

Do you remember a masked ball that was given to Murat by her Royal Highness?—I remember it.

Where was the place where it was given?—At a house on the sea-shore.

Where did her Royal Highness dress herself for that ball?—In a small room on the second floor.

In the house where the ball was?—In the same house.

In what character did she first appear?—In the character of a countrywoman in the neighborhood of Naples.

Whose business was it to assist her Royal Highness in putting on her dress for the ball?—Mine.

Did you go to that house?—I did.

Did Bergami also go?—Yes, he went with me in the same carriage.

When the Princess dressed herself in the dress you have described of a Neapolitan peasant, who assisted her in dressing?—I.

How long did her Royal Highness remain at the ball in the character of a Neapolitan peasant?—About an hour.

Did she afterwards return for the purpose of changing her dress?—Yes.

What dress did she assume the second time, what character?—The Genius of History.

Did she change her dress entirely for that purpose?—Yes.

Did you assist her in changing her dress?—I did not.

Who assisted her in changing her dress?—Bergami went into her dressing-room; there were two rooms, an ante-room and a dressing-room.

Where did you stay yourself?—In the ante-room.

Did you see Bergami go into the dressing-room?—I saw him enter.

How long did the Princess remain in the dressing-room before she came out with her dress entirely changed?—I do not remember precisely.

Can you tell about how long?—About three-quarters of an hour.

When she came out, did she come out alone, or did any person come with her?—Bergami came out first, and her Royal Highness came out after.

How long before her Royal Highness came out did Bergami come out?—A very little time.

When you say a very little time, was it one, two,

three, or four, or five minutes, or what?—Two or three minutes.

Did her Royal Highness go to the ball in this character you have described?—She went down to go to the ball in the same character.

How long did she remain absent?—About three-quarters of an hour, or thereabouts.

At the end of that time, did she come back again into the ante-room?—She returned into the ante-room.

Describe the manner in which her Royal Highness was dressed in this character of the Genius of History?—She had her arms bare, and her breasts bare, and the drapery in the same way as people represent the Muses, or the Genius of History.

When you described the arms bare, up to what part do you mean; the entire arm, or how?—I did not observe whether they were completely bare.

You have mentioned, that after the Princess had gone to the ball the second time, she returned to the ante-room; did she go into her dressing-room again for the purpose of changing her dress?—She did.

Did you go into the dressing-room for the purpose of assisting her, or who else?—I did.

In what character was she dressed this third time?—Something like a Turkish peasant; something that had the appearance of it.

Where was Bergami during the time the Princess was arranging her dress as a Turkish peasant?—In the ante-room.

What was he doing there?—In going out of the room, I saw him dressed like a Turk.

Did her Royal Highness go to the ball again, in this character of a Turkish peasant?—I saw her go down stairs to go to the ball.

Did she go alone, or did Bergami go with her?—Bergami went with her.

Did you see them go down stairs together?—I did.

In what way did they go; were they separate, or how?—The Princess was under the arm of Bergami.

Was Bergami still courier?—He was.

Did Bergami return from the ball before the Princess, or how?—He returned almost immediately.

Upon his return, did her Royal Highness come back?—I do not remember.

How soon after did you see her Royal Highness?—I saw her at the moment we were going to our house.

Do you recollect whether or not you saw her Royal Highness soon after Bergami returned from the ball in the manner you have described?—I do not remember.

Was there any garden belonging to this house where the Princess lived at Naples?—Yes, there was a garden.

Was there any terrace in that garden?—There was a small terrace.

Did you ever see the Princess walking upon that terrace?—I have seen her once.

Alone, or with anybody?—With Monsieur Bergami.

Can you describe how they were walking, whether they were together or separate?—The Princess was under the arm of Mr. Bergami.

Do you recollect where the Princess was in the habit of breakfasting at Naples?—In the small cabinet with a fire-place.

By that do you mean the cabinet you have described, contiguous to the bed-room of Bergami?—I do.

Did she breakfast there alone, or did any person breakfast with her?—I do not know.

Were you ever in the room when her Royal Highness was at breakfast in that cabinet?—I do not remember.

Do you remember Bergami meeting with some accident while he was at Naples?—I do.

Upon that occasion was there any bed or sofa put into the cabinet?—I do not know whether it was put for that occasion; but I saw Bergami sitting on a sofa in the same cabinet.

Do you know the Theater St. Carlos, at Naples?—I do.

Did you ever go to that theater with her Royal Highness?—Yes, once.

Who went with her Royal Highness besides you?—Mr. Bergami.

In what carriage did they go?—A hired carriage.

Did Bergami go in the carriage with her Royal Highness?—He did.

Where did her Royal Highness get into this carriage?

—We went through the terrace and the garden, by a small door which led into a small street which was by the side of the garden.

What kind of night was it, do you happen to recollect?—Gloomy, very gloomy, and it rained.

When you first arrived at the theater, into what part of the theater did you go?—We went up-stairs into the saloon where they walked.

In what way was her Royal Highness dressed?—Her Royal Highness was dressed in a red cloak; a very large cloak.

In what way was Bergami dressed?—As far as I can remember, he was dressed in a red domino.

What had he on his head?—A large hat.

Of what description?—Large.

When you got into the saloon what took place?—Nothing happened to us.

Did you afterwards go into any other part of the house?—We descended into the pit.

When you got into the pit, what happened?—Many ugly masks surrounded us, and began to make a great noise and hissed us.

Describe all which took place?—Those masks surrounded us, and we had great difficulty to withdraw, at last we went into a small room.

Was there anything particular in the dress which her Royal Highness wore?—Her dress was very ugly; monstrous.

How long did her Royal Highness remain, in the whole, at Naples, as well as you recollect?—About three or four months.

During that time, did Bergami continue to wait at table as usual, or how?—Yes, he did.

Did you make any other observations, except as you have stated, upon the conduct of her Royal Highness and Bergami towards each other, when they were together at Naples?—Only that they were very familiar, one towards the other.

How early did that familiarity commence; at what period?—From the moment we reached Naples.

Were the servants in general in the habit of going into the bed-room of her Royal Highness without

knocking?—No ; unless they were sent for by her Royal Highness.

Did you observe, in this respect, how Bergami conducted himself ; did he go in without knocking, when he was not sent for?—He never knocked.

Did any part of the English suite of her Royal Highness quit her whilst she was at Naples?—Not during our stay ; but when we left Naples, some remained at Naples.

Where did her Royal Highness go to from Naples?—To Rome.

Which of the four gentlemen whose names you have before mentioned accompanied her Royal Highness to Rome ; did any of them?—Dr. Holland.

Did the lady you have mentioned accompany her Royal Highness to Rome?—She remained at Naples.

What lady was that?—Lady Elizabeth Forbes.

Had her Royal Highness then any English lady in her suite when she arrived at Rome?—She had Lady Charlotte Lindsey.

When did Lady Charlotte Lindsey join?—As far as I recollect, towards the end of the time we were at Naples.

From Rome did her Royal Highness go to Civita Vecchia, and afterwards to Genoa?—Yes.

Do you remember the house in which her Royal Highness resided whilst she was at Genoa?—I do.

Was there any other English gentleman, except Dr. Holland, in the suite of her Royal Highness at Genoa?—Mr. Hownam joined at Genoa.

With the exception of Dr. Holland and Mr. Hownam, was there at that time any other English gentleman in her suite?—No ; Lord Glenbervie came every day to dine, but I do not know that he was in the suite.

Did Lady Charlotte Lindsey go to Genoa?—She did not.

Where did she leave?—At Leghorn.

Do you recollect the situation of the bed-room of the Princess and of Bergami at Genoa?—I do.

Were those rooms near or distant from each other?—They were very near one to another.

Do you recollect what separated them?—A single room.

For what purpose was that room used?—There was the luggage of her Royal Highness, and her Royal Highness dressed there also.

As far as you recollect, was there any communication between that room and Bergami's?—There was.

Did they continue to sleep in those rooms you have described during the whole time that her Royal Highness resided at Genoa?—They did.

Did you observe where her Royal Highness breakfasted at Genoa?—I did.

Where was it?—In a small cabinet at the end of the grand saloon.

Do you know whether she breakfasted there alone or not?—I have seen twice Mr. Bergami breakfast with her.

Was Bergami at that time courier?—He was.

Do you know who waited at breakfast?—Louis Bergami and Theodore Majocchi.

What relation is Louis Bergami to Bartholomew Bergami?—Brother to Mr. Bergami.

Do you remember any garden or shrubbery belonging to that house at Genoa, where her Royal Highness resided?—I do.

Have you ever seen her Royal Highness walking in that shrubbery?—Very often.

Did you ever see Bergami in the shrubbery?—I have.

Was her Royal Highness, when walking in the shrubbery, always alone, or had she any person with her?—Bergami was always with her.

How were they walking, in what way, separate or together?—Her Royal Highness was upon an ass, but at other times they walked together.

When you say they walked together, describe in what manner they walked together?—I have not observed.

Had you anything to do in making her Royal Highness's bed during any part of the time of the residence at Genoa?—Till the time that my sister arrived.

You were just asked whether you had seen the Princess and Bergami walking together in the shrubbery; you said, many times; were they at those times alone, or were other persons with them?—Sometimes me,

sometimes Theodore Majocchi, and sometimes William Austin, and sometimes we were all together.

At Genoa, where was the bed-room occupied by you?—By the side of that of her Royal Highness.

Was the door between the room occupied by you and the bed-room of her Royal Highness open at night, or how?—The Princess always locked it every night when I went away.

You were asked whether the door between your bed-room and that of the Princess was left open at night, or how; you said it was shut; what do you mean by shut; shut with the key, or only shut?—Her Royal Highness turned the key inside.

Was the bed-room of Bergami situate on the opposite side?—It was.

In the morning, who let you into the Princess's room?—The Princess herself called me from my room.

Did you observe the bed of the Princess, whether it had been slept in or not?—Most often it had not been slept in.

What do you mean by "Plus souvent?"—Ordinarily, commonly.

You have stated that after you were in your bed-room the Princess locked the door on the other side; after this, did you hear any noise of any door opening, or any other thing in the Princess's room?

The witness was directed to withdraw.

The witness was again called in, and the question was proposed through the *Marchese di Spineto*.

I have sometimes heard the noise of a door opening towards the side of the Princess, but I do not know whether it was the door of her room.

Was there any other door, that you recollect, in that direction, except the door of the Princess's room, or the door of Bergami's room?—There was a third door into the dressing-room of her Royal Highness.

Was that the room which you have described as being the room between the bed-room of her Royal Highness and Bergami's room?—In the room which was between the two rooms, there was a third door, which was in the room where her Royal Highness breakfasted.

After you had heard this door open, did you hear any

noise in the Princess's room during the remainder of the night, or was all quiet there?—All was quiet.

Was it your business, at the period of which you are speaking, to make the bed of her Royal Highness?—It was.

Describe what you were in the habit of doing to the bed?—I arranged the pillows, and I spread the clothes.

Did you unmake the bed entirely?—Very seldom.

Why did you not?—Because there was no need for it; it was made.

Was it in that state in the morning always, when you went for the first time into her Royal Highness's bedroom?—Almost every morning.

How long did her Royal Highness continue at Genoa?—Nearly two months.

During the time that her Royal Highness resided at Genoa, did any of the relations of Bergami enter her service?—Louis Bergami, brother of Mr. Bergami.

Do you remember Faustina?—I do.

Did she enter into the service there?—She was traveling, and arrived at Genoa, but I do not know whether she entered the service of her Royal Highness.

Did she live in the house of her Royal Highness?—She came expressly from Milan to her Royal Highness.

Did she reside with her Royal Highness during the remainder of the time that her Royal Highness continued at Genoa?—She did.

Do you know Bergami's mother?—I do.

How did they call her?—They called her Nouna, which signifies grandmother, the mother of Mr. Bergami.

Did she continue to live with her Royal Highness during the remainder of the time she continued at Genoa?—Yes, as well as Faustina.

Was there a little child, the daughter of Bergami?—Yes.

What was her name, and how old was she?—She was called Victorine, and was about two or three years old.

Did her Royal Highness, whilst she was at Genoa, go to look at any house in the country?—She did.

Did she say for what purpose she went to look at that house?—Because she wished to live there, she had a desire to take it.

Did she say anything about the English?—She said that it was distant from the town, where there were many English.

Do you know how she came to say that it was distant from the town where there were many English?

Mr. Williams, of Counsel on behalf of the Queen, objected to the question.

Mr. Solicitor-General. Did her Royal Highness say anything more upon that subject?—Her Royal Highness only said that she wished to take that, because it was far from Genoa and the English.

Where did her Royal Highness go to from Genoa?—She went to Milan.

Did she go to a house in the Plas Boromeo?—Not immediately.

How soon after her arrival at Milan did she go to that house?—Two or three days.

Had any English lady joined her Royal Highness at Genoa?—Lady Charlotte Campbell.

With her daughters?—Her daughters came also, but they were in a private house.

Did Lady Charlotte Campbell go to Milan with her Royal Highness; did she accompany her on the road to Milan?—She did not, not on the same day, but she came afterwards.

Who went in the carriage from Genoa to Milan with her Royal Highness?—William Austin and I.

Did you see Bergami on the road?—I did.

Did you see her Royal Highness say anything, or do anything, or give anything to Bergami on the road?—Her Royal Highness gave often something to eat to Bergami, and asked him if he wanted anything.

Do you mean that that was at the times when they stopped at the inns, or when they were traveling on the road?—On the road, because we ate in the carriage.

In what character was Bergami serving upon that journey?—He was on horseback, dressed as a courier.

Do you recollect the situation of the bed-rooms of Bergami and the Princess in the Plas Boromeo at Milan?—I do.

Were they near to or distant from each other?—They were near.

How long did Lady Charlotte Campbell continue at Milan with her Royal Highness?—I believe nearly a month, as far as I can recollect.

When Lady Charlotte Campbell went away and left her Royal Highness, was there any English lady remaining in her suite?—No.

Did any other lady come into the situation of lady of honor?—Yes.

How soon after Lady Charlotte Campbell had gone away?—A few days after.

Who was that person?—The Countess Oldi.

Before she came into the service of her Royal Highness, had you any conversation with her Royal Highness upon the subject, or did her Royal Highness say anything to you upon the subject?—She told me that Countess Oldi wished to come; that the Countess Oldi wished to come into her service as a dame d'honneur; that her Royal Highness wished to take the Countess Oldi into her service.

At the time you had this conversation with her Royal Highness, did her Royal Highness tell you who the Countess Oldi was?—She told me only that she was a noble lady.

Do you know what relation the Countess Oldi was to Bergami?—She was the sister of Mr. Bergami.

How soon did you know that the Countess Oldi was a sister to Bergami?—Two months after.

Two months after what?—Two months after her arrival.

Did her Royal Highness give any other description of the Countess Oldi, except that you have mentioned, that she was a noble lady?—She only said that people said that she was pretty or handsome.

After this conversation, did you see Madame Oldi when she came into the service?—I did.

Do you know whether she could speak French?—Not at all.

Could her Royal Highness speak Italian?—Very little.

Did you make any observation upon the language of the Countess Oldi, so as to ascertain whether she was a woman of education?—I only observed that she spoke very vulgar Italian.

Did you ever see any of her writing in Italian?

Mr. Williams objected to the question.

Did you make any observation upon the manners of the Countess Oldi; whether they were the manners, in your judgment, of a gentlewoman or not?

The Interpreter stated, that he was under a difficulty in interpreting that question; as there was not such a word as "gentlewoman" in the French language.

Did you make any observation upon the manners of the Countess Oldi?—No, I did not.

Do you remember a gentleman of the name of William Burrell being with her Royal Highness at Milan?—I do.

How long did Mr. William Burrell remain with her Royal Highness?—Not a very long time; I do not remember precisely.

Can you state about the time?—About a month, more or less.

After Mr. William Burrell went away, did any other English gentleman come into the service of her Royal Highness?—No.

At what place did Dr. Holland quit her Royal Highness?—At Venice.

Was that during the time that her Royal Highness was residing at Milan?—It was.

Did any other English person except Mr. Hownam remain in her Royal Highness's service after that time?—No.

Where did her Royal Highness go to from her house in the Plas Boromeo?—To Como.

To Villa Villani?—Yes.

Was there any gallery belonging to the house in the Plas Boromeo?—Yes, round the house, inside.

Do you remember being in that gallery at any time in the morning, and seeing Bergami?—I have not seen Bergami on the gallery.

Where did you see him?—At his window.

What was he doing?—He was opening his window to call his servant.

What robe or dress had he on at that time?—He had a gown of blue silk that the Princess put on generally in the morning.

Had you seen the Princess wear this before that time?—Often.

How near to that time; some days before, or the day before, or how?—Some days before.

After Mr. Burrell left the house of her Royal Highness, did any alteration take place; was there any change in what was going on in the house?—There was more freedom in the house; more liberty.

Can you state in particular what you allude to, what you observed?—Her Royal Highness and the servants played in the saloon every evening.

Can you tell at what game?—Different games, different plays, different frolics; blindman's buff.

Did the Princess play?—She played sometimes.

To the best of your recollection, did this take place before Mr. Burrell left?—After Mr. Burrell left.

Did you make any observation upon the conduct of her Royal Highness with respect to Bergami during the residence at Milan and at the Villa Villani?—No; only that they were very free towards one another.

When was it that the Princess went to the Villa d'Este?—At the beginning of September

AUGUST 31.

Louisa Demont was again called in, and further examined by Mr. Solicitor-General, through the interpretation of *Mr. Pinaro*.

Did the Princess, while she was residing at the Villa Villani, make any tour to any place?—To Monte St. Gothard.

Do you remember at what place in that tour she first stopped?—At the Boromean Isles.

Did the Princess sleep at the Boromean Isles?—Yes.

On the day on which she slept at the Boromean Isles, where did she dine?—I do not recollect.

Do you remember whether you dined at any inn on the road?—I think they stopped at an inn at Varise, but I am not perfectly sure.

Had you ever been before at the Boromean Isles with the Princess?—Yes.

Did the Princess sleep at the Boromean Isles upon the first occasion?—Yes.

Do you remember the apartment in which the Prin-

cess slept on the first occasion, when she visited the Boromean Isles?—Yes.

Was that on the journey which the Princess made from Lausanne to Milan, upon her first arrival at Milan?—Yes.

What apartment was it that was prepared for her Royal Highness, and in which she slept on the first occasion on which she visited the Boromean Isles?—The most elegant apartment that could be found in the Boromean Isles.

Is that the inn, or is it the palace Boromeo?—It is the Boromean palace.

When her Royal Highness visited the Boromean Isles upon the second occasion to sleep, what apartment had been prepared for her?—I do not remember the apartment that had been prepared for the Princess.

Do you remember in what apartment the Princess slept?—Yes.

Did you, upon the second occasion, see the apartment in which the Princess slept the first time?—Yes.

In what apartment did the Princess sleep the second time?—In an apartment remote from the former apartment.

Do you know where Bergami slept?—Near the apartment of her Royal Highness.

Was the apartment, in which her Royal Highness slept at the Boromean Isles, prepared for her before her arrival or afterwards?—As far as I can remember it was prepared after her arrival.

What kind of an apartment was it in which her Royal Highness slept?—A large room.

Do you remember whether there was any communication between that apartment and the room in which Bergami slept?—I do not recollect.

Do you remember her Royal Highness going to Bellinzona?—Yes.

Did she dine at an inn at Bellinzona?—Yes.

Where did Bergami dine?—I saw Bergami sitting at table with her Royal Highness.

At the time that you saw Bergami sitting at the table with her Royal Highness at Bellinzona, how was he

dressed?—He was in his courier dress; he was dressed like a courier.

Did he, upon that journey, act as a courier?—He was not riding on horseback, but in the carriage; I do not remember whether he was courier, but he was dressed like a courier.

In what carriage was he riding?—In an open carriage.

Was that the carriage in which her Royal Highness was riding, or a different carriage?—It was another carriage.

Did her Royal Highness dine more than once at Bellinzona upon that journey?—I believe not.

Did her Royal Highness return from that journey to the Villa Villani?—Yes.

In what month, as nearly as you can recollect, did her Royal Highness go from the Villa Villani to the Villa d'Este?—As far as I can recollect, the beginning of September.

On the journey to which you have been asked, did her Royal Highness stop and sleep at Lugano?—Yes, upon our return.

Do you recollect the disposition of the apartments, the bed-rooms of her Royal Highness and of Bergami, at the Villa d'Este, upon your first arrival at the Villa d'Este?—Yes.

Describe, first of all, the situation of the apartment of her Royal Highness, through what rooms or passages you passed to get to it?—One entered into a dark ante-room, and after that into a small corridor or passage, then there were two rooms, and after the two rooms the sleeping-room.

Did the two rooms you have described as being before the bed-room, communicate with each other?—They did communicate the one with the other.

Did the second of those rooms communicate with the bed-room?—Yes.

Are you to be understood, that in going through the bed-room you passed through those two ante-rooms into the bed-room?—Yes.

Describe now the situation of Bergami's bed-room?—The sleeping-room of Bergami communicated with the same dark ante-room which I mentioned before.

By that do you mean the first room which you mentioned?—Yes, the first room.

Besides the communication between this dark ante-room and the bed-room of Bergami, was there any other communication between the bed-room of Bergami and any other place?—Yes.

With what place?—With the sleeping-room of her Royal Highness.

What was there between the bed-room of her Royal Highness and the sleeping-room of Bergami?—A small, very narrow cabinet.

Did anybody sleep in that small cabinet?—I never saw anybody in it.

When the door that opened upon the dark room you have first mentioned from Bergami's room was closed, could any person get into Bergami's bed-room, except through that cabinet?—I never saw any other.

Do you remember whether there was any other way into the bed-room of Bergami, when the door that opened upon the dark room was closed, except through the cabinet?—I never saw any other passage.

At what hour did the Princess usually go to bed at that time; the first time?—Sometimes at eleven o'clock, sometimes at midnight.

Who used to go with the Princess to the bed-room?—Sometimes, when I was in the bed-room with her Royal Highness, there was only Bergami besides; sometimes, when I was alone in the Princess's bed-room, before her Royal Highness came, Bergami accompanied her Royal Highness into it.

Through which way did they come?—Through the two rooms that I have described.

When Bergami had so accompanied her Royal Highness into her bed-room, which way did he go, or did he remain there?—He did not remain long; sometimes he passed through the two rooms already described, and sometimes through the door of the little passage; the cabinet served as a passage.

To the room of Bergami?—The chamber of Bergami.

By a Lord to the Interpreter. Of what country are you a native?—A Genoese.

Mr. Solicitor-General to the witness. Did you remain

in the room for the purpose of undressing her Royal Highness?—Before her Royal Highness entered, or afterwards?

Afterwards?—Yes; I undressed her every night.

After you had undressed her, which way did you retire?—Through the two dark rooms which I mentioned.

Did her Royal Highness accompany you?—Most frequently she did.

When you say that her Royal Highness accompanied you, how far did she accompany you?—As far as the last door.

Was anything done by her Royal Highness with that door when you retired?—Her Royal Highness locked it with a key.

Did that ever happen when Bergami was left inside?—No.

The Solicitor-General stated that the question had not been rightly interpreted.

Mr. Garston stated, that the translation had been given to the witness "within."

Did that ever happen when Bergami was left within, inside?—Do you mean in the apartment of her Royal Highness, or his own apartment.

Did that ever happen either when Bergami was left in the apartment of her Royal Highness, or when he was left in his own apartment?—Not in the apartment of her Royal Highness, but he was in his own apartment.

Did you attend her Royal Highness in the morning?—Yes.

Did you enter the apartments in the same way in which you had been let out?—By the same communication.

Did you ever make any observation in the morning, upon the door of her Royal Highness's bed-room that opened into the small cabinet, whether it was open or shut?—Sometimes I found it half open.

Upon those occasions did you ever see or hear Bergami?—No.

Do you understand, that you are now asked as to the first time of the residence in the Villa d'Este?—Yes.

At the time when you went to call the Princess, did you ever see Bergami?—In the room, do you mean?

The question is not whether you saw him in the room, but whether you ever saw Bergami when you went to the Princess?—I do not recollect.

Did you ever, in the morning, before her Royal Highness was dressed, see Bergami?—Yes.

Where have you seen him?—At the door of his room, calling his servant.

Have you ever seen her Royal Highness at the same time?—Yes.

Where?—At the door of the last room, where she called me.

In what state was her Royal Highness with respect to her dress when you saw her?—She had generally a mantle of silk which she put on in the morning.

Had she anything else on?—No.

What had Bergami on?—A blue silk mantle.

Had that mantle belonged to her Royal Highness?—Yes.

How near were they to each other in the situation you are now describing?—About twenty paces.

Did anything pass between them—any conversation, or anything that you recollect?—They spoke to each other.

Were the doors open or shut?—They were open.

In giving an account of this, are you speaking of one time only, or of more than once?—I saw it several times.

Did you ever see her Royal Highness and Bergami on the Lake during the first residence at the Villa d'Este?—Yes.

Alone, or with other people?—Alone.

In what kind of vessel, a boat or a canoe?—A small canoe.

During the time of her Royal Highness's residence at the Villa d'Este, did you ever see them walking together?—Yes.

In what way did you see them walk together; separate or together?—Together.

How; describe in what way?—Sometimes her Royal Highness had Bergami's arm.

Do you remember the little Victorine at the Villa d'Este, during the first residence?—Yes.

How did she address her Royal Highness?—She called her mama.

Do you remember that happening before they got to the residence at the Villa d'Este?—I do not recollect.

Do you remember whether Bergami dined with her Royal Highness during her first residence at the Villa d'Este?—He generally dined at our table; the servants' table.

Do you remember upon any occasion during the first residence at the Villa d'Este, Bergami dining with her Royal Highness?—Bergami dined once with her Royal Highness, as far as I recollect.

Was that before the voyage to Greece?—Yes.

Do you remember, at any time, her Royal Highness coming into the room where you were at dinner?—Only once.

Was that during dinner-time?—Yes.

Was Bergami at table?—Yes.

Was Bergami's mother at table?—Yes.

What did her Royal Highness do upon her coming into the room at that time?—She sat down at table by Mr. Bergami.

Do you remember at that time seeing Hieronimus?—At that moment he was not at our table.

Did you see him; did he come in?—He came in afterwards into the room.

Before he came into the room, did her Royal Highness make any observation, or do anything?—Her Royal Highness said, "I hear Hieronimus in the kitchen, I must go," and her Royal Highness left the room almost immediately.

Did you accompany her Royal Highness upon the voyage to Greece?—Yes.

Do you remember arriving at Palermo?—Yes.

Was it on board the Leviathan?—Yes.

Do you remember being on the deck of the Leviathan early one morning?—Yes.

Do you remember afterwards going below?—I did not go below after that.

Do you remember seeing her Royal Highness after that?—Yes, I saw her immediately after.

Where did you see her?—In her cabin

Below deck?—The cabin was not below.

On the poop?—Upon the poop.

Was her Royal Highness at that time up or in bed?—She was in bed.

Do you know whether Bergami had been in the cabin of her Royal Highness?—I do not recollect.

Did her Royal Highness go to Court at Palermo?—Yes.

Did Bergami go with her?—Yes.

Do you know whether he went in the same carriage?—I do not know.

Do you remember arriving at Messina?—Yes.

Did you reside in Messina, or in the neighborhood of that place?—In the neighborhood of Messina.

Do you recollect how the bed-rooms of her Royal Highness and of Bergami, and Countess Oldi, were situated in that house near Messina?—Yes.

Describe their situation; what was next to the bed-room occupied by the Princess?—That of the Countess Oldi.

Was there a door leading from the bed-room of the Princess into the bed-room of the Countess Oldi?—Yes.

What room was next to the room occupied by the Countess Oldi?—That of Mr. Bergami.

Was there a door communicating from the bed-room of the Countess Oldi into the bed-room of Bergami?—As far as I can recollect, there was a small passage between the two rooms that communicated.

What room was there next to the room occupied by Bergami, beyond?—My own.

Did you at that time assist her Royal Highness in going to bed, in undressing her?—Yes.

In passing from her Royal Highness's room, did you go through the room of the Countess Oldi, and of Bergami, into your own room?—Yes.

Upon those occasions, did you ever find Bergami in his room, in bed?—Yes, sometimes.

Do you remember her Royal Highness calling you at

any time in the morning?—Sometimes she called me in the morning.

In what way did she come to call you?—Yes, sometimes she did.

To what place, to what door?—At the door which was next to Bergami.

Do you mean by next to Bergami, the door that opened from Bergami's room into yours?—Yes.

Did the Princess open that door?—Sometimes the Princess, sometimes Bergami.

When the Princess opened that door, in what state was she in point of dress?—In the same cloak which I have already described.

Had she no other clothes on except her night clothes?—No.

Upon those occasions was Bergami in his bed?—I never saw him in the morning in bed.

Upon those occasions was he in the room?—Sometimes he was, sometimes not.

You have said that Bergami sometimes opened the door; when Bergami opened the door, did you go into the room for the purpose of passing into the bed-room of the Princess?—Yes.

Did you find the doors between Bergami's room and the room of the Princess open or shut?—Generally I found them open.

Do you remember at what time her Royal Highness, at Messina, was in the habit of going to bed; whether earlier or later than she had been before used to?—Sometimes earlier, sometimes later.

Did anybody usually attend her at Messina, for the purpose of undressing her?—Yes.

Every night?—She did not call me every night.

When you did not attend for the purpose of undressing her, who did attend?—I do not know whether it was my sister that helped.

Did you make any observation upon the conduct of Bergami and the Princess towards each other, as to the manner in which the Princess addressed Bergami at Messina?—Yes.

State what expressions she made use of?—Do you mean as to calling him generally.

Either when she called him, or at any other time, or when they were parting?—When they parted she often called him “*Mon cœur*,” my heart.

Anything else?—Sometimes “*Adieu, mon cher ami*,” my dear friend.

Do you remember, on any occasion, his asking to go to Messina?—Sometimes I heard him ask leave to go to Messina.

Do you recollect what term the Princess made use of upon those occasions?—When they parted, “*Adieu, mon cœur*,” or my heart; “*prenez garde*,” take care.

Have you heard them do anything else upon those occasions?—I do not precisely recollect.

Did you see or hear them do anything upon any one of those occasions?—I never saw him do anything, but I observed they sometimes embraced on those occasions.

Mr. Garston. I have heard, but not seen them do anything.

Mr. Pinaro stated, that the word used might also mean “kiss.”

By embrace, do you mean they kissed each other?—Yes, I heard them kiss each other behind me.

Did you go on board the *Clorinde* from Messina to Syracuse?—Yes.

An English frigate?—Yes.

How was Bergami dressed on board the *Clorinde*; do you remember; had he any great coat?—As far as I can recollect, he had a blue great coat.

Do you remember seeing Bergami at any time in the cabin of her Royal Highness on board the *Clorinde*?—I remember I saw him once.

Where was her Royal Highness at that time?—In the same cabin.

On the bed, or up?—It was in the day-time, but she was lying on her bed.

Where was Bergami, in the cabin?—He was also on another bed, by the side of her Royal Highness.

Did you remain any length of time in the cabin?—Nearly half an hour.

When you say that Bergami was upon the bed in the cabin, was he sitting or lying?—He was lying on the bed.

Where did her Royal Highness lodge at Syracuse; in what house?—In a small country house, on the other side of the harbor.

Do you remember the disposition of the bed-rooms in that house; her Royal Highness's bed-room?—Yes.

Describe the situation of the bed-room of the Countess of Oldi and of yourself?—The Countess Oldi was in the same room with me, which communicated with the dining-room.

Was there any other room besides that dining-room?—There was another.

By whom was that occupied?—By the gentlemen of the Princess's suite.

Was there a room upon the opposite side of the dining-room?—Yes, the room of her Royal Highness.

Was there any private staircase in that room?—Not in the room, but by the side of the room.

Where was Bergami's bed-room?—Bergami's room was on the same side, above the little staircase.

To the best of your recollection, did any body, except Bergami and her Royal Highness, sleep on that side of the dining-room?—As far as I can recollect, nobody.

Was there anything between her Royal Highness's room and the bed-room of Bergami, except the small staircase you have described?—I do not recollect.

You have stated that there was a small staircase near the bed-room of her Royal Highness, and that beyond that was the bed-room of Bergami; do you remember whether there was anything between her Royal Highness's bed-room and Bergami's bed-room, except that staircase which you have so described?—I do not recollect.

Was there a door leading from her Royal Highness's bed-room into the dining-room?—Yes.

Did you observe her Royal Highness do anything with that door at night?—I have heard several times her Royal Highness lock it with a key, after I was gone out.

When that door was locked, as you have described, would there still be a communication up the staircase between the bed-room of her Royal Highness and that of Bergami?—Yes; there was a door in the room of her Royal Highness.

Was that door on the side of the staircase by the staircase?—It was near the little staircase.

Do you remember any accident happening to her Royal Highness's bed at Syracuse?—I do not recollect.

Do you recollect whether any accident happened to the bedstead of her Royal Highness at Syracuse, whether it was out of order, or anything of that kind?—I do not recollect.

From Syracuse, did her Royal Highness proceed to Catania?—Yes.

Where did her Royal Highness reside at Catania?—In the town.

Do you recollect the disposition of the bed-rooms in the house at Catania?—Yes.

Did the same disposition continue during the whole time that her Royal Highness was at Catania, or was it changed?—There was an alteration for a few days only.

Will you describe what was the situation of the bed-room of her Royal Highness before that change took place?—The sleeping-room of her Royal Highness communicated with the saloon; the drawing-room.

What room was next to the bed-room of her Royal Highness on the other side?—My own.

Next to your room, what room was there?—That of the Countess Oldi.

Was there a communication between the bed-room of the Princess and the bed-room which you occupied?—Yes.

Was there also a communication between the room which you occupied and the room which was occupied by the Countess Oldi?—Yes.

Where did Bergami sleep?—On the other side of a little yard which was in the interior of the house.

Was there any door between that yard and the bed-room of her Royal Highness?—There was a door in the drawing-room, which went into the little yard.

Was there any door that communicated from the court into Bergami's bed-room?—Yes, there was a door.

How long did Bergami continue to sleep in that room?—For some time; I do not precisely recollect.

Was he afterwards indisposed; unwell?—He was indisposed for some days.

During the time that he was so indisposed, what room did he sleep in?—He slept in the room of the Countess Oldi.

At the time when he slept in the room of the Countess Oldi, did you continue to sleep in that room between the room of the Countess Oldi and the room occupied by the Princess?—Yes.

During that time, did her Royal Highness go to bed before you?—I recollect that one evening the Princess went to bed before me, while I was at supper.

Did you see Bergami?—No.

When you went to your bed-room, how was the door between your bed-room and that of the Princess, was it open or shut?—It was shut.

How was the door between your room and that which was occupied by Bergami on the other side?—It was shut likewise.

Did you observe anything during the night?—During that night I made no observation.

Did you observe anything in the morning?—I do not recollect whether it was in the morning immediately after, or the morning after that, the next morning, that I saw her Royal Highness come out of the room of the Countess Oldi.

When she came out of the room of the Countess Oldi which way did she go?—She passed through my room in order to go to her own bed-room.

As nearly as you can recollect, at what time in the morning?—At nearly ten o'clock.

Had she anything in her hand, or nothing?—She had a cushion or pillow, or two.

Were those the cushions or pillows on which she usually slept?—Yes.

How was she dressed?—She was not dressed; she was dressed as she was in the night after I had undressed her.

Mr. Garston. The expression was, "as she was at night after I had undressed her."

Did her Royal Highness usually, when she was in bed, sleep in a night dress?—I do not know.

Mr. Garston. The reply to that question was, "I know nothing about it."

What dress, or what part of her dress did her Royal Highness usually sleep in, when she went to bed?—I left her every night with a little white night-gown.

When you saw her come through the room in the manner you describe, had she on a dress of that description?—Yes, it was a little white gown which came in this manner, it reached as far as there, (*across the bosom.*)

Was that the ordinary dress that her Royal Highness had on when you left her at night, after undressing her?—Almost always, but sometimes she had a small cloak of silk.

Mr. Garston. Not a small cloak, but a cloak of silk.

When you say, that she had a silk cloak, had she a silk cloak in addition to the small bed-gown you have described?—Yes.

You have said, that Bergami slept in the room that had been occupied at first by the Countess Oldi, where did the Countess sleep?—In a small bed which had been put into her Royal Highness's room.

Where did the little Victorine sleep?—In the same room.

During that night, did you hear the little Victorine?—I heard the little Victorine cry.

On what night?—That same night.

By that same night, do you mean the night preceding the morning in which you saw her Royal Highness come through your bed-room?—Yes.

You have told us that Bergami, in consequence of his illness, changed his bed-room, and went into the bed-room of the Countess of Oldi; do you recollect how many days that was before the time of which you are speaking, when you saw the Princess come out of that room?—I do not exactly recollect the time, but Mr. Bergami was three or four days in the same room.

Mr. Garston. The witness said, "I do not know how long."

Mr. Pinario. She repeats, "I do not recollect the time."

You are not asked to speak with precision, but was it one, two, three, or four days?—I believe it was not more than one or two.

How long after that morning, as nearly as you can recollect, how many days did he continue to sleep in the room of the Countess Oldi?—I do not precisely recollect whether it was one or more; it is so long ago, I do not exactly recollect.

Was he sleeping there at the time of which you are making mention, when her Royal Highness came out of that room?—Yes

Do you remember, on the night before that of which you have been speaking, hearing the door of your room open?—I heard the door of her Royal Highness open one night, I was in bed, but I do not remember whether it was the night before that I saw her Royal Highness come out as I mentioned.

At the time when you heard the door open when you were in bed, was Bergami sleeping in the room before occupied by the Countess Oldi?—He occupied the same room.

(The witness gave her answer in French to this question before it was interpreted to her.)

At the time when her Royal Highness came out of the room as you have described with the pillows, did her Royal Highness see you?—Her Royal Highness looked at me.

When her Royal Highness looked at you what did her Royal Highness do?—She fixed her eyes upon me; she looked at me earnestly.

What did she do?—She went on to her own room.

Did she say anything?—No.

Had you been in the habit of remaining as late as ten o'clock in the morning in that room?—No, I generally went to breakfast at nine o'clock.

During the time that Bergami was sleeping in that room of the Countess of Oldi, before you went to breakfast at nine o'clock usually, had either the door of the Princess's room or the door of Bergami's room been opened?—I never saw them opened.

During the time that Bergami slept in that room, had you ever been called to dress or to attend upon her Royal Highness before you went to breakfast at nine o'clock?—No.

When you returned from breakfast, how did you find

the doors?—Shut; but sometimes her Royal Highness was up.

Was her Royal Highness in her own room?—Yes.

You were describing something that passed in the adjoining room in which were the Countess of Oldi and Victorine, describe all which you heard during that night in that room?—I heard Victorine weep, calling mama, and the Countess Oldi endeavoring to soothe her.

At the time when her Royal Highness came through your room in the manner you have described, were you alone in that bed?—I was up.

Was any other person in the room?—As far as I can recollect, my sister was in the same room with me.

Do you recollect whether your sister was up or in bed?—My sister was up.

When her Royal Highness first saw you in the morning, was she in the habit of saying anything to you; how did she address you?—She generally said to me, “Good morning.”

When you saw her upon that occasion, did she say anything, either to you or to your sister?—She said nothing to me at all.

While her Royal Highness was at Catania, was her picture painted by any person?—Yes.

Do you remember the name of the artist by whom the picture was painted?—No.

Do you know in what character she was painted?—As the Princess was also painted at Augusta; I do not exactly recollect how she was painted at Catania.

As you have spoken of Augusta and the painting there, do you recollect in what character she was painted there?—Yes.

In what character?—As a Turkish woman.

Did you ever see any other picture painted of her Royal Highness upon that voyage, besides the one you have mentioned at Augusta?—I have seen another portrait.

What was that other portrait; in what character?—As a penitent Magdalen.

Do you remember in what place in Sicily?—At Augusta.

How much of the person of her Royal Highness did that picture represent; the head, or more than the head?—As far as the waist.

How was the upper part of the person, covered or uncovered, in the picture?—Uncovered.

How was the breast; was that covered or uncovered?—Uncovered.

Mr. Garston stated that the other Interpreter had used the word "gorge" in putting the question, and that that means the neck rather than the bosom; that it is sometimes used to imply it, but not generally.

You have described that a part of the person was uncovered, how long did the part that was uncovered extend?—As far as here. (*Passing her hand across her breasts.*)

Were the breasts covered or uncovered?—It was uncovered as far as here, about the middle of it.

Besides the two pictures you have described of her Royal Highness, was there any other picture painted of her Royal Highness whilst she was in Sicily?—Another portrait was taken.

Where was that portrait taken, at what place, as far as you can recollect?—I do not know whether it was at Catania or Augusta.

In what character was that third portrait?—In a common dress, as her Royal Highness used to dress.

This portrait of her Royal Highness, in the character of a Magdalen; did you ever see that portrait in the possession of any person?—Bergami showed it me one day at Augusta.

With respect to the second portrait, of which you have made mention, of her Royal Highness in a Turkish character, did you ever see that portrait afterwards in the possession of any one?—No.

Do you know whether the portrait of Bergami was taken?—Yes.

Did you see at Naples any portrait of Bergami?—Yes.

In whose possession did you see that portrait of Bergami at Naples?—Is it at Naples I am asked to?

Yes, the question refers to the time at Naples?—In nobody's possession.

Where was it you saw it?—Bergami showed it to me. You have stated that Bergami's portrait was painted in Sicily, in what character?—In a common dress.

Was there more than one picture of Bergami painted in Sicily?—Yes.

In what character was the second?—As a Turk.

How was the dress arranged about the upper part of the person, was it open or closed?—According to the Turkish custom it was open as far as here (*the upper part of the chest*).

Were there more than those two portraits of which you have been speaking painted in Sicily?—There have been more.

Did you ever see any of those portraits in the possession of any other person?—I have seen a portrait of her Royal Highness in the possession of the Countess Oldi.

You have told us you have seen different portraits of Bergami painted; did you ever see any of those portraits in the possession of any person?—I saw one of them once in a little box belonging to her Royal Highness.

Which of those pictures you have described was it?—That in the Turkish character.

Do you know whether her Royal Highness assisted at all in adjusting the dress for the purpose of either of those portraits being taken?—Her Royal Highness made up the turban of Mr. Bergami.

Did she do anything else to any other part of the dress?—I do not recollect.

Did her Royal Highness ever say anything to you about the dress or the manner in which he looked best?—I do not recollect.

Did Bergami receive any title at Catania?—He was made a Knight of Malta.

Did he receive any other title either at Catania or at Augusta?—At Augusta he was Baron de la Franchina.

How long did her Royal Highness remain in the whole at Catania?—Nearly one month.

Do you remember, on her arrival at Augusta, the house in which her Royal Highness resided?—Yes.

Do you remember, in that house, the disposition of the bed-rooms of her Royal Highness and Bergami?—Yes.

Describe them?—They were separated by a small yard, a passage, and a little room in which nobody resided.

Did that continue during the whole time that her Royal Highness was at Augusta, or was that afterwards changed?—There was a change.

When that change took place, where was the bed-room of Bergami?—Bergami's sleeping-room was near to that of her Royal Highness.

Was there any communication between the bed-room of Bergami, and the bed-room of her Royal Highness?—Yes, there was a door.

Did that door lead immediately from the one room into the other?—Yes.

Where was the bed-room which was occupied by you?—By the side of that of Mr. Bergami.

Was there a door leading from the bed-room of Bergami into your room?—Yes.

What was done with that door at night?—It was always shut at night.

When you say it was always shut at night, what do you mean, was it merely shut, or locked?—I heard Bergami sometimes try whether it was locked.

Describe more particularly what you have said just now, what you saw Mr. Bergami do?—Mr. Bergami was in his room, and was trying to find if the door was locked with a key.

At Augusta did you assist her Royal Highness in undressing?—Yes.

After you had retired to your room, and after you had so assisted her Royal Highness to undress, did you hear anything in the room of Bergami?—I sometimes heard a whispering in the room of Mr. Bergami.

Who was it that you heard whispering in the room of Mr. Bergami?—I can not precisely say, because I merely heard a whispering.

Where did her Royal Highness breakfast at Augusta?—I do not recollect.

Do you recollect where Bergami breakfasted?—I do not recollect, but I saw once a breakfast tray in the room of Mr. Bergami.

In answer to the question put, you stated you had

seen her Royal Highness arrange the turban for the picture, did you ever see the Princess arrange, or do anything to any other part of the dress of Bergami for any of the other pictures?—Yes.

State what that was?—Her Royal Highness arranged the neck of his shirt, opening it.

Did her Royal Highness say anything; what observation did she make?—Her Royal Highness said she liked it better so, or him better so.

Have the goodness to repeat the words which her Royal Highness made use of, as if you were speaking them?—When the shirt was opened, she said, “I like either him, or it, better so.”

Interpreter. The words of the witness are, “Je l’aime mieux comme ca.”

Mr. Garston. She was speaking in the presence of Bergami, and consequently it seems, therefore, that it applied rather to the position of the shirt than to the person.

Did you go on board the polacre, the Industry, at Augusta?—Yes.

Do you remember where Bergami slept in the early part of the voyage the first day or two?—As far as I can recollect, in a small cabin near the eating cabin.

Was the sleeping place of Bergami afterwards changed?—Yes.

Where did he sleep afterwards?—In the dining-cabin.

How many doors were there leading into that dining-cabin?—There were two doors.

Were they both open, or was one of them closed?—One of them was open, and the other closed or shut.

Was the door which was open, on the side on which Bergami slept, or on the opposite side?—As far as I recollect, it was on the other side.

Where did you yourself sleep?—By the side of the door which was open.

How long did Bergami continue to sleep in the dining-room?—As far as I can recollect, as far as Jaffa.

Did anybody sleep in the dining-room besides Bergami?—I never saw but one bed in the dining-cabin.

Where did her Royal Highness sleep?—In a cabin near the place where Bergami’s bed was.

Where did the Countess Oldi sleep?—In a cabin on the other side.

Was the cabin in which the Countess of Oldi slept, the cabin that communicated with the dining-room?—Yes.

Were those three persons the only three that slept there?—Yes.

Was the door of the dining-room shut, or open, at night?—It was shut,

By shut, do you mean merely closed, or locked?—I merely saw it shut; I can not say whether it was locked with a key.

Did you ever go into the dining-room when Bergami was in bed?—Yes.

Did you ever see her Royal Highness in bed at the same time?—Yes.

Was the door, opening from her Royal Highness's cabin into the dining-room, open or shut?—Sometimes it was open, sometimes it was shut.

Did you ever see it open when Bergami was in bed, and when her Royal Highness was also in bed?—Yes.

At the time when it was so open, and when they were both in bed, can you state anything which passed between them, whether they conversed together, or how? I saw them twice speaking together.

Did you land with her Royal Highness at Tunis?—Yes.

Where did her Royal Highness lodge at Tunis, and where did she reside?—At first in the British Consul's house at Tunis, afterwards in a palace belonging to the Bey of Tunis.

Do you remember the situation of the apartments, the bed-rooms of her Royal Highness and Bergami, in the palace of the Bey at Tunis?—Yes.

Describe them?—They were separated by a room, which was occupied by nobody, and a small cabinet, or passage.

Do you know whether any other persons of the suite slept near that place?—The Countess Oldi, my sister, and myself.

Did the room in which your sister and yourself slept open into that room in which there was nobody?—Yes.

Did any other room, except yours and that of the Countess of Oldi, and the other two you have mentioned, open into that room?—No.

Was there any other door leading from that room you have described in which no person slept?—I saw none at all.

Was there any door which was closed at night in that room?—Yes.

Which door was that?—The door which led into the yard into an inner yard which was in the house.

When that door was shut, could any other person have access to that room or to the sleeping apartments?—I do not know.

Do you remember going to Utica?—Yes.

Where did you reside at Utica?—In a small country house.

Do you know the situation of the apartments of her Royal Highness and of Bergami at Utica?—I do not know at Utica where Mr. Bergami slept.

Do you know at Tunis where Bergami slept?—Yes.

Where did he sleep at Tunis?—In a room which was near to ours.

Did you, at any time at Tunis, in the morning, before her Royal Highness had left her bed-room, see Bergami?—I do not recollect.

Do you state that you do not know where Bergami slept at Utica?—I do not know where he slept at Utica.

Did you in the morning, at Utica, before her Royal Highness had left her bed-room, see Bergami?—Yes.

Was it before her Royal Highness was out of bed or not?—Before her Royal Highness was up.

What did you see Bergami do?—Bergami passed through our room and went into her Royal Highness's room.

How long did he remain there?—I do not recollect.

Did you afterwards go into the room?—I only went to the threshold of the door; her Royal Highness asked me for something.

Did you see whether her Royal Highness was still in bed?—I saw that her Royal Highness was still in bed.

Was Bergami still in the room?—Bergami was in the room.

After her Royal Highness had spoken to you, what did you do; did you go into the room, or did you retire?—I withdrew.

Do you remember going, while you were at Tunis, to a place called Zavouan?—Yes.

Do you know in what room her Royal Highness slept at Zavouan?—Yes.

Do you know what room was appropriated for the bed-room of Bergami?—I do not recollect.

Do you know where the Countess Oldi slept?—In the same room where I slept.

What room was there adjoining to the bed-room of her Royal Highness?—The room in which her Royal Highness dined.

Did you see the bed of her Royal Highness in the morning?—Yes.

Did it appear as if one person only had slept in it, or more than one?—It seemed to be much in disorder.

Can you say, according to your judgment, looking at the bed, whether one or two persons had slept in it?—I can not say that two persons had slept in the bed, but it rather appeared to me that two persons had slept in it rather than one.

Why so?—I have already told you because it seemed in great disorder.

Did you embark at Tunis again, for the purpose of prosecuting your voyage?—Yes.

You went to Constantinople, and afterwards, in the course of your voyage, did you get to St. Jean d'Acres?—Yes.

Did you go to Jerusalem?—Yes.

Where did you land for the purpose of going to Jerusalem?—At St. Jean d'Acres.

Do you remember being at a place called Aum?—Yes.

How many did your party, as nearly as you can recollect, consist of; you and your attendants at Aum?—I can not say precisely.

Did you sleep in any house at Aum, or did you encamp?—We slept under tents.

Did her Royal Highness sleep under a tent?—Yes.

Describe that tent ; was it a single tent or a double tent?—As far as I can recollect it was double.

Was there any bed or bedstead placed under that tent?—There were two small beds in this tent.

Did you go to the tent for the purpose of assisting in undressing her Royal Highness?—Yes.

Was she undressed as usual?—Yes.

Did you leave her undressed in bed, or up?—I left her undressed, and she was lying on her bed.

Where was Bergami?—Under the same tent.

How was he, dressed or undressed, or partly undressed?—He was dressed, but he had no coat on.

When you retired did you leave them both there?—Yes.

At what time in the evening did you pursue your journey?—Nearly at six o'clock.

Did you see the other gentlemen of the suite come out of their tents?—Yes.

Did you see Bergami come out of a tent?—No.

Where did you see Bergami?—During the day do you mean?

Where did you see Bergami in that evening, about the time when you were preparing to continue your journey? I saw Bergami near the tent of her Royal Highness.

Was he dressed or how?—As he had been dressed in the morning, without his coat.

When you say you saw him near the tent of her Royal Highness, where did you see him first, did you see him come out of any place?—I saw him near the tent of her Royal Highness, but I do not recollect whether he had come out of any place.

You have stated that you left her Royal Highness in the morning when she retired to rest upon the bed in the tent, and that you left Bergami there also ; were the sides of the tent put down at that time, or were they not put down?—As far as I can recollect, it was shut on all sides.

Did you assist her Royal Highness in dressing in the evening before she commenced her journey?—I do not recollect.

Did you again in the course of that journey, before you arrived at Jerusalem, sleep in tents?—Yes.

Did her Royal Highness sleep under the same tent as before?—Yes.

Were there two beds under the tent the second time?—Yes.

Did you undress her Royal Highness the second time? As far as I can recollect, I think it was my sister that undressed her.

Do you remember where her Royal Highness resided when she was at Jerusalem?—Yes.

Where was it?—In a house which belonged to a convent, as far as I recollect.

Do you remember the situation of the bed-rooms of her Royal Highness, and Bergami, and the Countess of Oldi, in that house?—Yes.

State how they were situate?—They were on the same gallery, all the three.

By being in the same gallery, do you mean that the doors of the respective rooms opened into that gallery?—Yes.

Were there any other rooms of the suite that opened into that gallery?—As far as I can recollect, there was no other.

Do you remember, whether there was any door at the end of the gallery?—There was a door to go down.

Do you know whether that door was closed?—I do not recollect.

Do you remember, any day during the time you were at Jerusalem, seeing Bergami in the bed-room of her Royal Highness?—Yes.

Where was he in the bed-room of her Royal Highness? He entered the room of her Royal Highness as I was there, and threw himself on the bed in a ludicrous way, or jesting way.

Was her Royal Highness in the room at the time?—Yes.

Did he remain on the bed?—Not long

During the day-time, while you were at Jerusalem, did you see her Royal Highness and Bergami in the gallery you have described?—I sometimes saw her in the morning in the gallery.

Was Bergami there?—Yes.

What were they doing?—They spoke together.

Can you describe what you saw them doing there, during the time they were at Jerusalem, in the gallery? I recollect nothing, but seeing them talk together.

At the time you saw them in the gallery, how was her Royal Highness dressed?—With her morning cloak.

Had she any other part of her dress on?—She had the same dress on as I have already said that she had, when she was going to bed.

You have stated, that Bergami slept in the dining-room on board the vessel, and that her Royal Highness slept in her cabin, until they arrived at Jaffa; where did her Royal Highness sleep afterwards, on board the ship?—On the deck.

Was there any tent on the deck?—Yes.

Was there any bed under the tent?—There were two small beds.

Did her Royal Highness sleep in one of those beds?—Yes.

Did you assist in undressing her?—No.

Who did?—I do not know.

Did anybody sleep in the other bed?—Mr. Bergami.

Did that continue during the whole voyage from Jaffa to Italy?—Yes.

While her Royal Highness slept in the cabin near the dining-room, where did the little Victorine sleep?—I do not know whether she slept in the cabin of her Royal Highness or in that of the Countess Oldi.

After her Royal Highness went to sleep on the deck, who slept in the cabin which had been before occupied by her Royal Highness?—The little Victorine, and my sister, and I, by turns, to take care of the little one.

What became of the bed that had been occupied by Bergami in the dining-room?—I do not recollect.

Do you recollect her Royal Highness bathing on board the vessel?—Yes.

Did she bathe more than once?—I only recollect her bathing twice.

Who went with her?—Mr. Bergami.

Did they both come up together afterwards, or did Mr. Bergami come up first?—Mr. Bergami came to call me on the deck, to go and dress her Royal Highness.

At the time when you were so called by Bergami to go

and dress her Royal Highness, how long had they been together?—Nearly three-quarters of an hour.

Who assisted in getting the water for that bath?—I saw Theodore Majocchi by the side of the door with a pail of water in his hand.

Have you ever seen her Royal Highness and Bergami under that tent on board the vessel, in the day-time?—Yes.

Once, or often?—Often.

How did her Royal Highness employ herself on board the vessel?—She worked often for little Victorine.

Do you remember her ever working for anybody else?—I do not recollect.

You have mentioned that when her Royal Highness went down to the bath Bergami came up to desire you to dress her; when you went down, in what state did you find her Royal Highness?—She was in her own cabin, standing.

Had she any clothes on?—The same dress that I said she had in the evening, when I undressed her.

That was her bed gown?—It was her bed gown.

Did you assist then in dressing her?—Yes.

You have been asked how her Royal Highness employed herself on board the vessel; state how you saw Bergami employed?—He was almost the whole day lying down on his bed.

When you talk of his being the whole day lying on his bed, what bed do you mean, after you left Jaffa?—A little bed which was on deck, under the tent.

When you saw him first in the morning, what dress had he on?—He had a kind of Greek gown with wide sleeves.

Did you ever see him do anything to amuse her Royal Highness?—Yes, sometimes.

Describe it; state what you mean?—Different tricks or jokes; once I saw him take a cushion and put it under his gown and walk about the deck.

When you say he put this cushion under his gown, do you mean that he put it in front?—Yes.

Did you observe what her Royal Highness did?—She laughed.

Do you remember any shirts being made on board, or

anything about any shirts?—As far as I can recollect, the Countess Oldi made shirts for Mr. Bergami.

Do you remember the Princess doing anything?—She often was at work.

Did she do or say anything about those shirts?—She said that she would make them herself.

What passed upon that occasion; state the whole conversation as nearly as you can recollect?—Her Royal Highness said to Bergami that she wished to make those shirts herself.

Did you, or any other person in your presence, say anything to her Royal Highness on the subject?—Bergami said he wanted to have some shirts made, her Royal Highness said she would make them herself.

What did Bergami reply to that?—He smiled only.

Are those the shirts that were in fact made by the Countess Oldi?—I do not know whether they are the same shirts, but the Countess Oldi made some shirts on board.

Did Bergami ever give anything to you to mend on board the vessel?—Sometimes.

Do you remember anything passing upon that occasion?—I do not recollect.

What was it that he gave you to mend?—I can not recollect at present.

Where did you land yourself in Italy?—Near Terracina, at Campo d'Anza.

Did you return to the Villa d'Este?—Yes.

Upon your return at the Villa d'Este, or shortly afterwards, was any change made in the situation of the bedroom of her Royal Highness?—Yes; some time afterwards.

Before going particularly into that, was there any order conferred upon Bergami at Jerusalem?—Yes.

What order?—The order which is called the Order of Saint Sepulchre; the Order of the Holy Sepulchre.

Was there any other order instituted at Jerusalem?—The Order of St. Caroline was instituted, but I do not recollect exactly whether it was at Jerusalem or on board the vessel.

Was that Order, or any situation or rank in that Order, conferred upon Bergami by her Royal Highness?

—Mr. Bergami was to be the Grand Master of this Order.

Was he in fact appointed Grand Master of the Order?

—Yes.

Did he afterwards wear the decoration of the order?

—Yes.

You were stating that after your return to the Villa d'Este a change was made in the situation of the bed-room of her Royal Highness; how long was that after your return?—Nearly three weeks after, as far as I can recollect.

Do you recollect the new situation of the bed-room of her Royal Highness?—Yes.

Had it an interior communication with the bed-room of Bergami?—Yes.

How did her new bed-room communicate with the rest of the house; was there any corridor or passage?—There was a corridor which communicated with the rest of the house.

Was there any door at the extremity of that corridor?—Nearly at the middle of this corridor there was a door.

Was that door open or shut, at night?—It was shut at night.

In consequence of this new disposition of the apartments, was any alteration made in the wall of the intermediate room?—I saw masons at work in order to make an opening in the wall in a room near that of her Royal Highness, for the purpose of opening a door.

In passing from the bed-room of her Royal Highness into the bed-room occupied by Bergami, did you go through that room and through that opening that had been so made?—Yes.

Do you remember, upon your return to the Villa d'Este, whether any new table was formed, any dining table for the relations of Bergami?—Yes.

Who dined at this table?—The mother of Mr. Bergami, his sister, Faustina, his brother, Louis, and one of his cousins.

What was the name of that cousin, do you recollect? He was called Bergami.

Did he hold any, and if so, what office?—He was accountant.

What situation did Louis Bergami at that time hold?
—At our return he was made prefect of the palace.

Was Faustina a married woman?—Yes.

Where was her husband?—In the house with her.

You have stated before that the mother of Bergami was called "Nona," how was she called after your return from Greece?—Donna Livia.

Do you remember the theater at the Villa d'Este?—Yes.

Did you ever see Louis Bergami act anything upon that theater?—Yes.

Did you ever see him play anything upon that theater with her Royal Highness?—Yes, he once dressed like a Harlequin, and her Royal Highness dressed like Columbine.

When Bergami first came into the service of her Royal Highness, or shortly afterwards, did he wear any ear-rings?—Yes.

Did he continue to wear those ear-rings, or were they afterwards changed for others?—He changed them for others.

What became of the ear-rings that he wore at first, that he had so changed?—I saw them afterwards in the ears of her Royal Highness.

Do you remember whether the little Victorine had any ear-rings?—Yes.

Did she continue to wear those ear-rings, or were others given to her?—They were changed at the Villa d'Este.

What was done with the ear-rings which the little Victorine wore, and which were changed?—I saw them also afterwards on the ears of her Royal Highness.

When you saw them afterwards on the ears of her Royal Highness, was it at the same time that you saw the other ear-rings worn by her Royal Highness?—Yes.

Were they united together, or separate, or how; describe the manner in which they were worn?—She had two upon each ear, but separate; one of each pair upon each ear.

Describe how they were put into the ear; were they both put into the ear separately, or was one put into the ear hung upon the other?—They were both in the same opening or hole.

Do you remember any presents that Bergami at any time received from any person?—Sometimes presents from her Royal Highness.

What kind of presents were they?—Some things in gold or diamonds, but which I can not well describe.

Do you remember the kind of cap that Bergami wore as courier, when he first went to Naples?—Yes.

Do you remember seeing any cap of the same shape and form worn by anybody?—I saw a cap of red silk, of the same make, on the head of her Royal Highness.

When was that, at what place?—It was made at Naples.

Do you remember any black silk cravat worn by Bergami?—He generally wore in the morning a black silk cravat.

Do you remember ever seeing that black silk cravat anywhere else?—In her Royal Highness's room.

Have you seen that once, or more than once, or several times?—Several times.

Do you remember observing the slippers of Bergami?—I know once he had white slippers.

Did you ever see those white slippers anywhere?—Sometimes in her Royal Highness's room.

What room?—In the sleeping-room, the bed-room.

Do you ever remember seeing anything else, any part of the dress of Bergami, in the bed-room?—I do not recollect.

Do you remember the second night that you slept under tents in going to Jerusalem, at Bagosa, seeing any articles of dress in the tent under which her Royal Highness slept?—I saw something belonging to Bergami, but I can not recollect of what description it was.

When you say you saw something belonging to Bergami, do you mean by that any part of the dress of Bergami, or not?—Yes.

Do you remember the residence of Count Pino?—Yes.

Did her Royal Highness ever go to pay a visit to Count Pino before she went into Greece?—Yes.

Did you sleep near or far from the Princess at the house of Count Pino?—Near the Princess.

Was there any door opening from your room into the bed-room of her Royal Highness?—Yes.

Did Bergami come into your room during that night?—When I had lain down I saw Bergami passing through my room.

When you say you saw him passing through your room, where did he go to?—He was going towards the room of her Royal Highness.

Was there any light in your room?—A little night lamp.

Did you see him come out again?—I fell asleep, and did not see him come out.

Do you recollect how long, or about how long, that was before you went on your voyage to Greece?—It was not very long before; nearly three weeks.

Do you know the place called Le Barona?—Yes.

To whom does it belong?—To Mr. Bergami.

Do you know what it consists of?—A house and an estate.

How do they call the house?—Villa Bergami.

Besides the house which you call Villa Bergami, is there any other house upon the domain?—A farmer's house.

During the time that you were at the Villa d'Este the second time, after the return from Greece, did her Royal Highness go to the Villa Bergami?—Yes.

Did you accompany her?—Yes.

Do you remember the situation of the bed-rooms of her Royal Highness and Bergami at the Barona?—Yes.

Describe them?—They were separated by a passage, where there was a staircase going down a small, green cabinet, and the bed-room of her Royal Highness was by the side of it.

Where did that staircase lead to?—The staircase led down stairs, in order to go out of the house.

Was there any corridor or passage?—Yes, there was a corridor.

Was there any door in that corridor?—Yes.

Was that door in the corridor shut or open at night?—It was shut during the night.

Could any person, when that door was shut, get into the rooms of her Royal Highness and of Bergami?—No;

unless they passed by that passage up the staircase which I have alluded to.

Must they go down stairs, and then come up for that purpose?—It was necessary to go down, and then come up on the other side.

Did the other doors of the bed-rooms of the suite open into the same corridor?—There were four other doors which opened on this corridor.

Were they on the same side of the door which shut on the corridor, or not?—The four doors were in this line, and the door of the corridor was in this direction (*describing it*).

When that door upon the corridor was shut, did it shut out the communication between the Princess's room and these four rooms you have described?—Yes, when the door was shut?

How long did you continue at the Barona at that time?—The first time we only remained there two or three days.

Did you afterwards return there?—Yes.

How long did you remain there then?—Nearly two months.

Were Bergami and her Royal Highness there during the whole of that time?—No.

Where did they go to?—To Germany.

How long did they remain there before they went to Germany?—Nearly one month.

Did you make any observations upon the conduct of her Royal Highness and Bergami during that month, how they conducted themselves towards each other?—I made no particular observation.

How did they address each other?—The Princess often said "thou" (*toi*) to Mr. Bergami, and Mr. Bergami addressing the Princess, merely said "Princess."

Do you know what the French mean by "tutoye"?—Yes.

What do they mean?—To use the second person in the singular to each other.

You say that Bergami addressed her by the name of Princess, how did the other persons in the suite address her?—When she was addressed she was commonly called "Your Royal Highness."

Did you observe, while you were at the Barona, Bergami doing anything to her Royal Highness?—I do not recollect.

Do you recollect any balls at the Barona?—Yes.

Who attended those balls?—People of a low condition.

Did you ever hear her Royal Highness and Bergami speak about the conduct of the persons at the balls?—Yes.

Did you yourself make any observations upon the conduct of the persons at the balls?—Yes.

State what you saw of the conduct of the persons at the ball, which was also seen in the presence of her Royal Highness?—In the presence of her Royal Highness I saw nothing particular.

Did you ever hear Bergami tell her Royal Highness anything as to the conduct of any of the parties?—Yes, once.

What was it?—Mr. Bergami related a history or story which had happened in the house.

During the time that you were residing at the Barona, did you go to Turin?—Yes.

How long did you remain at Turin?—Some days.

In the course of your former examination you stated a journey to Venice; was that before you went into Greece?—We were twice at Venice; the first time before we went to Greece, and a second time before we went to Germany.

When you were first at Venice, at what inn were you?—As far as I recollect, it was at the Grande Bretagne.

Did you continue to reside in the hotel la Grande Bretagne, or did her Royal Highness remove to another house?—She removed to another house near the inn.

How long had she continued, as nearly as you can recollect, at the hotel la Grande Bretagne before she went to the other house?—I believe it was only two days.

You mentioned that Mr. William Burrell and Dr. Holland were on that journey to Venice when the Princess removed from the hotel la Grande Bretagne to a private house; did Dr. Holland and Mr. Burrell remain at the inn, or did they go to the private house?—As far as I

can recollect, Dr. Holland and Mr. Burrell remained at the inn.

You mentioned that while you were residing at the Barona, you took a journey into the Tyrol; to what place, did you first go?—Do you mean to remain there?

Did you take a journey into the Tyrol and into Germany?—Yes.

Do you remember arriving at a place called Scharnitz?—Yes.

Do you remember when you were at Scharnitz, Bergami being sent to any place about passports?—I recollect Bergami went to Inspruck in order to obtain passports.

Do you recollect what time of the day it was that Bergami set out to go from Scharnitz to Inspruck?—I do not precisely recollect, but I believe it was in the morning.

Do you recollect the room that her Royal Highness slept in, and what arrangement was made for sleeping that night at Scharnitz?—Yes.

Who went to bed in that room besides her Royal Highness; did anybody?—Myself.

At what time did you go to bed?—Nearly ten o'clock.

At what time did her Royal Highness go to bed?—At the same hour.

In the same room?—In the same room.

Did Bergami return from Inspruck that night?—Yes.

As well as you can recollect, how long after you were in bed?—I do not recollect precisely, because I had already fallen asleep.

Did you sleep in the same bed with the Princess, or in another bed?—In a small bed which was laid on the floor.

Upon the arrival of Bergami, did you receive any orders from her Royal Highness; did she tell you what you were to do?—Her Royal Highness told me that I might take my bed and go.

Had you seen Bergami before those directions were given you?—Yes, I saw Mr. Bergami the moment those orders were given to me.

Where did you see him?—In the room of her Royal Highness.

In the bed-room?—In the bed-room.

Did you, in consequence of those orders, go away that night?—I left the room the same moment.

When you went away, did you leave Bergami in the room, or was he gone?—I can not exactly say whether Mr. Bergami was still in the room when I left it, but I think he was.

If you can not tell with perfect accuracy, can you tell about how long it was after you had been in bed when Bergami arrived; was it one, two, or three hours, or how long?—It was nearly two hours, or two hours and a half.

Do you remember going with her Royal Highness to Carlsruhe?—Yes.

Do you remember the disposition of the rooms of her Royal Highness and Bergami at Carlsruhe?—Yes.

State how it was?—They were separated by the eating-room.

Who made the Princess's bed?—I do not know whether it was my sister or some other person.

Whose business was it to make the bed of Bergami?—I do not know whether it was a servant, but I know there was a woman in the inn, whose business it was to make the beds all over the inn.

While you were on your visit at Carlsruhe, did you go to the baths at Baden?—Yes.

Did her Royal Highness sleep there one night?—Yes.

Do you remember the situation of her bed-room with reference to Bergami's?—No, I do not recollect.

Do you remember, at any time before you went to bed, going into the Princess's room at the baths of Baden?—Yes.

Was there any sofa in that room?—I do not know whether there was a sofa, or some chairs near each other, but it rather appeared to me it was a sofa.

When you went into the bed-room of the Princess in the evening, did you see the Princess there?—Yes.

Was she alone, or was any person with her?—It was Mr. Bergami; it was not very late; it was in the twilight, between day and night.

Was the Princess standing or sitting?—She was sitting.

Where was Bergami?—Sitting by the side of her.

Did you observe the hand or the arm of Bergami, where it was?—Bergami's arm was passed round behind her Royal Highness.

When you say behind her Royal Highness, describe particularly what you mean—behind what part?—It was passed behind her waist.

Where did the hand come?—The hand came out round her waist on the other side.

How was her Royal Highness sitting; where was her head?—Her head was leaning against Bergami's arm.

Did you go from Baden to Vienna?—Yes.

How long did you stay at Vienna?—Three or four days.

Do you know whether her Royal Highness went to court at Vienna?—No.

What do you mean by "no;" that you do not know, or that she did not go to court?—I mean that she did not go to court.

Did you go from Vienna to Trieste?—Yes.

How did her Royal Highness travel upon that journey from Vienna to Trieste, in what kind of a carriage?—In a small, very low, open carriage.

Who traveled with her in that carriage?—Mr. Bergami.

Did anybody else travel with her?—No one but Mr. Bergami, I saw no one else.

Did she go at the same time with her suite, or did they follow her after an interval?—Her Royal Highness arrived at Trieste before her suite.

Did you go on from Trieste to Milan?—Yes.

And to the Barona?—Yes.

Did her Royal Highness travel in the same way?—I believe her Royal Highness was in the same carriage, because she was always before us.

After your return to the Barona the second time, where did Bergami's mother dine?—At her Royal Highness's table.

Where did Louis Bergami dine?—As far as I can recollect, also at her Royal Highness's table.

Did you afterwards go from the Barona to Rome?—Yes.

Did you pass by Rimini?—Yes.

Did you stop at Rimini?—Yes, one night or two; I do not know which.

Was her Royal Highness well, or indisposed, at Rimini?—She was indisposed.

Did you attend her, or who did attend her?—I attended her part of the evening.

Do you know who attended her the other time?—The remainder of the evening, I do not recollect.

Was she indisposed upon the road before she came to Rimini?—Yes.

At what place?—At a small village, the name of which I do not know.

Did you attend her?—No.

Who remained with her?—The Countess Oldi and Bergami alighted from the carriage, and I remained in another carriage.

How long did her Royal Highness remain in that place?—Nearly one hour.

Did you go into the room at all?—Not at all.

When you arrived at Rome, where did you first reside?—At an inn.

What inn was it?—The inn, the Europa.

Did you afterwards go to a house called Ruffinelli?—Yes.

Do you know the relative situations of the bed-rooms of her Royal Highness and Bergami at Ruffinelli?—Yes.

Describe them; did they communicate with each other?—They were near each other, and they communicated internally one with another.

Do you remember ever having seen Bergami in his bed there?—Once.

Where was the Princess?—I do not know.

Was he confined to his bed by illness?—Yes.

How long did that continue?—A few days.

Did you ever see her Royal Highness go into or come out of the room during that time?—Yes.

Once or more than once?—More than once.

Where did you go to from Ruffinelli?—To the Villa Brandi, near Rome.

During any part of this journey to Rome, did you travel in the same carriage with her Royal Highness?—Yes.

Who was in the carriage besides her Royal Highness and you?—Mr. Bergami.

How did you sit; in what way?—Mr. Bergami sat between us.

Did you take any notice of his arm or hands, how they were?—I do not recollect.

Do you recollect anything particular that passed in the carriage between Bergami and her Royal Highness?—I recollect nothing particular.

Do you remember at the Villa Brandi any bust being taken of her Royal Highness; any sculpture?—Yes.

By whose order was that?—I do not know.

Was a bust taken of anybody else?—That of Mr. Bergami.

Did you see her Royal Highness and Bergami sit for those busts?—Yes.

Do you know where they were afterwards placed?—No.

Was this at the Villa Brandi, or before you got to the Villa Brandi, or afterwards?—At the Villa Brandi.

Do you know at the Villa Brandi what was the situation of the bed-rooms of her Royal Highness and of Bergami?—Yes.

Describe how they were?—Bergami's room was situated in an open gallery, and the entrance into her Royal Highness's apartment was in the same gallery.

How far from each other?—About fifteen paces.

Did you ever see her Royal Highness in the evening come out of her bed-room, after you had undressed her?—I do not recollect.

In what room did her Royal Highness dress and make her toilet?—In her bed-room.

Do you remember ever seeing Bergami present upon those occasions?—Yes, I saw him sometimes.

Do you remember some persons coming to dinner before her Royal Highness was dressed one day?—Yes.

Which room did they go into?—Into the first room.

Where was Bergami at that time?—In her Royal Highness's bed-room.

Were you there also?—Yes.

Did her Royal Highness change her dress before she went to the company?—Yes.

Did she change it entirely?—I do not recollect.

Where was Bergami during the time when she was changing her dress?—Part of the time he was in the room.

How long did you continue at the Villa Brandi?—Nearly two months.

Where did you go to from the Villa Brandi?—To Singalia and Pesaro.

What was the name of the first house you went to at Pesaro?—The Villa Caprile.

How long did you continue at the Villa Caprile?—I only remained there two months, or nearly.

Do you know the situation of the room of her Royal Highness at the Villa Caprile?—Yes.

Describe it?—Her Royal Highness had three rooms, which led into a dining-room.

Where were the rooms of her suite?—Do you mean of the gentlemen?

State those of the gentlemen first?—They were in a separate wing of the house.

How did that wing communicate with the body of the house?—By means of two arches which were erected.

Did her Royal Highness have any conversation with you about those rooms, and about the apartments of the suite?—I do not recollect.

How did the persons who were in that wing, after her Royal Highness came there, get into the body of the house?—They had a staircase which went down into a court, and they went across a court or yard in order to enter the house.

Where was the bed-room of Bergami?—It was a room near that of her Royal Highness.

Was there any communication between them?—Yes.

Had her Royal Highness a small cabinet below?—Yes.

Was there any sofa in that cabinet below?—Yes.

Did you ever see Bergami in that cabinet upon the sofa?—Yes.

Have you ever seen him there when the Princess was there?—Yes.

State how Bergami was sitting, or in what position he was upon the sofa?—He was lying down on the sofa.

Where was the Princess, and what was she doing?—She was sitting on the edge of the sofa.

What was she doing?—I do not recollect what she was doing; I recollect she was sitting on the edge of the sofa.

Did you ever see her Royal Highness in pantaloons?—Yes.

Where?—At Pesaro.

At the Villa Caprile?—Yes.

Was Bergami present at the time?—I saw him once.

Can you tell us what he said, or whether he said anything; what passed between them?—Bergami said to her Royal Highness, that she looked better so.

Give the phrase he made use of, as far as you recollect it?—Bergami turned round her Royal Highness, looking at her, and said, "How pretty you are; I like you much better so."

Did you observe the bed of her Royal Highness at the Villa Caprile?—I made no observation.

Was it a small bed for one person, or a large bed for two?—It was a large bed.

At the time when you describe her Royal Highness as being in pantaloons, what was the state of her neck and her breast?—Uncovered; she was at her toilet, and dressing herself.

How far is the Villa Caprile from Pesaro; from the town?—Two or three miles.

Do you remember, upon any occasion, Bergami going from the Villa Caprile to go to Pesaro?—Yes, sometimes.

State what passed between her Royal Highness and Bergami?—The same things that I said had passed at Messina.

Describe it?—They took each other by the hand, and the Princess said, "Adieu, mon cœur, mon ami;" and Bergami said, "Au revoir, Princess," till we meet again, Princess.

Did you observe Bergami do anything more?—I do not recollect that I observed anything else.

Was there a chest of money at Pesaro?—Yes.

Do you know who had the key of that?—I do not recollect.

Did you ever see Bergami with the key?—Yes.

At the time when her Royal Highness resided at Naples, had she any Chaplain as forming part of her suite?—Prayers were said in her house every Sunday.

Was it so at the Villa Villani and the Villa d'Este, and the Barona?—No.

Did you ever see it after you left Naples?—Yes.

Up to what time?—While we were at Genoa.

Did you see it at all after you left Genoa?—I never saw it again.

Did you ever see her Royal Highness go to churches with Bergami?—Yes.

State what she did?—I saw her once fall upon her knees by the side of Bergami.

Did you ever hear her say anything about the father of Bergami?—About Mr. Bergami's father; in what manner?

Do you remember her saying anything about any masses?—Yes.

State what that was?—Her Royal Highness told me, that she intended to have masses said for the soul of the father of Mr. Bergami.

At the time when you were first at the Villa d'Este was her Royal Highness visited by the nobility of that neighborhood?—Sometimes.

How was it at the Villa Villani, before you went to the Villa d'Este?—They visited her Royal Highness sometimes, also.

Did that continue up to the time when her Royal Highness quitted the Villa d'Este?—Some persons continued to visit her, and some did not.

Did her Royal Highness ever say anything to you about the Cassino at Milan?—Yes.

What was it?—Her Royal Highness said it had been put to the vote, whether she should be admitted at the Cassino at Milan, or into the Cassino at Milan.

What further did she say?—She said that it had been negatived.

Do you remember in the garden at the Villa d'Este a chair upon wheels?—Yes.

Have you seen Bergami and her Royal Highness ever

do anything with that chair?—I have seen them play with this chair, and push it forward.

Who was in the chair?—I do not recollect.

Did you ever see her Royal Highness and Bergami in the kitchen at the Villa d'Este?—I saw them twice.

What did you see them do there?—They were standing in the kitchen.

Was anything to eat there?—There was something to eat, but I did not see them eat.

When you first arrived at Naples, the morning after you describe her Royal Highness to have gone to the opera, what time in the morning did you dress her Royal Highness?—I do not precisely recollect; I believe it was between ten and eleven o'clock.

After you had dressed her Royal Highness did you leave her anywhere?—I remained in her room.

Do you know where her Royal Highness went to?—Into a small room where there was a chimney.

Is that the small cabinet which you before described?—Yes.

How long did her Royal Highness remain in that cabinet?—I do not precisely recollect.

Can you state about what time?—Nearly an hour, or an hour and a half.

During that time did you see Bergami anywhere?—No.

Was the door of the cabinet open or closed?—It was closed.

Do you know whether the outer door of the bed-room in which Bergami slept was open or closed?—When I passed by the door I always saw it shut.

The Solicitor-General stated that he had no further questions to ask this witness.

The Counsel for her Majesty were asked whether they were desirous now to enter upon the cross-examination.

Mr. Denman stated that he was unwilling to press upon the witness, after the fatigue of so long an examination-in-chief; but, feeling at the same time that inconvenience might result from the division of the cross-examination, he desired to leave the matter entirely in the hands of their Lordships.

SEPTEMBER I.

Louisa Demont was again called in, and cross-examined by *Mr. Williams*, through the interpretation of *Mr. Pinario*.

You are understood to have stated that you have been in England thirteen months?—Yes.

Have you been out of England during those thirteen months?—No.

You are understood to have stated that you do not understand English?—I understand English a little, but I can not speak it with ease.

Have you had any lessons in English?—Yes.

How long have you taken lessons in English?—Four or five months nearly; I do not recollect exactly.

Was that up to the present time, or some time back?—I have been these last two months without taking any lessons.

Have you not spoken English at all?—Sometimes.

Did you understand the questions that were put to you yesterday before they were translated?—Yes; I can understand English better than I can speak it, because I can not speak to make myself understood easily.

Though you could not explain yourself, you understood the questions without explanation?—I did not understand them all; but I understood one which *Mr. Solicitor-General* put to me yesterday.

Do you mean to represent, that of the numerous questions which were put by *Mr. Solicitor-General*, you understood only one before they were translated?—I understood some of them, but not all; besides, I did not understand so perfectly as to be able to answer.

But you did understand most of the questions?

It was objected, that the witness had not said she understood most of the questions.

Had you understood most of the questions, aye or no?—I understood some of them.

Did you understand the greater number or not?—I understood some of those which were the shortest; some of them.

Since you have been in England, have you always

borne the same name, Louisa Demont?—No, I have had another name.

Be so good as to state what that other name is?—I took the name of the place where I was born, Colom-bier.

Did you take a title as well; were you called Countess Colombier?—No.

Nor were ever so called, were you?—I was called so but once.

By once, do you mean one time?—I mean by only one person.

By once, you mean one person, do you?—I only recollect one person that called me Countess.

Was that frequently?—I only heard it once.

Where were you living at that time when the person called you Countess?—In Frith-street.

Frith-street, Soho-square?—Yes.

Before that time you had lived in Oxford-street, had not you?—Yes.

How long did you live there?—About three months, as far as I can recollect; I do not know precisely.

During the time that you lived there, nobody called you Countess, did they?—I do not recollect that anybody called me Countess; I do not recollect it at all.

Will you swear that they did not?—I will not swear to it, but I can not recollect that anybody called me Countess.

Will you swear you did not pass in the house by the title of Countess?—It was Mr. Krouse who placed me in that house; I do not know by what title he announced me, or described me.

Do you mean to swear that you were not called, not behind your back, but in your presence, by the title of Countess, while you were living in Oxford-street?—I will not swear it, but I do not recollect it.

Was it not something new to you to be called a Countess?—I do not recollect that I was so called there; I recollect my being called so in Frith-street, but not in Oxford-street, or elsewhere.

Was not it something new to you to be called a Countess?—I was not called Countess.

Then you will swear that in that street of which

you have been speaking, Oxford-street, you were not called Countess in your presence—to your face?—I will not swear it, but I do not recollect it.

What name did you pass by before; how were you called before you went to Oxford-street?—Colombier.

How long have you been called Colombier?—Since I have arrived in England, beginning at Dover.

Have you not answered, when in Oxford-street, to the title of Countess Colombier, to a person or persons addressing you?—I do not recollect that.

Will you swear you did not?—I can not swear it, but I can not recollect it.

As you say you can not recollect whether you were called Countess there, or not; was it not a matter of some novelty to you to be called Countess at all?—I never was called Countess except this one time, that I recollect, in Frith-street.

You are understood to have stated yesterday, or the day before, that you accompanied the Princess to Naples?—Yes.

Do you now recollect whether the Princess went to the opera the first or the second night of being at Naples?—The second night after her arrival at Naples the Princess told me she was going to the opera.

Then it was the second night?—It was the second night.

You are understood to have stated that there were two beds in the apartment of the Princess at Naples, a larger and a smaller bed?—Yes.

The smaller bed you are understood to say was the traveling bed of the Princess, was that so or not?—As far as I recollect, it was the traveling bed of her Royal Highness.

The smaller one of which you have spoken?—The smaller one.

If you are rightly understood, you have said, that upon the morning after the Princess was at the opera, you perceived that the larger bed had the appearance as if two persons had slept in it, was that so?—I said that the bed looked as if two persons had slept in it.

What did you mean by saying in a previous part of your examination that you had observed the large bed,

that it had been occupied, but that you could speak no more about it.

The Counsel were informed, that they had a right to repeat what the witness had said, and then to ask the witness to it; but that if any doubt arose whether they were correct in stating that the witness had said so and so, the only way of disposing of that doubt was to turn back to the evidence of the witness, and to read that which she had stated.

When you were first examined upon the subject, and when you were desired to describe more particularly, did not you state you could not well recollect whether two persons had slept in it?

Then the following extracts were read from the minutes:

“Did you observe the larger bed, what appearance that had?—I did.

“What observation did you make upon the large bed?—I observed it had been occupied.

“Can you inform their Lordships more particularly of the state of it?—I can not.

“Was it much or little deranged or tumbled?—Not much.”

“You have stated what was the condition of the small traveling bed on the second night after the Princess’s arrival at Naples; what was the state of that bed on the subsequent nights during her residence at Naples?—I made no observation upon it afterwards.

“State what was the appearance, on the second night, of the great bed, whether it had the appearance of one person having slept in it or more?—More than one person.”

Mr. Williams. When you were asked two or three questions before, and then to describe more particularly the appearance of the bed, did you not understand that to apply to persons sleeping in it?—I understood that I was asked to say in what condition the bed was, whether it was much deranged.

Did you not understand that you were to describe particularly to their Lordships what the derangement was?—I did not understand I was to explain it particularly, but I could explain particularly at present.

You gave some account of how some of the family slept at Naples; state the different rooms in which they slept; do you know where Hieronimus slept at Naples?—The door of Hieronimus's room was in the same corridor in which was the door of her Royal Highness's room, as I have already stated.

Had Sir William Gell and Mr. Keppel Craven their servants sleeping in the house at Naples at that time?—I saw their servants in the day-time, but I do not know whether they slept in the same house.

Both Sir William Gell and Mr. Keppel Craven, had, however, men servants at that time?—Each of them had one servant.

A man servant?—Yes.

You mean to say, that you do not at all know where those servants of Sir William Gell and Mr. Keppel Craven slept at Naples, at the time of which you have been speaking?—I do not know where the rooms were in which they slept; I never heard it mentioned.

You do not know where either of the servants of Sir William Gell or Mr. Keppel Craven slept any one night during your stay at Naples?—I will not swear it, but I do not at all recollect it.

Do you mean to swear that you do not recollect where Mr. Craven's servants slept any one night during your stay at Naples?—At this moment I do not recollect it at all.

That you will swear?—At this moment I do not recollect it at all.

Where did you sleep yourself at Naples?—In a little apartment above, above her Royal Highness's.

Did you sleep alone in that room?—We had two rooms, in the one of them I slept, and in the other Annette Preising, during the time that she remained in the house.

Did you sleep alone in that room?—I slept alone in that room.

Every night?—Every night.

That you will now swear?—That I slept in my room alone? Yes; I slept every night in my room alone.

The whole night?—The whole night in my room.

Alone?—Alone.

Every night, and the whole of the night alone?—I slept all alone in my room.

Are you understood rightly, when you are taken to have said, that one night you saw Bergami coming out of his own room in a state of undress at Naples?—Yes.

That was at Naples?—At Naples.

How soon after your arrival at Naples was it, as well as you can recollect?—It is impossible for me to say; I do not recollect it.

State it, as nearly as you can recollect?—I can not say precisely; we have been a long time at Naples; I can not exactly say now.

State within a few nights, not tying yourself down to the precise night?—We were four months at Naples; I can not recollect at what period it may have been precisely.

It is not required by the question that you should speak precisely, or within a week, but state the time, as nearly as you can?—I can not recollect; we were four months at Naples, whether it was one week sooner or one week later.

Was it about a month after, do you think?—I can not recollect whether it was one month or two.

Or three?—I again say I can not recollect; it is so long since this has taken place, that I can not fix the time.

Was it towards the beginning, the middle, or the latter end of her Royal Highness's residence there?—I do not recollect.

You have no memory at all about it, whether it was towards the beginning, the middle, or the end of the residence, and have no notion of the time?—I do not recollect at what period it was.

Then you are to be taken to say, that it was one night at some time or other at Naples?—Yes.

You were not twice at Naples with the Princess, were you?—We were once at Naples, and once in the Gulf of Naples, but we did not land.

You resided in the town only once?—Yes.

Then you are understood to say that this one night you saw Bergami coming out of his room undressed?—Yes.

Where were you standing, or in what position were you when you saw him first upon that occasion?—I was standing at the door which came out of the room of her Royal Highness.

You spoke of a corridor or passage leading between Bergami's room and the Princess's?—Yes.

The question refers to that same corridor or passage to which the last question alluded?—I was standing at the door which came upon this corridor, from the room of her Royal Highness.

Bergami's room, if you were understood rightly, was at the other end of that corridor from the Princess's room?—Not quite at the bottom.

Nearly at the other end of that passage?—It was rather nearer to the end of the passage than on this side.

Was there not a staircase between the Princess's door and Bergami's room door, by which you went usually to your own apartment?—In this position (*describing it*) was the door of her Royal Highness; here there was another door leading into a cabinet, in which there was another door leading to a corridor, through which I went to the staircase which led to my apartment.

Had you a light upon that occasion, or had Bergami a light, or had neither of you one?—Bergami had a candle in his hand.

Had you any?—No, because I was on the point of going.

Going where?—To go out; I was still speaking to her Royal Highness; I was at her door.

When you say "going," where were you going?—I was waiting for her Royal Highness to give me leave to go, as she did every night.

What did you mean, when you said, a minute ago, "I was going?"—Because her Royal Highness was undressed, and I was expecting every moment permission to leave her.

To go where?—To withdraw to my own room.

Without a light?—I had no light.

Did you, in point of fact, escape through the apartment of her Royal Highness?—I was there, and I escaped through this door; I only traversed this part of the passage (*pointing out their situations*).

Are you speaking of that part of the passage between the Princess's room and Bergami's?—Yes, the interior passage.

When you traversed that part of the passage, in order to make your escape, as you state, had you not to go towards Bergami in the interior passage?—I was here, and I escaped through this door, and Mr. Bergami's door was here (*pointing them out*).

When you made your escape from the place where you were standing, at the door of the Princess, had you not to go nearer to where Bergami himself was?

Mr. Garston. She says, "I made some steps," and then she turns off to point it out; "I made some steps in the corridor to go to the door that led out."

Were not those steps nearer to Bergami's door, and to where Bergami was?

The witness was directed by their Lordships to give her answer in words, and not by signs, which could not be seen by some of their Lordships.

When you made your escape, as you have several times described, by means of the door, did you not get nearer to Bergami in so doing?—Yes.

Did Bergami come forward, or did he run back into the room, or what?—I saw Mr. Bergami over against me, coming towards me.

Then he kept coming nearer to you, to meet you?—I did not see that, because I went out precipitately.

Then how do you know that he came towards you?—Because I saw him coming in a direction towards me.

Had not the King of Naples lent a palace or a house to the Princess?—Yes.

The question refers to that night when you describe that the Princess acted the part of the Genius of History?—Yes.

Were not the King and Queen of Naples there?—I saw the King of Naples in the room, but not the Queen. I heard she was indisposed, and obliged to leave the room at an early hour.

Were there not ladies also of the Neapolitan Court upon that occasion?—I saw several ladies in the room, but I did not know whence they were from.

Were there not also, of the Neapolitan Court, a con-

siderable number of the nobility and gentry?—I saw a great number of gentlemen and ladies in the room.

Did not two other ladies sustain characters at the time when the Queen appeared as the Genius of History?—When her Royal Highness went down first in that character, I did not go down, but I remained above in the ante-chamber.

Then you yourself did not see the representation of the piece, whatever it was, that was got up?—I was not present during the representation of that piece.

Did you see any other lady dressed up as representing Victory?—I do not recollect seeing any other lady; there were several costumes, but I do not recollect further.

Mr. Garston. She now adds, “I saw many costumes, but I do not recollect seeing one of Victory.”

Were not those costumes, by whomsoever worn, used upon that occasion on which the Princess appeared as the Genius of History?—I saw different costumes during the same evening.

Did you see one representing Fame upon that occasion?—I do not recollect; I saw several costumes, but I made no observation about it.

However that may be, when the Princess was dressed up in the character of the Genius of History, did she not go into that room in which the Neapolitan persons, male and female, were?—I only saw the Princess go down, but I saw no other; I only saw her on the top of the staircase which she was going to descend.

Was that towards the room in which the Neapolitan nobility and gentry were assembled?—Yes.

Have you any doubt whatever that the Princess did go upon that occasion to appear before that assembly?—I believed that the Princess was going to appear amongst them.

When the Princess was dressed as a Turk, were not other persons dressed in that manner so as to form a group?—I only saw the Princess in her apartment; I did not go into the room; I only entered the ball-room towards the end of the ball.

Did you see Hieronimus?—I did not see Hieronimus. Sicard?—I saw neither Hieronimus nor Sicard.

Nor any other of the suite of the Princess, did you ?
—I saw no one of the Princess's suite, except towards morning, when I went into the ball-room towards the end of the ball.

Before the ball began, did you not see some of the Princess's suite dressed as Turkish peasants, or as Turks of some description or other ?—I do not remember that I saw anybody.

Did not the Princess travel on horseback in the journey by land to Jerusalem ?—Yes ; that is to say, as far as I recollect, it was an ass.

Did not you travel in some kind of carriage ?—Yes.

With the Countess Oldi ?—Yes.

Did not you travel after the Princess ?—Sometimes we were before, sometimes after.

Did you not, during that journey, attend upon the Countess Oldi ?—I did not wait upon the Countess Oldi.

Did you not continue to be with her, whether waiting upon her or not ?—I always was in the same palanquin with her.

Did not your sister attend upon the Princess that journey ?—My sister was always on horseback near the Princess.

That is, the Princess and your sister traveled on horseback, and you and the Countess Oldi in a carriage, throughout the whole of that journey ?—Yes.

Was not your sister, during that journey, constantly near the Princess ?—When we stopped I sometimes was *aupres de* (near) her Royal Highness.

Upon that journey did you wait upon the Princess ?—Yes.

Did not your sister ?—Yes.

During that journey, did not the Princess rest by day and travel in the night ?—She rested during the day.

And traveled during the night ?—Yes.

You have described stopping at Aum ?—Yes.

Do you or do you not mean to say, that you undressed the Princess at Aum ?—I recollect I was under the tent of the Princess, but I do not recollect whether I undressed her or not.

Do you mean to say, that the Princess was undressed

under the tent at Aum?—When I left the ‘Princess she was in a white petticoat.

Do you mean to say, that the Princess was undressed at Aum?—She had pulled off her upper habiliments.

Do you mean by that, the dress in which she had been riding, traveling?—Yes, a gown or robe, which was open.

Do you mean more than the outer garment, of whatever description?—I do not recollect if it was anything more.

Then her dress remained as it had done all the night in which she was traveling, except that exterior dress of whatever description.

(The question was proposed and the answer returned through *Mr. Garston*.)

Her Royal Highness was in a white gown or petticoat (jupe) alone.

Was the Princess’s dress in any other way altered, except by having the exterior habiliment taken off?

Through Mr. Pinario. I do not recollect.

When that exterior habiliment was taken off, did not the Princess put on a night-gown, or a bed-gown, or something of that description, in order to repose on the sofa?—When I left Her Royal Highness she was in a white petticoat, I do not know what she did after I had left her.

Did she stop upon the journey to Jerusalem another night?—Yes.

Did you attend her upon that occasion the second time?—I helped her Royal Highness to dress.

Upon that second occasion, when the Princess stopped from traveling, do you mean to say that she undressed?—I did not see her Royal Highness when we arrived; I only saw her when she arose in the evening.

Upon that occasion, when you did see her in the evening, was she dressed or undressed?—When I entered her room she was dressed in that white petticoat that I have already said.

Mr. Garston. She now speaks of the word “robe,” instead of “jupe;” she now says, I must be mistaken, for it was the same jupe of which I spoke before.

When the Princess was about to start, had she more to

do to her dress than to put on the exterior habiliment of which you have made mention before?—I do not think she had anything else to put on.

You have described that you took ship at Tunis when you were going to Jerusalem?—That we took ship at Tunis; we went on in the same vessel in which we had come.

You went on from Tunis?—Yes.

The crew consisted of about two or three-and-twenty people, altogether, did they not?—I believe it did thereabouts.

Then there were, besides the crew, ten or a dozen people in the suite of the Princess, were there not?—I believe nearly so.

Do you remember taking on board at Tunis a harper?—Yes.

A Jew?—Yes.

Upon that occasion we have been told the cabin of the vessel, the extreme of it, was occupied by the Princess and Countess Oldi?—There were two cabins, one for the Princess and one for the Countess Oldi.

Where did you sleep?—In a cabin near the dining-room.

Did it open into it?—It opened into the passage.

What passage?—A passage that there was to go all along the vessel.

Where did Hieronimus sleep during that voyage?—Hieronimus slept in another cabin in the same direction as mine, the last on that side.

When any of the crew slept when they were at liberty, they went into the hold, did they not?—I do not know where they went.

Do you know where the harper, of whom you have spoken, slept during the voyage?—I do not recollect exactly where he slept, but it was, I believe, near the table where we dined; I do not recollect exactly.

At what distance was it from the place where you slept?—It was at the other end of the vessel.

You slept in your own berth every night?—Was it at the beginning or afterwards?

The whole voyage from Tunis till you landed?—I said

that when her Royal Highness slept on the deck, I slept one night in her cabin and one night in mine.

Did you sleep in any other place except those two you have mentioned?—No.

And the harper slept at a different part of the ship, did he?—I do not know where he slept, but I believe he slept where I told you, near our dining table.

Did you not say, a short time ago, that that was in a different part of the ship?—I said it was at the extremity, at the end of the vessel, in a cabin which was below, not on the deck: I do not mean the end of the vessel which was above, but below.

Do you mean to swear, that the Jew harper slept there every night on that voyage from Tunis until you landed?—I do not know where he slept every night.

Will you swear, that you do not know where he slept any one night?—I recollect having heard that he slept there, but I never saw him: I do not remember precisely.

Then you do not know, do you, where he slept any one night of your own knowledge?—No, I said that I did not know myself where he slept, but that I was told.

Nor any part of any night, of your own knowledge?—Not by my own knowledge.

You are understood to have mentioned a place of the name of Scharnitz?—Scharnitz, yes.

From that place, if you are understood rightly, you have said that Bergami went to get a passport, is not that so?—I recollect that Bergami departed from that place, and I was told it was to go to Inspruck for a passport.

Was that the winter season?—As far as I recollect, it was in the spring, about the month of March.

Was there frost or snow upon the ground?—There was a great deal of snow.

It was a poor inn, an indifferent inn, was it not?—A small inn.

You are understood to say, that you were upon a bed in the room of the Princess, was that so?—Yes.

Had you taken off your clothes?—Not entirely.

Had you taken off more than your gown?—I do not perfectly recollect, but I believe not.

Had the Princess undressed?—I do not recollect, she was in bed, but I do not recollect whether she was undressed.

Do you remember the dress that the Princess was in the habit of wearing at that time?—Yes.

Was it not a blue habit, trimmed with fur round close up to the neck, with a great deal of fur about it?—Yes, there was a great deal of fur here (*about the bosom*), it was a blue dress.

Had not the Princess at the same time a cap?—When she was traveling she had a cap.

A traveling cap?—Yes.

Had not the Princess gone upon the bed, or into the bed, with that dress upon her, in the middle of the preceding day?—Yes.

Do you mean to say, that from the middle of the day when she got into the bed or on the bed, she had undressed herself at all?—I saw her Royal Highness on the bed during the day in that same riding habit.

Did you see her Royal Highness take it off at all, whilst she remained at that inn?—I do not recollect seeing it.

You yourself were upon a bed in the same room with her?—Yes.

You left that small inn, as you describe, early in the morning, did you not?—Yes.

You are understood to have said, that you entered into the service of the Princess in the year 1814?—Yes.

And remained in it until the year 1817?—Yes.

Until the month of November, or thereabouts, in that year, did you not?—Yes.

Did you quit the Princess's service of your own accord, or were you discharged?—I was discharged.

Were you not discharged for saying something which you afterwards admitted to be false?—Yes, in fact it was not true.

Did you go into any other service after you were discharged from the Princess's, before you came to England?—No.

Did not your money fail you before you came to England?—No.

You mean to say that you were not short of money

before you came to England, do you?—No, because I had money in Switzerland, and I might have got it if I had been in want of it, if I had been willing.

Did you never say that you were getting short of money?—I do not remember ever saying it; I have funds in Switzerland, and I live upon the interest of them.

Did you never represent that you had failed to save money in the service of the Princess?—I do not remember ever saying so.

Will you swear that you never represented that to anybody?—I can not swear it, but I do not recollect ever saying it.

Or representing it?—I do not recollect it.

Will you swear that you have not?—I will not swear it, but I do not recollect it.

You were applied to by some person or other, very soon after you were discharged from the Princess, were you not?—Not very soon after.

For example, within half a year?—Not six months; it was more than six months, it was nearly one year after I had left her service.

You are understood to say, you were applied to, to know what you had to say with respect to the Princess, is not that so?—One year after I had left her service.

Did or did not somebody apply to you, in order to know what you had to say with respect to the Princess, about a year after you left the service of her Royal Highness, or at whatever period?—One year after.

Yes or no?—Yes, one year after.

Do you mean to represent, that an application was not made to you much earlier than a year after your being discharged from the Princess?—(*The witness answered without the question being interpreted to her.*) No.

Is it or is it not true, that an application was made to you within half a year of your quitting the service of the Princess?—No application was made to me earlier than one year after I had quitted her.

Will you swear that?—Yes.

Neither by means of a letter, nor by personal application, or otherwise, in any manner?—No; as I know what it is about, may I be allowed to explain the matter?

Through Mr. Garston. About six months after I left the service of her Royal Highness, I wrote to my sister to say that an application had been made to me, but that it was a double entendre between me and my sister; that is all I have to say.

The Attorney-General for the Queen desired that the examination might proceed through the interpretation of *Mr. Garston*.

Mr. Pinaro was directed to attend to the examination, and to interpose in case of anything appearing to him to be incorrect. The examination proceeded through *Mr. Garston*.

Have you never said that the Princess was surrounded with spies when in Italy?—I do not recollect ever having said it.

Or represented it in any manner?—I do not recollect it.

Will you swear that you have not?—I will not swear, but I do not recollect it.

Have you a short memory, a treacherous memory?—Not very short, but it is so long since the thing passed, that I can not recollect it.

Is it longer than the voyage, and the other travels you have been speaking to?—The same thing; I can not recollect what I have said in a conversation, it is impossible; things to which one does not pay attention.

Either by a conversation or in any other manner, have you represented it?—I recollect nothing at all about it.

Will you swear you have not?—I will not swear, but I recollect nothing of it.

Do you know Baron Ompteda?—Yes, I have known him.

You have seen him?—I have seen him.

Spoken with him?—Not often.

You have spoken with him?—Once at the Villa Villani.

When he was upon a visit with the Princess?—He was at the Villa Villani; I believe he was paying a visit to the Princess.

Was he often there?—I recollect only having seen him this once during some days.

What do you mean by some days?—He remained some days in the house.

Has he been upon a visit to the Princess while you were in her service, more than once?—Yes.

How many times have you known him upon a visit to the Princess, whilst you were in the service of the Princess?—I have seen him at three different places.

Upon one occasion you say his visit was of three or four days; were the other visits of as long duration?—I think not.

A day or two, perhaps?—I only remember to have seen him that once for some days at the residence of the Princess.

Then were the visits on the other two occasions of a day or two?—They were of a shorter duration, as far as I recollect.

You do not recollect, precisely, how long it was upon the other two occasions?—I think he came only to dine; I can not precisely say; I have seen him only in the house.

On which occasion was it, that a complaint was made by the Princess of his conduct at her house?

The Counsel were informed, that the question should first be asked, whether there was a complaint made.

Was there a complaint made by the Princess of the conduct of the Baron upon one of those occasions?—Yes.

On which of the occasions was it?—As far as I can recollect, it was at the Villa Villani.

Was the complaint about locks or false keys?

The Counsel were informed, that the first question should be, "What was it about?" and that if that did not sufficiently bring out the fact, a further question might be put.

Was there any complaint about keys or locks made by the Princess?—I recollect that the Princess made complaints, but I do not recollect respecting what.

Only respecting the conduct of Baron Ompteda while he was residing in her house?—I do not recollect whether it was whilst he resided there or afterwards.

Did not the complaint respecting the conduct of Baron Ompteda, respect him, Ompteda, while he was in

the house of the Princess?—I do not recollect what was the subject of the complaint.

You yourself took a considerable share in the business of the complaint, did you not?—None.

Did not you write a challenge; did you not copy one?

Mr. Solicitor-General objected to the question.

Did you, or did you not, write a letter for Mr. Hownam?—I do not recollect if I wrote a letter for Mr. Hownam.

Did he not desire you to write a letter for him to Baron Ompteda?—I recollect nothing of it, or nothing about it.

Is that your writing? (*A letter being shown to the witness, folded so that she might see the last line and a half.*)

—It is not exactly like my writing.

Do you believe it to be your writing or not?—It is not exactly like my hand-writing.

Do you believe it to be your hand-writing?—I do not recollect having written it; nor do I think that it is exactly like my character.

Do you believe it to be your hand-writing, aye or no?—I do not think it is exactly my hand-writing; I do not recollect having written it.

Do you believe it to be your hand-writing, aye or no?—I can not decide whether it is my hand-writing; it is not quite like it; and I do not recollect having written it.

Do you believe it, aye or no?—I can not say yes or no; because it is not exactly like my hand-writing, and I do not recollect having written it.

Do you believe it to be your writing?—It is not exactly like my hand-writing.

Do you believe it to be your writing?—I can not tell what else to answer; I can not answer to a thing of which I am not sure.

By a Lord. You are not asked whether you know it to be yours, but whether you believe it to be yours?—I can not say positively that it is not my hand-writing, but I do not believe it is.

Mr. Williams. How much of that paper that has been before you so long, was submitted to your eye

during the time you have given the answers you have given?—A line and a half.

Before it was folded down, as it now is, did you not see higher up in the paper several lines more than that line and a half?—When they presented it to me, there I saw something more, but I do not recollect how many lines, nor what it was.

Do you mean to say, that when the Counsel showed you the paper, before it was in the hands of the Interpreter, it was not near enough for you to see the writing?—I do not know whether it was near enough; I have seen the writing, but not distinguished what the writing was.

Was it not, when in the hand of the Counsel, near enough for you to see the writing, and the character of the writing?—I have merely half seen the character.

Was not it near enough to you for you to see it?—It was near enough, because I have seen it, but I have only partly seen it; confusedly I have seen the hand-writing at a distance, but have not been able to distinguish.

Why did you not complain, when the Counsel held it in his hand, that it was not near enough for you to see it?—Because the Counsel gave it to you. (*Addressing herself to the Interpreter.*)

Do you mean to represent that the Counsel did not hold it before you long enough for you to see the character before he handed it to the Interpreter?—I could not see the character distinctly at that distance.

Mr. Williams. Do you now see the line and a half that is before you?—Yes.

(*The paper was then presented to the witness folded lengthways, so as to show the first half of every line.*)

Do you see that distinctly?—Yes.

Is that your hand-writing?—It does not seem exactly my writing.

Do you believe it, or not?—I can not tell whether it is my writing, because it is not exactly as I write.

(*The paper was marked by the Clerk assistant.*)

The Counsel were directed to withdraw.

The Counsel were again called in.

Mr. Williams. Was it not in the month of Novem-

ber, 1817, that you quitted the service of the Princess?—Yes.

Of course, at that time you knew all respecting the Princess that you have been deposing to before their Lordships for two days back?—Yes.

Since the time that you quitted the service, or were discharged from the service of the Princess, have you never represented the character of the Princess to be of a very high description; of an excellent description?—I do not recollect.

Will you swear you have never represented that you would surrender half your life if she could but read your heart?—I may have said that, but I do not recollect it.

Do you remember never having said, or written, or represented, that if the Princess could read your heart, she would then be convinced of the infinite respect, the unlimited attachment, and the perfect affection, you entertained for her august person?—I recollect to have written several times to my sister, but I do not recollect the contents of my letter.

Will you swear that you did not write to your sister to that effect after you were discharged?—I have written to my sister.

Will you swear that you did not write to the effect that has just been stated to you?—I wrote home in my journey to Count Scavini.

The question refers to your writing to your sister?—I wrote several times to my sister.

Will you swear that you did not express yourself in the manner or to the effect described, in a letter to your sister, since you were discharged?—I have written several times to my sister, and I know I have spoken of her Royal Highness; but I do not recollect the expressions I have used.

You are asked to the effect?—Am I asked if I have written in the same sense; if I have said those words?

To the same effect in any words?—If I have written expressly for that.

Have you expressed yourself in these words, or to the sense, "If the Princess could but read my heart, she would then be convinced of the infinite respect, the unlimited attachment, and the perfect affection I have

always entertained for her august person?"—I have written to my sister, but I can not exactly recall the expressions; it was in that sense, in that meaning.

Will you swear you did not use those very expressions, beginning with the words, "Oh! God, I would surrender half my life if she could read my heart?"—I may have used these expressions, because at that time I was much attached to her Royal Highness.

That was some time after you had been discharged, was it not?—It was not very long after.

Have you not to the same sister written, "How often in a numerous circle, have I, with enthusiasm, enumerated her great qualities, her rare talents, her mildness, her patience, her charity, in short, all the perfections which she possesses in so eminent a degree?"—I do not recollect whether I have made use of those expressions, but I have written to my sister, and I have spoken of the manner in which she conducted herself towards me.

Have you not used the very expressions that have been just put to you?—I do not recollect exactly whether I have used the same expressions, but I have written in the same sense; I do not recollect the expressions.

Then you will not swear that you have not used those very expressions?—I will not swear that I have made use of them, nor that I have not made use of them.

But to the same sense you admit?—The sense, yes.

Do you not remember this, "How often have I seen my hearers affected, and heard them exclaim that the world is unjust, to cause so much unhappiness to one who deserves it so little?"—I do not recollect whether I used those expressions.

"And who is so worthy of being happy?"—I do not remember the expression.

Have you not written to that effect?—I have written to my sister several times to that effect, in that sense.

Will you swear that you have not used those very expressions, those very words?—I can not recollect whether I have made use of them exactly.

You will not swear that you have not?—I will not swear that I have made use of them nor that I have not made use of them.

You kept a journal, did you not?—A journal of a voyage.

A journal, generally, whilst you were with the Princess?
—Yes.

Do you remember writing to your sister thus: “You can not think what a noise my little journal has made?”
—I wrote several times to my sister, but I can not recollect exactly what I wrote.

Did you not on one occasion use the words just repeated, or to that effect?—I can not recollect it.

Will you swear you have not?—I will not swear that.
“It has been,” (*speaking of the journal*) “if I may use the expression, snatched at,” (*arrache*)?—I tell you I can not recollect what I have written to my sister, exactly the expressions.

“Every one has read it; Madame Gaulise begged me to let her carry it to Lausanne; all the English who were there wanted to see it immediately;” do you remember using those expressions to your sister?—I tell you it is impossible I should recollect what I have written to my sister; I do not recollect the expressions.

Do you not remember writing to that effect?—I do not recollect what I have written to my sister.

Will you swear you have not, to the effect just repeated to you about the journal?—I can not swear to that of which I am not perfectly sure.

Who is Madame Gaulise?—A Swiss lady.

Whom you know?—Yes, I know her.

Did you not show the journal to Madame Gaulise?—I do not recollect whether Madame Gaulise read it before or after I was returned.

Did she not see it?—She has seen it, but I do not recollect whether it was before or after I returned.

Do you not remember writing to this effect, or these words: “I have been delighted at it,” at her seeing the journal, “for you know I say in it a great deal of the best and most amiable Princess in the world; I relate, in detail, all the traits of sensibility and of generosity which she has shown, the manner in which she has been received, applauded, cherished, in all the places we have visited?”—I recollect that I wrote very often to my sister, and spoke of her Royal Highness.

And to this effect?—I do not recollect whether it was in that sense which has been last spoken of.

Will you swear you did not?—I will not swear that I have not done it, because I do not recollect it.

“You know that when the Princess is my subject I am not barren, consequently my journal is embellished with the effusion of my heart, my greatest desire having always been, that the Princess should appear to be what she really is, and that full justice should be rendered to her.” Do you remember having written to that effect?—It is always the same thing; I have written frequently to my sister, and as I was much attached to the Princess at that time, I wrote a great deal about her; but I do not recollect the expressions of which I made use.

Will you swear you did not use the expressions which have just been put to you?—I will not swear, because I am not sure of it.

Will you swear that you did not use them?—I will not swear, because I am not sure of it.

Have you any doubt that you did use them?—I do not recollect whether I have made use of them; I wrote frequently to my sister, and I do not recollect the expressions.

Have you not represented that your money began to fall short?—I know nothing of that, but I have never been in want of money.

Have you not stated to your sister that you were beginning to be short of money; that you were getting poor?—I do not know whether I have said it, but that has never happened to me.

Have you never represented to your sister, that she should economize as much as possible?—Yes.

And retrench every superfluity?—I have represented to her that she ought to economize, because she has no fortune at home.

Have you not represented, “Did you but know the pain I feel in not having done so?”—I do not recollect whether I wrote that, but I never have had need of money.

Have you not added, “I do not think I ever was guilty of extravagance, but I have not deprived myself of many things, which were almost useless?”—How do

you wish me to recollect what I have written? (*Comment voulez-vous que je me rappelle ce que j'ai écrit ?*)

When you have spoken to the House of something which you call a double entendre, was not the effect of that to this effect: "I had almost forgotten to confide to you a thing which will surprise you as much as it has done me. Upon the 24th of last month I was taking some refreshment at my aunt Clara's, when I was informed an unknown person desired to deliver me a letter, and that he would trust it to no one else. I went down stairs, and desired him to come up into my room. Judge of my astonishment when I broke the seal! A proposal was made to me to set off for London, under the pretense of being a governess: I was promised high protection, and a brilliant fortune in a short time. The letter was without signature; but to assure me of the truth of it, I was informed I might draw on a banker for as much money as I wished?"

The Attorney-General stated, that he had not interposed when the counsel against the bill had asked as to particular expressions used by the witness, but that now that he was proceeding to read a long letter, he felt it necessary to submit, that the regular course was for him to produce it, and put it into the hand of the witness, and to ask whether it is her hand-writing or not; and that he had no right, without having so done, to read the contents of a letter which was assumed to exist.

Mr. Williams submitted that he had been and must have been perfectly in order. In cross-examinations there were two modes which an advocate had a right to take, with a view to try the veracity of a witness. First, as in the case before their Lordships, in parole evidence, supposing the witness to have made any particular statement, at any particular time, or to any given number of persons, which was untrue, it was competent to give in evidence not one word in contradiction, unless the witness had been previously asked as to that statement, or generally examined upon that subject. Not till the witness should be so examined, and the answer, whatever it might be, was obtained, was it competent for the cross-examining advocate to call one of the numerous persons assumed to be in a condition to contradict the

witness. The analogy with this case was close and obvious. He would rather wish the witness not to be present.

The Lord Chancellor. That is quite right. Let the witness withdraw. (She withdrew accordingly.)

Mr. Williams. Of course this alternative resulted from the examination, an examination of great importance in eliciting truth; either he must contradict the witness immediately, or he can put himself in a condition to contradict the witness at a future period. Either the witness admitted what was contrary to the evidence given, and thus gave a self-contradiction, or the witness denied it, and then the party to be affected was in the predicament of setting himself right and the witness wrong. To assimilate the case to the present, where the writing of a letter was the question, the rule of evidence was the same as he had stated respecting parole evidence. In the same way as in parole evidence the witness was asked whether he had said this or that, so had he a right here to ask the witness whether she had written this or that. He had the chance of a denial of having so written, that he might not only have the contradiction to the evidence which the writing contained, but also the advantage of the contradiction to the denial of having so written, which went further to destroy the general credit of the witness, as well as the truth of the particular evidence given by that witness. In matter of evidence he would not quote *Nisi Prius* cases to their Lordships, and the learned Judges who assisted their Lordships, but that the oblique and collateral memories of counsel could not be relied on with confidence, as they exercised their memory only for a party, and one recollected one thing, and another another part more strongly, remembering best that which suited best the purpose of each. Although he was ashamed to quote cases to their Lordships and the learned Judges, deeming it unfair, as he did, where there was no opportunity of consulting and deliberating upon the various bearings, yet he was compelled, if he would not rely upon memory, which was so fallacious, to refer their Lordships to a case at *Nisi Prius* before a judge, whose distinguished character could not be

raised by any praises of his, and who, though not known to him, must have been well known to many of their Lordships. Lord Kenyon, in 1802, presided in the case of *Sackville v. Bow*, which was a question whether goods taken in execution were the property of the plaintiff or another person. A witness for the plaintiff was cross-examined as to a contradiction to his testimony contained in an affidavit. Lord Kenyon, whose knowledge of the laws of evidence was not less eminent than the other great qualifications of his Lordship, said if the affidavit was not in court, the witness could not be examined respecting it. This was quite clear and quite well understood in point of practice. But with the affidavit in court, it was competent to have put all the questions proposed to the witness with the view of contradicting him. If the affidavit was not there it would have been a mere waste of time to examine as to it, because no contradiction could be given in any authentic shape or course. This then was a case quite in favor of the right which he claimed to cross-examine this witness as to the writing of letters which were in court. The learned Judge assumed that, if the affidavit was in court, it would be quite regular to examine upon it. But that, he contended, was, in fact, a decision in his favor. Their Lordships would permit him to mention also, and he had no doubt it would be perfectly in their Lordships' recollection, that at the last assizes for the county of York there was a case tried before Mr. Justice Bayley, in which his learned friend was against and Mr. Scarlett with him. There it was allowed to counsel to read from a letter its contents, in order to contradict the evidence of a witness, without its being required to put the letter into that witness's hands. *Mr. Brougham* was permitted to cross-examine upon that letter, and did so; and the effect of this was, that the witness was contradicted to the whole extent of that part of his testimony to which the letter was applicable; to the whole extent to which he was allowed to cross-examine him on it, and until he was able to contradict and refute his evidence. To this rule, however, the Attorney-General had made an objection: and he would not say that it was a captious objection on his part; for,

no doubt, he knew its consequence ; he felt that he was fighting "*pro aris et focis* ;" and here was an important objection going to the very bottom of the case. But now that he (*Mr. Williams*) spoke of authorities, he must be permitted to inform his learned friends, that he had even their's, which was not a mean one, and to the same effect. He had the authority of his Majesty's Attorney and Solicitor-General themselves ; wherefore he thought such an objection as they had made, came, now, a little too late. Of the two cases he had mentioned to their Lordships, one was a case at *Nisi Prius*, and one he cited from memory. But here had been the Attorney and Solicitor-General looking on, for two hours, by the clock, while he (*Mr. Williams*) had been examining the witness from a written paper, without making any objection. Surely this implied the sanction of their authority too ; and the objection made came from them a little too late.

Mr. Brougham only begged to state, from his own recollection, that in the case to which *Mr. Williams* had referred, the rule was decided to be that which his learned friend had stated by Mr. Justice Bayley. He (*Mr. Brougham*) was putting a writing into the hands of the witness, and asking him to deny or to acknowledge his own hand-writing—nothing more. He proved it, and then Mr. Scarlett objected to his (*Mr. Brougham's*) examining to the contents or the writing of that letter, upon which Mr. Justice Bayley, who presided, held that he had a right to examine the witness from such letter, holding it in his hand, without showing it to that witness. The learned Judge so ruled, for this obvious reason—that if he (*Mr. Brougham*) did show it to the other, there must be an end, at once, of all possibility of his trying the witness's credit.

The Attorney-General would dismiss the two cases which had been cited with this observation—that counsel who quoted cases from memory, always did so according to their own impressions of the law upon the subject : those in question had been cited by his learned friends in their own favor. He should not remark upon the declaration which had been used by his learned friend *Mr. Williams*. "It is mine and your Lordships'

duty" (continued the learned gentleman) "to look upon this question according to those rules by which your Lordships will conceive yourselves to be bound;" he meant the rule of evidence applying to other courts of justice. Whether the question was one that was material or immaterial, if he felt that his learned friends were trenching at all, or going beyond that which was legal and right, it was his duty directly to object to the course they were taking. One of the propositions which had been advanced he should dispute; and that was, as to the means to be used in order to procure the contradiction of any fact or expression previously deposed to by a witness. In the first place, the position which had been contended for applied only to parole evidence: here, their Lordships would observe, they were not upon parole evidence, but on a long letter. His learned friend said—and he must believe him, of course, though the fact rested upon his own statement only—that he had that letter in his possession. Now his (the Attorney-General's) objection was this—not that they might put that letter into the witness's hands, and ask her if it were of her hand-writing; and then, if she denied it, prove it was (which they might undoubtedly do); or in case she admitted it, and that it contained a contradiction to what she had said, that then the letter might be used in evidence (which they would be equally competent to do). But he contended that they could not examine the witness upon any of the contents of a letter which was not produced in evidence, nor put into the hands of the witness, in order to prove the writing. The decision of Lord Kenyon, at *Nisi Prius* (for quoting which he was much obliged to his learned friends), proceeded upon the same principle. His learned friends had not pursued the regular course; they did not put the letter into the hands of the witness, and ask her if it was her hand-writing, which unquestionably it would have been competent for them to do; they might prove that a statement in the letter was in contradiction to a statement made at their Lordships' bar; but that part of the letter alone would be evidence. He meant to contend that they could not bring a written document of this nature in evidence, unless under the particular

circumstances which he had stated. They had a right to ascertain if the letter was written by the witness or not; and, if they could ascertain that fact, then they would have a right to use the letter. The document must speak for itself, it being in writing. So far from his learned friends having established, therefore, that he (the Attorney-General) was wrong, he submitted to their Lordships that his learned friends were in that case, and that he was right. If he had suffered those learned gentlemen to proceed so long in an irregular course, that ought not to be allowed to operate against him. What he ventured to stand upon was this—that the course pursued by *Mr. Williams* was an irregular one. The proper way would be to put the letter into the witness's hands. If she admitted it to be of her writing, it might then be a question what part of it should be taken as evidence or not. His learned friends had no right to cross-examine the witness, assuming the admission of that letter, and upon the facts which it contained. As to what had been said about an affidavit and a letter, he accepted the challenge of his learned friend; and would maintain that there was no difference, so far as regarded the legal rule for which he was contending, between a letter and an affidavit: whether it was an affidavit or any other writing, in every case, that written instrument must be proved.

Lord Erskine (who spoke in a low and indistinct tone) would take the liberty of informing their Lordships what he thought would be the best and most proper way of proceeding in this case. It appeared to him that the more preferable course would be for the Queen's Counsel to go directly to work. They should produce the letter—they should ask the witness whether or no it was of her hand-writing; and then if she doubted or denied it that would be no matter, because others need not doubt about it. It would be easy to examine others as to her hand-writing: and then it would be seen how far that which was written in the letter might be in contradiction, or otherwise, to what she had deposed at the bar. There might be, as he apprehended, danger in the other course. Counsel might hold the letter in their hands, and say to witness, "Did you not write this, or some-

thing like this?" and she might reply, "I wrote to this or that effect;" so that there would be nothing like a definite answer, and infinite time would be consumed. Therefore, such a course, instead of arriving at the desired object by a direct and speedy method, would be as circuitous as for himself to go round by Hampstead and Highgate to his own house.

The Lord Chancellor would propose a course which he thought would be most to their Lordships' satisfaction, as it would possibly be for his own individual satisfaction. Whatever his own opinion might be upon this question, it was one which he thought it would be most advisable to refer to the learned Judges, by whom their Lordships were assisted. They might be asked what would be the rule of evidence, in the courts below, applicable to a case similar to the present. He by no means concurred in the view which had been taken of it by the noble lord who had just spoken. During the many years that noble and learned lord (*Erskine*) had been in Westminster Hall, he (the Lord Chancellor) should have thought he might have had much better opportunities of informing himself what the rule, with its application, was, than he seemed to have availed himself of. When he (the Lord Chancellor) had the honor of attending courts of law, he always understood the rule to stand thus:—if a witness was called to the bar, and it was intended to shake the credit of that witness, counsel might proceed (as it was quite competent for them to do) to prove that he or she had made a declaration of another sort, *viva voce*, or by writing (if he or she ever had addressed to another person such and such a declaration), from that which was then recently made at the bar. If the witness had done so, and that was made to appear, it went directly to destroy the credibility of such witness upon his examination-in-chief. If the witness, however, in such a case, denied that he or she ever did make such a declaration (whether by letter or otherwise), it was equally competent for the other party to prove that, notwithstanding that denial, the witness had made such contradictory statement or declaration; that it was in contradiction to what the witness had already affirmed. A question of this kind, he remembered,

arose upon the Berkeley peerage ; although there it was endeavored not to impugn, but to confirm a witness's testimony. Their Lordships must see that in their case the rule of parole evidence must apply where the declaration was a verbal one. It was long since he had ceased to mingle in the business of common-law courts ; but twenty years ago the rule of evidence in a case like the present was quite clear : they showed the letter to the witness, and asked him, " Did he write or subscribe it, yes or no ? " If the witness denied that such letter had been so written or subscribed by him, and another person attempted to prove, and did prove, to the satisfaction of the court, that it was written or subscribed by the witness, then that denial destroyed altogether the credit of his examination. But their Lordships would easily see (unless they introduced a great deal more limitation than had been attempted to be done) what a state they would be in. Because, if counsel proceeded in this way, they might go back to any distance of time, and ask witnesses if such and such a letter had been written by them ; and if the witness was erroneous in her answer, owing to the lapse of time, very serious consequences might arise from her error. He should propose that it be referred to the learned Judges for their consideration, whether the practice allowed that, from a letter said to be written by the witness, the witness could be cross-examined before the contents of that letter were either stated or read to the witness, and proved to be written by the witness.

The Counsel were directed to withdraw.

The following questions were put to the learned Judges :

" Whether, in the Courts below, a party on cross-examination would be allowed to represent, in the statement of a question, the contents of a letter, and to ask the witness whether the witness wrote a letter to any person with such contents, or contents to the like effect, without having first shown to the witness the letter, and having asked that witness whether the witness wrote that letter, and his admitting that he wrote such letter ?

" Secondly, whether, when a letter is produced in the Courts below, the Court would allow a witness to be

asked, upon showing the witness only a part of, or one or more lines of such letter, and not the whole of it, whether he wrote such part, or such one or more lines; and in case the witness shall not admit that he did or did not write the same, the witness can be examined to the contents of such letter?"

The questions being handed to the Lord Chief Justice, the learned Judges begged leave to retire.

After a short time the learned Judges returned.

Lord Chief Justice Abbott. My Lords, the Judges have conferred upon the questions propounded to them by your Lordships: the first question was in these words, "Whether, in the Courts below, a party on cross-examination would be allowed to represent, in the statement of a question, the contents of a letter, and to ask the witness whether he wrote such a letter to any person with such contents, or contents to the like effect, without having first shown to the witness the letter, and asked the witness whether he wrote the letter, and his admitting that he wrote that letter?"

The Judges are of opinion that the question must be answered by them in the negative; and the reason and foundation of our opinion is shortly this—The contents of every written paper are, according to the ordinary and well established rules of evidence, to be proved by the paper itself, and by that alone, if the paper be in existence; the proper course, therefore, my Lords, is, to ask the witness whether or no that letter is of the hand-writing of the witness: if the witness admits it is of his or her hand-writing, the cross-examining counsel may, at his proper season, read that letter as evidence; and when the letter is produced, then, my Lords, the whole of the letter is made evidence. One of the reasons for the rule requiring the production of written instruments, is in order that the court may be possessed of the whole. If the course which is here proposed should be followed, the cross-examining counsel may put the court in possession only of a part of the contents of the written paper, and thus the court may never be in possession of the whole, though it may happen that the whole, if produced, may have an effect very different from that which might be produced by a statement of a part.

My Lords, the next question proposed by your Lordships, is, "Whether, when a letter is produced in the courts below, the court would allow the witness to be asked, whether, showing the witness only a part, or one or more lines of such letter, and not the whole of it, whether he wrote such part or such one or more lines; and if he should not admit that he did or did not write such part, whether he can be examined to the contents of such letter?" The Judges beg your Lordships' permission to divide this question into two parts: in answer to the first part, namely, "Whether, when a letter is produced in the courts below, the court would allow a witness to be asked, showing the witness only a part, or one or more lines of such letter, and not the whole of it, whether he wrote such part?" The Judges are of opinion, that that question should be answered by them in the affirmative to the question in that form; but, in answer to the latter part, which is this, "and in case the witness shall not admit that he did or did not write such part, whether he can be examined to the contents of such letter?" that the learned Judges answer in the negative, for the reason I have already given; namely, that the paper itself is to be produced, in order that the whole may be seen, and the one part explained by the other.

The Counsel were again called in, and informed that, upon cross-examination, counsel can not be allowed to represent, in the statement of a question, the contents of a letter, and to ask the witness whether the witness wrote a letter to any person with such contents, or contents to the like effect, unless the letter is first shown to the witness, and the witness is asked whether he wrote such letter, and admits that he did write it; and also, that the House will allow a witness to be asked upon cross-examination, upon showing such witness only a part, or one or more lines of such letter, and not the whole of it, whether he wrote such part, or such one or more lines: but if the witness should not admit that he wrote such part, or such one or more lines, the witness can not be examined to the effect of the contents of the letter, unless it is shown to him, and he admits that he wrote it.

The witness was again called in.

Mr. Williams. Is that your hand-writing? (*a letter being put into the hand of the witness.*)—Yes.

Is that side your writing?—It is my writing.

Take the next—is the next page your writing?—Yes.

And the next?—Yes.

Even to the end?—Yes, to the end.

And the address?—Yes.

And the date and the place?—Yes.

Look at that? (*Another letter shown to the witness.*)

Is that first page your writing?—Yes.

And the next?—Yes.

And the last?—Yes.

The whole?—To the end.

Is the first page of that letter your writing; the date and altogether? (*Another letter being shown to the witness.*)—Yes.

And the next page?—Yes.

Name and all?—Yes, all mine.

The letters were severally handed in, and marked by the Clerk Assistant.

Mr. Attorney-General objected to any questions being put as to the contents of the letters, and submitted that the written instruments must be produced, and must speak for themselves.

Mr. Williams remarked, that the Attorney-General's objection was certainly a short one, but if he understood it rightly, a more important question, as affecting the administration of justice, never yet arose from the beginning of the law to this time. No man was more disposed than himself to bow with humility to great legal authorities, but in that high court, and in a cause of such high importance, he should be ashamed of himself, if he did not fairly, candidly, and manfully, state his own opinion to their Lordships. The rule in question was one of practice, rather than of written authority; if there had been any authority in the books respecting it, that authority should have been produced. But in the absence of all recorded reference or citation on the subject, he should assume that none was to be found. If the rule were as the Attorney-General represented it, what must be its immediate and necessary consequence?

The only principle on which the letter was at all admitted was, that it might show a contradiction to the evidence on the examination-in-chief. This was the foundation of its admissibility. It was in this light only that letters or old affidavits, not appertaining to the cause in hand, could be made matter of evidence. The course which he now proposed to pursue with the witness was according to the established practice as he understood it, as he had observed it, as he had suffered from it. The writing was introduced for the sole purpose of pointing out a contradiction. Why were they to wait till a future stage of this proceeding for the discovery of facts which might be proved immediately? What was the ground or necessity for this delay? If restrained in his present course, he might experience difficulties hereafter in showing the contradiction. The question was of obvious and vital importance. There was a case fresh in his recollection, a case in which he was himself engaged, and tried before a judge, who, without speaking invidiously, he would say was exceeded by none in legal knowledge (he meant Mr. Baron Wood), the last time he went the Northern circuit. He, as counsel for one of the parties, had a letter in his possession contradicting the evidence of one of the witnesses, and both he and the learned counsel who was with him agreed that the letter was material, and agreed also to postpone the production of it. The witness came and went, and when he (*Mr. Williams*) conceived that the time had arrived for him to produce it, he was informed that his time was past, his opportunity gone by. Mr. Scarlett, who was on the other side, objected to it, with a taunt which produced an effect upon him, to which was probably owing the present accuracy of his recollection. It was said the letter was no evidence in the cause, and that he must be in the *incunabula* of his profession, to pretend to introduce it after having omitted to do so at the proper moment. The same rule held in parole evidence; it was not the tenor of what a witness said, but his words that constituted evidence. Suppose an action to be brought for money lent, and John Nokes to prove that a loan of £20 was made on a given day by the plaintiff to the defendant; if counsel

suffered such a witness to pass, and afterwards proposed to call him to show the loan was the other way, such an examination would not be allowed. By the same rule, and not from any remote, but from an unerring and absolute analogy, he submitted that if he now suffered this woman to escape without questioning her as to the contents of the writings which she had admitted to be her own, he should be hereafter liable to be told that the time of contradiction was gone by. Had he waited till a future period, the argument would have been that he had lost his opportunity by his own default, and it would have come with irresistible force. He felt the utmost degree of respect for the decisions of their Lordships, but he declared to God, he could not understand on what principles of law or reason the objection of the Attorney-General was founded.

Mr. Brougham assured their Lordships that he had a very few words to offer in addition to what had been so ably and forcibly urged by his learned friend. The question now depending was of the utmost importance as it applied to the evidence, which might be settled or unsettled by it. It was of great importance to the cause immediately before them, to their proceedings on all other occasions, and involved a rule of practice that might affect the administration of justice, not only in the highest courts, but before the lowest tribunals. The great rule of evidence, as laid down and recognized, he took to be this—that without any previous examination, the letters or written statements of either party on the record may be given in evidence, because by putting or suffering himself to be put on the record, he let in the adversary to produce all the declarations or statements which, during his life, he had ever made. Suppose he gave a witness under cross-examination no knowledge of the existence of a written document, contradicting his testimony most materially, in what situation would the witness be placed. *Non constat* that, after the cross-examination had been concluded, the witness might not be able to explain the discrepancy, and reconcile an apparent opposition. He could not perhaps do so without the refreshment of his memory, and that refreshment would arise out of the written

document, whether a letter or otherwise, in the possession of the counsel. The common sense of the thing was entirely on the side of her Majesty, and against putting and reading the whole letter. All a man's writings were evidence against himself in any cause instituted by him, or where he was defendant; but the case of a witness was different, and this was the first time it had been ever contended that all a witness had written might be produced in opposition to his testimony. If their Lordships should decide contrary to what he had now argued, they might put a new rule round the necks of the Queen's Counsel, but their reason would remain their own.

The Attorney-General said, that the whole point lay in a very narrow compass. Unquestionably the letters of a party in a cause were evidence against him; but no declaration in writing by a witness could be received in evidence to contradict him without being read. In cross-examination all that was wanted was the negative by the witness, and then the contradiction must be supplied, but it must be supplied in the regular way, and according to established rule. Where a witness was contradicted by parole, the witness to contradict him must be produced and cross-examined by the adverse party, and the same rule applied to documentary evidence; that also must be produced and read, that the nature of its contents might be properly judged of. This was the fallacy of the argument on the other side; for if they asked questions regarding letters, those letters must be produced at the proper period. In the case before Baron Wood, it was merely decided, that matter collateral to the issue could not be introduced; but here the letter itself was put into the hands of the witness, and the consequence was, that if it were to answer any purpose, it must be read in due course. It had been contended, that this was doing injustice to the witness, who ought to be allowed an opportunity of explanation; but if that were required, it could be afforded at any time by recalling the witness. The written declaration of a witness, like every other written paper, must speak for itself: no examination of its contents was ever allowed by parole, and if he did not cite authorities upon this

point, it was because the rule was too well-known, and too often acted upon to need such support.

Lord Erskine, in a low tone of voice, observed, that if questions founded on the letters were put to the witness, no further use could be made of them then, but they must be produced in the proper stage of the case hereafter. He begged leave to say, however, that whatever might be the rules of courts of law where the case of the accused followed immediately that of the accuser, some difference might here be allowed, because one anomaly of this proceeding was that an interval must be allowed for the preparation of the defense. The proper course seemed now to be that the contradiction in the letter should be stated to the witness, and that she should then be required to give her explanation or reconciliation of it, the House being the judge how far that purpose had been accomplished. Either this must be done, or the counsel for the Queen would be deprived of making the cross-examination as to this point, and what it produced, a part of their case.

The Counsel were directed to withdraw.

The following questions were proposed to the learned Judges:

“Whether, when a witness is cross-examined, and upon the production of a letter to the witness under cross-examination, the witness admits that he wrote that letter, the witness can be examined in the courts below whether he did or did not, in such letter, make statements such as the counsel shall, by questions addressed to the witness, inquire are or are not made therein: or whether the letter itself must be read as the evidence, to manifest that such statements are or are not contained therein: And in what stage of the proceedings, according to the practice of the courts below, such letter could be required by Counsel to be read, or be permitted by the courts below to be read?”

The questions were delivered to the Lord Chief-Justice, and the learned Judges requested leave to withdraw.

After a short time the learned Judges returned.

Lord Chief-Justice Abbott. My Lords, the Judges have conferred upon the questions last proposed to

them by your Lordships: the first part of your Lordships' question is in these words, "Whether, when a witness is cross-examined, and upon the production of a letter to the witness under cross-examination, the witness admits that he wrote that letter, the witness can be examined in the courts below whether he did or did not, in such letter, make statements, such as the Counsel shall, by questions addressed to the witness, inquire are or are not made therein; or whether the letter itself must be read as the evidence, to manifest that such statements are or are not contained in the letter?" My Lords, in answer to this part of your Lordships' question, I am to inform your Lordships, that the Judges are of opinion, in the case propounded, the Counsel can not, by questions addressed to the witness, inquire whether or no such statements are contained in the letter; but that the letter itself must be read, to manifest whether such statements are or are not contained in that letter. My Lords, in delivering this opinion to your Lordships, the Judges do not conceive that they are presuming to offer to your Lordships any new rule of evidence, now for the first time introduced by them, but that they found their opinion upon what, in their judgment, is a rule of evidence as old as any part of the common law of England, namely, that the contents of a written instrument, if it be in existence, are to be proved by that instrument itself, and not by parol evidence. The latter part of your Lordships' question is in these words, namely, "In what stage of the proceedings, according to the practice of the courts below, such letter can be required by counsel to be read, or can be permitted by the courts to be read?" My Lords, in answer to this, I am to inform your Lordships, that the Judges are of opinion, according to the ordinary rule of proceeding in the courts below, the letter is to be read as the evidence of the cross-examining Counsel, as a part of his evidence in his turn, after he shall have opened his case; that that is the ordinary course: but that if the Counsel who is cross-examining suggests to the court that he wishes to have the letter read immediately, in order that he may after the contents of that letter shall have been made known to the court, found

certain questions upon the contents of that letter, to be propounded to the witness, which could not well or effectually be done without reading the letter itself, that becomes an expected case in the courts below; and, for the convenient administration of justice, the letter is permitted to be read at the suggestion of the Counsel; but, considering it, however, as part of the evidence of the Counsel proposing it, and subject to all the consequences of having such letter considered as part of his evidence.

The Counsel were again called in, and were informed, that, when a witness was cross-examined, and upon the production of a letter to the witness under cross-examination, the witness admits he wrote that letter, the witness can not be examined whether he did or did not, in such letter, make statements such as the counsel shall, by questions addressed to the witness, inquire are or are not made therein, but that the letter itself must be read as the evidence, to manifest that such statements are or are not contained therein; and, further, that it is the opinion of the House, that in the regular course of proceeding, the letter ought to be read after the Counsel cross-examining shall have opened his case, but that the House will, upon the request of such Counsel, stating that it is expedient for the purpose of his more effectually, in the course of his cross-examination, propounding further questions necessary for the interest of his client, permit such letter to be read, subject to all the consequences of having such letter considered as part of his evidence.

The witness was again called in.

Mr. Williams. You have been thirteen months in England?—Yes.

Any more than thirteen months?—I came last year, in the month of July.

Were you ever in England before?—No.

Who came with you?—One of my sisters, a friend, Mr. Sacchi, and Mr. Krouse, who accompanied me.

Your retinue consisted of two females and two males?—It was not my suite, we were in different carriages.

But traveling together at the same time; coming at the same time?—Yes.

From Vienna, or where?—From Switzerland.

You have been at Vienna, have you not?—I have not been at Vienna except with her Royal Highness.

Not since you were in her Royal Highness's service?—No.

Have you been at Milan since?—Yes, once.

Were you examined there?—Yes.

How many examined you; was Vimercati the counselor one?—Yes, Vimercati and three other gentlemen.

Was there any other lawyer besides Vimercati?—There was the Advocate Vimercati, three other gentlemen, and those who wrote; I do not know whether there was an advocate.

Was Mr. Powell one?—Yes.

Was Colonel Brown there?—Yes, he was there.

You were examined more than once, were not you?—I was examined but once at Milan.

Anywhere else?—I was examined only at Milan.

How long ago was that?—A year ago, in the month of January or the commencement of February.

Where did you go from, in order to be examined at Milan?—I went from Switzerland to Milan.

You had been at your own house, had you?—Yes.

Then living at your own home, not in service?—Yes, I lived at home.

Have you finally agreed what you are to have for your evidence?—They have promised nothing for my evidence.

Have you not asked for anything before you came, or for any promise, before you came over to this country, upon your oath?—No.

Or for anything else for your personal presence?—No; I have only demanded that they should pay the expenses of my journey.

Do you mean to swear that you expect nothing for coming to this country, and for giving your evidence?—I expect nothing at all for having come here.

No benefit, or any profit of any kind, you mean to swear?—I expect no profit for coming here.

You do not believe, upon your oath, that you are to receive any money, or benefit of any kind, for coming to

England?—I expect no advantage from coming here, only that they should pay my expenses back to Switzerland: nothing more.

That is all you expect?—Yes, that is what I expect.

And that is all you believe you are to get?—I expect nothing else.

You believe you shall have nothing else?—I do not believe that I shall have anything more.

You stated at the outset that you never had been in service since you quitted the Princess of Wales; is that so, or is it not?—I have been in no other service.

The Attorney-General for the Queen tendered the letters in evidence.

The Solicitor-General desired their Lordships might be informed whether the Counsel against the Bill meant to put questions upon the letters after they should have been read.

Mr. Williams, of Counsel for the Queen, stated that he should put a question upon them.

The Attorney-General for the Queen stated, that the reading of the letters would occupy a considerable time, and he was desirous the witness should not have an opportunity of reflecting upon them before the questions were proposed to her upon them.

The Counsel were directed to withdraw, and the House adjourned.

SEPTEMBER 2.

Counsel were called in.

And the Lord Chancellor, by leave of the House, stated, in their presence, that a reference having been made by the learned Counsel for her Majesty, at the close of yesterday's proceedings, to the trial of the Duchess of Kingston, where it was stated that a letter had been presented to a witness (*Judith Phillips*) on cross-examination, and having been acknowledged by her to be her hand-writing, had been afterwards read in evidence, not as part of the defendant's case, his Lordship had since referred to the printed trial, and had compared the statement contained in that with the Journals of their Lordships' House; and his Lordship read at length

the proceedings touching the same, both as they appeared in the printed trial and upon the Journals of the House; after which, the Counsel were informed that, in the opinion of the House, the proceedings touching the said letter, as set forth in the printed trial, did not appear to establish, or destroy, or affect the opinion delivered by the learned Judges to the House yesterday; and that, according to the proceedings as they appeared upon the Journals of the House, there was no statement whatever there to show that the letter was ever read: therefore, the House was of opinion, in the present case, to adhere to the rule as laid down yesterday.

Louisa Demont was then called in, and cross-examined by *Mr. Williams*, through the interpretation of *Mr. Garston*.

To what place did you go when you quitted the service of the Princess?—To Switzerland.

Did you go to the house of your father and mother?—I have no father, but I went to the house of my mother.

Your mother is married again, is not she?—Yes.

How long did you remain with your father and mother after you went there?—About a year; a year and a month, about that time.

To what place did you go from thence, from your home?—I went to Milan.

Was that to be examined as you described yesterday?—Yes.

Where did you go from Milan?—I returned to Switzerland.

Home?—Yes.

How long did you remain at home upon that occasion?—Nearly three months.

Where did you go to then?—Here into England.

Who desired you to go to Milan, in order to be examined?—Mr. Sacchi came to seek for me on the part of the Commission.

Who is Mr. Sacchi?—An Italian gentleman.

A clerk of Vimercati, or what; do you know what he is besides being a gentleman?—No.

What is he besides a gentleman?—I do not know

what he is ; he was a soldier (*en militaire*), but I do not know what he is at present ; he was an officer.

Did you know of his being an officer?—Yes.

Where did you know him before he came for you?—In the house of the Princess, or with the Princess.

He also had been in the service of the Princess, had he?—Yes.

When he came for you, he was no longer in the service of the Princess?—No.

At that time he was in the service of the Milan Commission, was he?—I do not know in what service he was.

Employed by them?—I know that he came to seek for me, or fetch me, but I do not know whether he was employed otherwise.

What year was it that he fetched you to go to Milan to be examined?—A year ago ; last year.

Was it in the year 1818 or 1819?—He arrived in the month of December, 1818, and we left in January, 1819?—It is a year ago, last December, that he came for me.

Then it was the beginning of 1819, was it?—Yes.

Then up to that time, if you are understood rightly, you had been living with your father and mother?—Yes.

Then three months more with them, and then you came over to England?—Nearly three months.

How long were you at Milan?—About two months.

What was given to you for going to Milan : anything or nothing?—They gave me nothing but to pay my journey and my expenses ; they paid my journey and my expenses, but nothing more.

Then, after that time, when you were three months at home, you maintained yourself, did you ; you lived upon your own means?—Yes.

And all the time, from the leaving the service of the Princess, till going to Milan?—Yes.

If you are rightly understood, you have received nothing only your journeying expenses?—Yes.

That is all?—Yes.

You have supported yourself here also, have you?—No ; my expenses have been paid me here.

That is all, only the expenses?—Yes, only my expenses.

If you are rightly understood, you said, yesterday, that you had been examined only once at Milan before you came over to England?—I was examined only once at Milan, but I was several days being examined.

Several days under examination?—Yes.

Were those successive days together, or were they at different times?—Following days successively.

Then in fact it was only one examination at Milan?—Yes, at Milan.

Have you not been examined since you came to England?—I have not been examined; I have been sworn once, but not examined.

When were you sworn?—About two months ago.

By whom?—By a magistrate whom I do not know.

Where was it; what magistrate?—I do not know the magistrate, but I was examined in the house of Mr. Powell.

Did you say sworn?—Sworn.

Was it upon the subject of the evidence you have been giving in this place?—Yes.

Then there was an examination in writing; was there a paper produced?—I have seen my own paper.

Was not it there at the time?—Yes, it was with Mr. Powell at that time.

Was it the same paper that had been written upon at Milan?—I do not know whether it was the same paper, but it was my deposition.

It was your deposition which you signed, was it not?—I have signed a deposition, but I do not know whether it was in the same paper.

Did you not sign that paper of which you are now speaking, to which you were sworn?—The day on which I was sworn, do you mean?

Either then or at another time?—I saw my deposition, but I do not know whether it was the paper that I signed.

You had it before you at the time you were sworn, had you not?—Yes.

You heard the contents of it read, did you not?—I did not hear the contents read.

But you saw the paper?—I saw the paper.

Did not the paper contain your evidence?—Yes.

And to that you were sworn by a magistrate?—Yes.

Mr. Powell was the gentleman that examined you in Italy?—Yes.

Did he ever examine you in this country, except that time when you were sworn?—No.

The Solicitor-General objected to the question in that form, as assuming that Mr. Powell had examined her.

Mr. Williams. Did Mr. Powell examine you at any time in England?—No.

Has he not often seen you in England since you arrived?—Sometimes.

Has he not seen you frequently since your arrival in England?—He has not seen me often.

Has he seen you a dozen times since you arrived in England?—Yes, more.

Twenty, perhaps?—I do not know how often.

That was not upon the subject of your evidence, was it?—No, it was not upon the subject of my evidence.

During those visits that you describe, more or less, you had no talk upon the subject of your evidence, had you: do you mean to represent that?—I can not say we have said nothing about my evidence, because I do not recollect it.

At the time you were sworn, was there a book which you kissed?—Yes.

You were regularly sworn, were you not?—I kissed the book as here.

To the truth of your deposition which was then before you, was it not?—Yes.

The witness was directed to withdraw.

Mr. Brougham submitted, that the evidence of the witness could not be received after the statement of the fact that she had been previously examined on oath, for that that might be considered as having an influence upon the mind of the witness in giving her evidence.

Mr. Williams was heard on the same side.

The Counsel were informed that this was not an objection which went to the competency of the witness; that at all events it could go only to her credit, but that

would be for consideration hereafter; that there were not at present before the House, circumstances from which the House could judge of the degree to which it might affect the credit of the witness, if at all.

The witness was again called in.

Mr. Williams. Then you are understood to say, that, with the exception to which you have alluded, the swearing and the examination at Milan, you have not been examined at all upon this subject till you came here?—No.

Mr. Williams stated, that, with the permission of the House, he proposed now to read two letters; that three had been proved, but that, of course, it was at the option of the Counsel whether they would read the whole, and that, on reading the third, it did not occur to him to be necessary to put any questions upon cross-examination.

The Counsel were asked, whether they now proposed to read those letters under the conditions which had been stated in the communication made to them by the House?

Mr. Williams answered "Certainly."

Mr. Brougham proposed that the letters should be read first in French by one Interpreter, and then the translation read by the other; the Interpreter who had read the letter holding it in his hand, and stating whether he agreed in the interpretation.

Then a letter in French, signed Louise Demont, addressed Mademoeselle Mariette Bron, at Pesaro, and dated Colombier, 8th February, 1818, was read.

During the reading of the letter the witness remarked, that a person was named in it who might be exposed, by his name being made known; that she wished that no person of whom she had spoken should be exposed.

Mr. Brougham stated, that he had no desire that any person not connected with the proceedings before the House, should be introduced by the reading of the letter; and consequently that he had no objection to the name being omitted in the reading or in the copy of the letter, as it might appear upon their Lordships' minutes.

Their Lordships directed that the name should be omitted in entering the letter on the minutes: and the Interpreter was directed, if he should meet with any

other name in reading the letter, not to read it until he had learned from the Counsel whether it was necessary that it should be stated.

Then *Mr. Garston*, the Interpreter, produced a paper, and was asked.

Mr. Brougham to Mr. Garston. Have you compared that in your hand with the original?—I have.

And have found it to be an accurate translation?—I have.

The original letter was handed to *Mr. Pinario*, and the translation was read by *Mr. Garston*.

“*Collombier, 8th Feb., 1818.*”

“DEAR AND GOOD MARIETTE,

“Although you have not said four words in your last letter, yet I love you too well not to pardon you for it, and it is with real pleasure that I reply to you. I am enchanted, my good sister, that you are perfectly happy; but I ought not to doubt it, so well as I know the extreme goodness of her Royal Highness, and of all those with whom you may have anything to do. Endeavor to preserve always such valuable kindness, by continuing the same way of life which has procured it for you. May experience not be useless to you! and keep always before your eyes the trouble which arises from folly and inconsistency; you have lately had sufficient proofs of that.

“You will no doubt be very desirous of knowing what is my situation in our little country. I assure you, my dear, I have been received in such manner as you could have no idea of; I have been fetée, sought after, and received everywhere with the greatest cordiality, at Lausanne, at Morger, at Cassonay. I passed a whole month at the last town, where every possible amusement was procured for me. You know how fond I am of going on a sledge. Well! every day we made a party for it; at the beginning of the new year we had a delightful masked ball: the following week two more dress balls, the best that have been in this town; and a number of other evening dancing parties, given by my friends on account of me; in short, every day brought some new parties and new invitations. Can you conceive that in the midst of all these numberless pleasures

I was sad and silent; every one quizzed me on my indifference; I who, said they, used to be so gay before my departure, I was not to be known again; but spite of all my endeavors I could not get the better of myself. Can you not, my dear, divine the cause of all my deep sadness? Alas! it was only the regret and grief at having quitting her Royal Highness, and at knowing that she had mistaken my character, and taxed me with ingratitude. Oh God! I would surrender half my life, could she but read my heart; she could then be convinced of the infinite respect, the unlimited attachment, and perfect gratitude I shall always entertain for her august person. I should much have wished, my dear Mariette, to have written to the Count, to thank him for the kindness he has shown me, but I am afraid to trouble him: tell him that the few lines which he has had the goodness to write to me, have in fact afforded me a little tranquillity, since they made me hope for pardon. I was afraid her Royal Highness would be still displeased at the turn I had given to my journey; judge then of my happiness, when I learnt that she was not at all angry at it, but on the contrary gives me leave for it; in truth, this pretense has been very useful to me; for you are sufficiently acquainted with the world to suspect that I have been assailed with questions, particularly by great folks; for I am not vain enough to think that I have been sought after so much only on account of my fine eyes, and that a little curiosity had no part in their eagerness to see me. Ah! why was not the spirit of her Royal Highness at my side! She would then have found whether I be ungrateful. How often in a numerous circle, whilst with all the enthusiasm which animated me, I enumerated her great qualities, her rare talents, her mildness, her patience, her charity, in short, all the perfections which she possesses in so eminent a degree. How often, I say, have I not seen my hearers affected, and heard them exclaim, how unjust is the world to cause so much unhappiness to one who deserves it so little, and who is so worthy of being happy!

“You can not think, Mariette, what a noise my little journal has made. It has been, if I may use the ex-

pression, snatched at ; every one has read it. Madame Gaulisa begged me to let her carry it to Lausanne ; all the English who were there at that time wished to see it ; I have been delighted at it, for you know I spoke in it a great deal of the best and most amiable Princess in the world. I related much in detail all the traits of sensibility and of generosity which she had shown—the manner in which she had been received, applauded, cherished, in all the places we have visited. You know that when this august Princess is my subject I am inexhaustible, consequently my journal is embellished with and breathes the effusion of my heart ; my greatest desire having always been, that the Princess should appear to be what she really is, and that full justice should be rendered to her. I assure you that although distant, it is not less my desire, and that I shall always endeavor with zeal that such may be the case, and as far as my poor capacity will allow. As you may well judge, it is not to make a merit of it, since she will always be ignorant of it, and even suspects me of ingratitude, but it will only be to content my heart, which would find a sweet satisfaction in this charming success.

“ But I had almost forgotten to confide to you a thing which will surprise you as much as it has me. The 24th of last month I was taking some refreshment at my Aunt Clara's, when I was informed an unknown person desired to deliver me a letter, and that he would trust it to no one else. I went down stairs, and desired him to come up into my room. Judge of my astonishment when I broke the seal ; a proposal was made to me to set off for London, under the false pretense of being a governess. I was promised a high protection and a most brilliant fortune in a short time. The letter was without signature ; but, to assure me of the truth of it, I was informed I might draw at the banker's for as much money as I wished. Can you conceive anything so singular ! Some lines escaped from the pen of the writer, enabled me easily to discover the cheat, and I did not hesitate to reply in such terms as must have convinced him I was not quite a dupe. Notwithstanding all my efforts, I could draw no éclaircissement from the bearer ; he acted with the greatest mystery. You

see, my dear, with what promptitude the enemies of our generous benefactress always act. There must always be spies about her, for no sooner had I left Pesaro than it was known with all its circumstances in the capital of Europe. They thought to find in me a person revengeful and very ambitious; but, thank God, I am exempt from both those failings; and money acquired at the expense of repose and duty will never tempt me, though I should be at the last extremity.

“The Almighty abandons no one, much less those who do that which is agreeable to him. *A good reputation is better than a golden girdle.*”

“Since I have introduced the subject of money, my dear sister, I must give you some advice. Economize as much as possible, retrench every superfluity; did you but know the regret I feel in not having done so! I do not think I ever was guilty of extravagance, but I have not deprived myself of many things which were almost useless to me. You know that every one here, as elsewhere, fancies the Princess of Wales throws her money out of the window, and I am supposed to have returned with a considerable fortune; from a species of self-love, and to extol still more her generosity, I do not try to undeceive any one; consequently, though I have great need of money, I have not yet dared to ask my guardian for any: I know how to be moderate, and run into no expense. I have time to reflect, and to think that if I had always acted in the same way, I should not be in the situation in which I am; every one should economize as much as possible against the time when one can no longer gain anything. Profit by the lesson I have just given you, and be assured it will be salutary to you, for I speak from experience. You will know Mr. Le Notte has not delivered the parcel; I wrote to him at Milan, and at Paris; I expect his answer one of these days. If it should be lost, it would be very disagreeable, as the cloth costs a great deal: if I had known, it should not have been purchased, as my mother has a good spencer, and might very well have done without it. I regret also the velvet very much, of which I have shortened myself for my hat, in making it much smaller; besides we did not get that either for nothing, and the three Louis are

well worth lamenting, without reckoning the other baubles; all that does not come by whistling for it; a sous here and a sous there soon make a livre, and twenty-four livres make a Napoleon; you see I am become an adept in arithmetic. I will answer for it, however, that Mr. Le Notte shall have the goodness to make all good if he have lost anything. I shall show him no favor, and have written to him in such a manner as sufficiently shows I am not very well satisfied with his negligence.

“But, my dear Mariette, I perceive I have almost finished my letter without speaking of our dear relations: our good mother is tolerable well, though her asthma and pains in her bowels torment her sometimes, but nothing compared to what she has suffered this summer. Your father is very well. Henrietta is always charming; I give her every day lessons in writing and reading; she sews very well, and irons as well; she has already ironed several frills for me, and some gowns with which I am very well satisfied. Her desire of traveling is the same; pray try to get her a situation; I am convinced she will give you no cause to regret it. She is much altered for the better; she is gay, and always in good humor; mild, obliging; in short, of a character to make herself beloved wherever she goes, for she has an excellent heart, and knows how to be contented in all situations. Margaret is entirely amiable, of a pretty figure, and so lively that she makes one-half dead with laughing: Louisa is also very genteel. I assure you, dear Mariette, they are all changed very much for the better, and I am quite contented with them.

“I have been, since the month of January, in my favorite chamber at Colombier, where some repairs have been done; for example a very good chimney, and a small cabinet, wherein I sleep. I often make little excursions in our environs, and frequently receive visits, which afford me some amusement. I think I hear you say, Well, dear Louisa, what do you mean to do? Won't you marry? What does Mons.—— do? I will tell you, word for word; I every day feel more and more repugnance to marriage. Mr. —— has done all in his power to induce me to accept a heart which, he says, he has preserved for me these seven years. What heroical

constancy, and little worthy of the age in which we live. I have not, however, been dazzled by it ; and although he be rich, charming, and amiable, I would not retract the refusal I gave him four years ago. If this amuse you, I will tell you I have several other lovers, not less desirable than he ; I am very foolish perhaps to refuse them, for they are infinitely better than I am : perhaps I may one day repent it. You know the proverb, "*qui refuse muse,*" (he who will not, &c.) but I can not do otherwise ; recent events have created in me a sort of antipathy to all men. I can have no ties, no communications, with any of them, I love and cherish sweet liberty alone, and wish to persevere it as long as I can. Dear Mariette, I conjure you, imitate my example, never think of marrying. My mother and I forbid it as long as H. R. H. shall wish to keep you in her service. You can have no greater happiness ; it is impossible. Beware of forming any attachment or tie with any one ; you are too young for that ; remain free ; be assured you will be a thousand times more happy. I do not recommend prudence to you, because I know you too well to distrust you, and to suspect you do not possess it ; for whatever may have been said of me, I would have died rather than abandon it for an instant, and deviate from the strict path of virtue ; the most precious good we possess ; yet I have known some persons have suspected my conduct ; but I have God and my own conscience for witnesses. Are they not sufficient for my peace ? at least no one can deprive me of them.—No, I have nothing to reproach myself with on that head, and you know it as well as myself, therefore I can give you advice with the assurance that you will follow it, especially as it is also that of our mother.

"Dear sister, if you dare, place me at the feet of H. R. H., beseeching her to accept my humble respects. Do not fail, I entreat you, when she speaks to you of me, to endeavor to convince her my repentance for having displeased her is still the same ; that I conjure her to restore me to her favor. Tell me if H. R. H. is still so very angry with me, and if there is not any appearance of a full pardon ; but tell me always the truth. Try also, I pray you, Mariette, to persuade H. R. H.

that I am, and always shall be, so entirely devoted to her, that no sacrifice I could make for her would appear too great, and that she might even dispose of my life, which shall forever be consecrated to her. Tell the Baron also that I am very sensible of his remembrance, and beg him to accept the assurance of my perfect gratitude. Embrace for me the charming Victorine; repeat also, my thanks to the Count, and assure him I shall never forget his late kindness. Remember me to the Countess, Madame Livia, and Mr. Williams, begging them to receive the assurance of my sincere friendship.

“Dear Mariette, if I were to tell you all those who send you salutations, I should want two more pages, for everyone is much interested for you, and they never cease to put up vows for your continued happiness. You are sensible, however, that the most sincere are made by us at home.

“You will tell Mr. Hieronimus that John is quite well, and that Mr. Simonin is very well pleased with him in all respects; his board is not paid for, and tell Mr. H. on the receipt of this letter, I beg he will immediately send an order to Mr. Demolin for the six months’ board, and address it to me; he must not delay, for I have need of money. You will not, I think, do wrong to send me, at the same time, the two Napoleons, to make up twenty-five, if you can. It is I who send you the gown instead of the lace; I think you should trim it with muslin. Make my compliments to Mr. Hieronimus, and tell him the first time I write again I will give him more particulars respecting his son, because I hope to have more room. I should wish much to know how ink is made with that powder which he gave me, and what he has done with the two pictures I delivered to him at the Villa d’Este. Adieu, dear and good sister; we embrace you cordially. A reply at once, if you please.

“Your sister,

“LOUISA DE MONT.

“Miss Marietta Bron, at Pesaro.”

The other letter *Mr. Garston* first read in French and then translated, *Mr. Pinario* comparing the original.

“ROYAL HIGHNESS.

“It is on my knees that I write to my generous bene-

factress, beseeching her to pardon my boldness; but I can not resist a foreboding. Besides, I am convinced that if H. R. H. knew the frightful state into which I am plunged, she would not be offended at my temerity. My spirits can not support my misfortune; I am overwhelmed by it, and I am more than persuaded that I shall sink under it; I feel a dreadful weakness—a mortal inquietude consumes me internally, and does not leave me one moment of tranquillity. A crowd of reflections on the past goodness of H. R. H., and on my apparent ingratitude, overwhelm me. May H. R. H. deign to take pity on me; may she deign to restore me to her precious favor, which I have just unhappily lost by the most melancholy imprudence. May I receive that sweet assurance before I die of grief: it alone can restore me to life.

“I dare again to conjure, to supplicate, the compassion and the clemency of H. R. H., that she will grant me the extreme favor of destroying those two fatal letters; to know that they are in the hands of H. R. H., and that they will constantly bear testimony against my past conduct, places me in the extremity of distress; the aversion which I have merited on the part of H. R. H., instead of diminishing would be increased by reading them. I allow myself to assure H. R. H. that it is only the granting of these two favors which can restore me to life, and give me back that repose which I have lost. My fault, it is true, is very great, and irreparable; but love is blind: how many faults has he not caused even the greatest men to commit. I dare to flatter myself this is a further reason why her Royal Highness should condescend to grant me the two favors which I take the liberty of asking of her.

“I also presume to recommend to the favor and protection of her Royal Highness my sister, Mariette, as well as the one who is in Switzerland. Her Royal Highness has condescended to give me to understand, that perhaps she might be allowed to supply my place; the hope of this greatly alleviates my distress. It would be also an act of beneficence; for my sisters have only very limited fortunes, and in our small, poor country, they are not to be acquired. I am certain her Royal Highness

would never have cause to repent her great goodness and extreme kindness towards a young girl who has always succeeded in gaining the esteem and friendship of all to whom she has been personally known. I can not sufficiently thank her Royal Highness and the Baron for their kindness in sending Ferdinand to accompany me; he has paid me all the attention, and taken all the care of me imaginable. I know not how to acknowledge so many benefits, but I will endeavor by my future conduct to merit them, and to regain the favorable opinion which H. R. H. had vouchsafed to entertain for me during the days of my happiness.

"It is with sentiments of the most entire submission and the most perfect devotedness that

"I have the honor to be,

"H. R. H.'s

"Most obedient Servant,

"LOUISA DE MONT.

"*Rimini, the 16th Nov. 1817.*"

The Interpreters requesting that they might have an opportunity of a more careful revision of the translation of the two letters just read, were directed to retire as soon as their services could be dispensed with, and when they should have agreed in the translations, to present the same to the House.

Then the witness was asked :

Mr. Williams. Who is the Count to whom you allude in the letter first read?—The Count Schiavini.

Was he at that time in the service of the Princess?—
Yes.

Was that journal of which mention is made, a journal comprising the whole time that you were with the Princess?

The Solicitor-General objected to the question, submitting that the journal must speak for itself.

The Counsel were informed that the question might be put.

The question was proposed.

I do not believe it contained the whole time.

Did it not comprise the greater part of it?—Yes.

State more particularly who that Madame Gaulise is, to whom you refer in that letter?—A Swiss lady.

A Swiss lady residing where?—At Lausanne.

How near to Lausanne is the residence of your father and mother?—Three leagues.

Madame Gaulise is not a relation of yours, but some acquaintance or other that you formed at Lausanne?—Yes, she is not my relation.

But an acquaintance of yours residing at Lausanne?—Yes.

Where does your aunt Clara live to whom you allude?—At Colombier.

In the same place of course at which your father and mother reside?—Yes.

Do you not, in that letter speak of taking some refreshment at your aunt Clara's?—I have already said that this letter was a double entendre for my sister.

Is it true, or is it not, that a person unknown did desire to deliver you a letter?—If I may have permission, I will explain everything respecting that letter.

First of all give an answer to the question—is it true, or is it false, that an unknown person did desire to deliver you a letter?—I have once received a letter without a signature.

Was that letter delivered by an unknown person, who came when you were at your aunt Clara's?—I do not recollect whether it was at my aunt Clara's, but this letter was sent to me at Colombier.

Did that unknown person come and deliver the letter to you either at your aunt Clara's, or not?—I do not recollect where the letter was given to me.

Did any unknown person deliver to you a letter?—I have said I received a letter at Colombier; but I do not know who delivered it to me, I do not recollect.

Are you now speaking of that letter to which you refer in the letter which has been read?—It was a letter without a signature, but it did not contain what you (*the Interpreter*) have read.

Then it is not true that when you were taking refreshments at your aunt Clara's, you did receive a letter which proposed that you should go to London, and so on?—I do not recollect whether I received it at my aunt Clara's.

Did you receive such a letter at all, aye or no?—I have

received a letter like that, but it had not the contents exactly of that which you (*the Interpreter*) have read.

Did that letter you receive contain any proposal to go to London?—I wish to explain this letter.

Answer the question, and then you may do it; did you or did you not receive a letter that proposed to you to go to London?—I received a letter which said to me, that if I would go to London I would be placed as a governess, if I were provided with letters of recommendation. I wish you would have the goodness to let me explain why I wrote this letter to my sister; I wish to go back to the time in which I was dismissed from her Royal Highness's service: I was to start the following morning; Mr. Bergami came into my room—

Mr. Williams objected to a statement of any conversation with Mr. Bergami in the absence of the Princess.

The Solicitor-General submitted, that the witness was at liberty to state all the circumstances, whether in other respects evidence or not, that induced her to write that letter, and the statement of which was necessary for the purpose of explaining it.

The Counsel were informed, that the statement might be received by way of explanation.

The witness proceeded as follows:

Mr. Bergami came into my chamber and said, that her Royal Highness wished to dismiss my sister also on account of me. I was very sorry for that, for my sister not having any fortune at home could not live at home. I begged Mr. Bergami to speak to the Princess, in order that she might keep my sister: he promised to do it, and at the same time advised me to write a letter to her Royal Highness, because she was much offended against me, and to recommend my sister to her, and to ask her pardon. I wrote the letter at Pesaro.—The following morning, when I parted with my sister, she recommended to me when I wrote to her to write to her nothing which could prejudice or hurt her; I promised that I would, on the contrary, do everything in my power in order that she might keep her place; I wrote also to her Royal Highness the letter which has been seen from Rimini. I wrote to my sister several other times, and always in those same letters I spoke much of

her Royal Highness, because I knew that they would be intercepted.—About the same time in which I wrote that letter, I had formed the idea of quitting Switzerland and coming into England, at the time that I received information that if I could set off, and have letters of recommendation, I should be placed here as a governess, at the same time being afraid that her Royal Highness would dismiss my sister, I wrote to my sister, and I dare not write freely for fear the letter should be seen: I said to my sister what has been read in the letter, only to let her know that if she were dismissed, I would find the means of placing her here, and that I would pay her journey; at the same time, I knew that since I had left the Princess, she had always said that she was afraid I should speak against her, and as I knew that the Princess would read the letter also, I wished that she might be convinced that I would not speak against her even if I came into England. I have often had questions put to me in private conversations, and I have always avoided saying what took place in the house. This is the reason why I wrote that letter to my sister.

Have you given a full explanation in your conception, or have you more to add?—I have said that I wished to pay the journey of my sister; the allusion to the banker was to say, that I wished to take the money which I had with my guardian and place it here, because they had told me the interest would be double, and if I had need of it here for my sister or myself, I should be able to make use of it.

Have you any more explanation?—I have no further explanation.

Have you any further explanation; consider well before you answer?—I wished by that to convince the Princess, who doubted of my speaking of her, that though I should have questions put to me, money would not tempt me.

Have you any other explanation?—I wish to think a little;—I must say also that at that time I felt a great degree of attachment to her Royal Highness, and grateful for the kindness she had used towards me, whilst I was in her house.

Any more?—I do not recollect entirely all the circumstances respecting this letter, but that is as far as I can recall to my mind.

You saw the letter last night sufficiently to know it again, did you not?—I have seen it, and I said I could know it again, but could not recall the whole of its contents.

But you saw the date of it, did you not, and the place from which it was written?—I have seen two letters, but I have not remarked the date.

Did you not see it last night, when it was put before you?—I saw two letters placed before me.

Did you not see the date?—I do not know which of the two it was, as to the date.

Did you not see the dates of both?—I have only seen Colombier, I have not made observation on the date.

But you did see the one that was written from Colombier, that you noticed?—I have seen Colombier at the top of one.

When you went from this place last night, who accompanied you?—A lady, one of my friends,

Do you mean to represent that nobody else has seen you since you were examined here last night?—I have seen the people of the house, and the person who accompanied me, who is some one whose name I do not know, but who was sent to fetch me.

Did you not remain somewhere near to the place where you now are, for some time before you went home?—I went directly home.

Did you not stay near the place where you are now, before you went to the place where you reside, wherever it is?—In going out hence, I went direct home.

The Interpreter stated that the term used might apply to the time of her going home, or to her going straight home.

In going hence, I went directly home, without going to any other place.

You are not asked whether you went straight home; whether you went out of your way; but whether you did not remain somewhere near this place before you set out to go home?—I remained a moment in a room up here in the house.

How long did you remain in the room above?—I do not recollect perfectly.

Do you mean to represent that you did not stay above a moment, as you phrase it; do you mean to swear that you did not stay half an hour above stairs?—I will not swear it; I may have remained there half an hour, perhaps, nearly.

Will you swear you did not remain there an hour?—I can not swear as to the time that I remained there.

What did you mean by saying this instant that you remained only a moment?—I meant that I did not remain there long.

Will you swear you did not remain there two hours?—I can not swear as to what time I stopped there.

Do you mean to represent that nobody saw you in that room, except the person with whom you went home, and the woman whose name is not asked?—I saw the lady who accompanied me home, and the gentleman who came to fetch me, in order to conduct me.

You just now asked for a little time when you were asked whether you wanted to give any more explanation; do you mean to represent that you have not been thinking of the subject of these letters ever since you were examined in the afternoon of yesterday?—I have not passed my time in reflecting upon them, but I have thought about them.

Are you to be understood that you have been thinking of them, but not thinking of them all the time?—I have not been thinking of them all the while; because on my arrival at home I retired to my bed-chamber.

What do you mean by the capital of Europe in the letter which has been read; do you mean London?—It is so long since I wrote the letter, that I can not exactly recall what I meant by it.

Having heard it read in the French, and also in English, do you mean now to represent that you do not know what you meant by the capital of Europe at the time you wrote that letter?—It is impossible to recollect, since such a distance of time, what I meant by all the words; I can not recollect; I have told you that it is so long since, I can not recollect.

The following extract was read from the letter:

“ Pas plutot j'ai ete partie de Pesaro, qu'on la su avec toutes les circonstances dans la capitale de l'Europe.”

What place did you mean to describe by the capital of Europe?—I can not recall to my mind what I meant by that expression, because it is often my custom to write in a double sense, and I sometimes call Lausanne and Colombier the capitals, in jest, in joke.

In your jest, have you been in the habit of calling Colombier the capital of Europe?—I was often accustomed to call Colombier the capital, in writing to my friends, joking.

Whether you meant that place now in writing that letter, you do not know?—I do not know now.

In your letter you say that you want money?—Yes.

Was that so, or was it not?—Perhaps I had no money at home; but if I had want of money, I could ask it of my guardian, who had it always.

Did you, or did you not, at the time you wrote, want money or not?—I do not recollect whether I had money at home, but if I had need of it, I could ask it of my guardian; perhaps I had not money at home.

Do you mean that you were at all supported by your father and mother during the time you were in Switzerland, after you quitted the Princess?—I paid board to my mother for my maintenance.

You were not assisted in any way during all that time with money by anybody?—I do not recollect that any one lent me money.

Lent it, advanced it, or gave it?—No one gave me money.

You mention in the letter a sister besides Mariette?—Yes.

You were much attached to that sister, were you not?—I was always much attached to her.

And that sister you wished very much to go into the service of the Princess, did you not?—My sister wished to travel herself.

Did you not wish her to go into the service of the Princess?—Yes, because she had often spoken to me to place her, to put her into a situation.

What was the age of that sister?—Nearly nineteen; I can not recollect exactly.

Was she then nineteen, or now?—At that time.

What line of life is your step-father in at Colombier?
—He is a farmer.

Does he farm his own estate?—He has a small domain, which he cultivates himself.

He is in tolerable circumstances, is he?—He can assist only in working hard, he and my mother also.

Does he not maintain himself by his labor?—Yes.

He lives in a small cottage, does he not?—A small house.

And has some family living with him now, has he not?
—My mother and two daughters.

Re-examined by *Mr. Solicitor-General*, through the interpretation of *Mr. Pinaro*.

Did you say that your father had any property of his own?—My father has some lands which belong to him.

Is that the land which he cultivates?—Yes.

Is it with that land and with that labor that he maintains himself?—Yes.

Have you yourself any property?—Yes.

To what amount in the year?—Something about fifty Louis.

Is that the annual amount of the income which you have?—Yes.

Is your sister Mariette still in the service of her Royal Highness?—Yes.

Has she anything of her own, except the wages which she receives from her Royal Highness?—She has nothing but what she receives from her Royal Highness.

Is she your own sister or your half sister?—By the mother's side only.

You stated, yesterday, that you were dismissed for saying something which was not true—that in effect it was not true; explain the circumstances of your dismissal, and for what cause it was you were dismissed from the service?—I was dismissed the service of her Royal Highness, because she had been told that Mr. Sacchi had given out that her Royal Highness was in love with him, and that it was I that had told him from the Princess. I wrote a letter to Mr. Sacchi; this letter was

taken up at the post; and because I said at the end of the letter, that the Princess loved and esteemed Mr. Sacchi as before, ("*aimoit*" has two senses), as in the former time; I explained to her Royal Highness that I did not mean at all that it was love, but that her Royal Highness liked Mr. Sacchi in the same manner as other persons in her household. After this letter was I dismissed, because her Royal Highness thought that it meant love; and yet it was not love at all that I intended.

What were the expressions which were canvassed by her Royal Highness, the particular expressions which you allude to?—As far as I can remember, I said in the letter that her Royal Highness loved in the sense I have explained, and esteemed Mr. Sacchi as in former time; the words that I used were, "*aimoit y estimoit comme dans le tems passe?*"

When was that letter written?—At Pesaro.

That letter in which those words were used, "*aimoit y estimoit comme dans le tems passe?*"—Yes.

While you were writing that letter, did any person come into the room?—Mr. Bergami.

Did he see you writing?—Yes.

Did you afterwards yourself go to Pesaro?—I went myself to Pesaro.

With the letter?—With the letter.

Was any person appointed to go with you?—My sister and Mr. Hieronimus were to go with me.

After Bergami came into the room was any other person appointed to accompany you?—Mr. Bergami came again into my room, and told me I was to go with his cousin Bergami, who was going to Pesaro.

Did his cousin Bergami accompany you?—He accompanied me as far as Pesaro.

Did you put the letter into the post-office yourself?—Myself.

With your own hand?—With my hand.

Did you, on the following morning, see that letter in the possession of any person?—Yes.

In whose hands?—In the Princess's hands.

Did you afterwards write a second letter?—Yes.

Was that letter also intercepted?

The Attorney-General for the Queen objected to the

question, stating that there was no proof of the former letter having been intercepted.

Mr. Solicitor-General. Did you afterwards see that second letter?—I saw it a long time afterwards.

When you were writing that second letter, did you communicate the contents of it to any person?—To nobody.

By a Lord. To whom was that second letter addressed?—It was not addressed to Mr. Sacchi, there was another name; I do not recollect whether it was Penchaud or not.

You have stated that you did not communicate the contents of that second letter to any person; did her Royal Highness afterwards say anything to you about the contents of that second letter?—It was after this second letter that I was dismissed.

Did her Royal Highness mention any part of the contents of the second letter to you?—I do not recollect that she mentioned about the second.

Did you ever, on any occasion, state that her Royal Highness was in love with Sacchi?—No.

Was the charge that was made against you true or false?—It was not true.

Was her Royal Highness, to your knowledge, in love with Sacchi.

Mr. Williams objected to the question.

The Counsel were informed that they might ask what was meant by those words in the letter to which the witness had referred.

Mr. Solicitor-General. At the time when this letter was produced to you the following morning by her Royal Highness, was any person in the room with her Royal Highness?—There were several other persons.

Where was Mr. Bergami?—In the same room with her Royal Highness.

To what place was that letter addressed which you put into the post-office?—It was addressed to Milan.

How far is it from Pesaro to Milan?—I think one may travel in two or three days by the post.

The question refers to the letter you yourself put into the post-office?—Yes.

A letter produced here is dated from Rimini?—Yes.

Did you write that letter at Rimini?—I wrote that letter at Rimini.

How long was that after you had left her Royal Highness's house?—It was the same day.

Besides the letters which have been produced here to-day, have you written other letters to your sister?—I have written other letters to my sister.

Few or many?—Neither many nor few: I mean some letters.

Can you state about how many?—Five, six, or seven; something like that.

Whilst your sister was in the service of her Royal Highness?—Yes.

Did your sister correspond with you and your mother?—We never had any news from my sister.

What do you mean by saying you never had any news from your sister?—That my sister did not answer my letters.

Did you or your mother receive any answer to the letters which you sent to your sister from any person?—From some other person that wrote in the name of my sister.

Who was that other person?—I can not positively say.

Do you know the hand-writing of her Royal Highness the Princess of Wales?—Yes.

Can you say whether those letters were written by her Royal Highness?

Mr. Williams objected to the question.

Is this one of the letters? (*A letter being shown to the witness.*)—Yes.

Is that letter in the hand-writing of the Princess of Wales?—The hand-writing resembles very much that of her Royal Highness, the Princess of Wales.

Have you ever seen her Royal Highness write?—Very often.

You are not asked positively to swear that this is the hand-writing of her Royal Highness, but do you believe it to be her hand-writing?—I believe it is her hand-writing.

Did you or your mother ever receive any letters written in the hand-writing of your sister?—My mother received a letter from my sister, while I was at Milan.

In the hand-writing of your sister?—In the hand-writing of my sister.

You have stated that Mr. Bergami was present at the time that her Royal Highness produced the letter, which you had put into the post-office?—Yes.

Can you state what he said in the presence of her Royal Highness at that interview, when they were talking about your dismissal?—Respecting the letter he said, that it was true I had said the Princess was in love with Mr. Sacchi. I made a proposal to the Princess, to write to Mr. Sacchi in order to have the truth from him, and Mr. Bergami opposed it.

What else did he do?—Mr. Bergami accused me of having passed a night in the corridor with Mr. Sacchi. I said that my sister was present, and might declare that I had slept with her.

Was your sister present?—My sister was there.

Had you slept with your sister?—I had slept with my sister.

Was that charge which was made by Mr. Bergami true?—It was not true.

Was anything more done upon it?—No.

You have been asked whether two months ago, or at any former time, you took an oath to your deposition?—Yes.

Who applied to you for that purpose?—To make me swear to my deposition, Mr. Powell.

For what purpose was it to be used?—I do not understand the purport of the question.

Did he tell you for what purpose you were to take the oath; what was to be done with it?—I do not recollect what Mr. Powell said to me.

As nearly as you can recollect, and try to recollect with accuracy, how long was it ago?—As far as I can recollect, two months, or something more than two months.

Do you know whether it was after the Queen had arrived in England?—Yes.

About how long after her arrival?—I do not recollect nearly what time it was, I do not know what time it was that the Queen arrived.

Though you do not know what time it was that the Queen arrived, do you know how long it was after the Queen had arrived, that you took this oath to the deposition?—I believe it was not long after the Queen's arrival.

Have you ever heard of a Committee of the House of Lords?—Yes.

Was it after you had heard of that?—I rather think it was after.

Before you took that oath was the deposition read over to you, or did your yourself read it over?—I read it myself.

Now, to go back for a moment to Naples; you have mentioned that you saw Bergami in the small corridor, in his shirt, and that you went out of the door from the corridor?—Yes.

Did you observe anything done to that door after you went out of it?—I saw that they shut the door.

Mr. Garston. The words were, "Je vis que l'on fermait la porte."

When you say that you saw that they shut the door, on what side was the door shut; on the side that you went out, or on the side of the corridor?—It was shut on the inside.

When you say it was shut, do you know whether it was locked or not?—I mean to say, that when they shut the door, I heard them give a turn to the key.

Mr. Garston. The words are, "I heard that the key was turned."

You have stated, that you made the beds at Naples; how long after the arrival of her Royal Highness was it that you began to make the beds?—Nearly two months after our arrival.

Who was it that made the beds up to that time?—Annette Preising.

How long did you continue to make the beds?—All the time that I remained at Naples.

Did you afterwards continue to make the beds at Genoa?—For some time.

For how long?—Until my sister arrived; nearly one month.

Did you make the beds after that?—No.

Was it in the whole about three months that you continued to make the beds?—Nearly so.

You have stated that Hieronimus's room at Naples, opened into the corridor; was the corridor, into which that room opened, the small interior corridor, or some other corridor?—It was another corridor.

Was it a private or public corridor or passage?—It was a corridor through which you passed to go to her Royal Highness's room, and through which passed Mr. Hieronimus, Mr. Williams, and myself, to go to our rooms.

You have stated, that on your first arrival here, you went by the name of Colombier; why did you go by that name?—In order to be more quiet or peaceable here.

Since the arrival of the Queen have you seen Hieronimus?—I have seen Mr. Hieronimus on the staircase where we lived.

When was that?—When we were in Dean-street.

Did he call upon you?—He called twice in the same morning.

How long is that ago, as nearly as you can recollect?—Seven weeks nearly.

Were those the only times he called upon you?—No.

You have been asked about Count Schiavini; when the servants left her Royal Highness's service, was it his business to give characters?

The Attorney-General for the Queen objected to the question.

Mr. Solicitor-General. In what situation in her Royal Highness's household was Monsieur Schiavini?—A little time he was Master of the Ceremonies.

When the servants quitted her Royal Highness's household, did anybody give them characters at any time?

Mr. Williams objected to this question, as not arising out of his cross-examination.

The following questions were put by their Lordships, at the request of the Solicitor-General:

When the servants quitted the service of her Royal Highness, did any person in her household usually give them characters?—Yes.

Who was that person?—Several times I believe it was Count Scavini.

SEPTEMBER 4.

After the usual forms were gone through, *Mr. Brougham* proposed that translations of the letters of *Louisa Demont*, which were read on Saturday, should now be put in, certified by the translators.

George Pinaro and *Edgar Garston* were accordingly called in, and sworn, and examined.

Have you compared that with the original which you read on Saturday (a paper being shown to the witnesses)?—We have.

Have you compared it together?—We have.

Is this a correct copy?—It is.

Have you compared this with the original letter to the Princess of Wales (another paper being shown to the witnesses)?—We have.

Have you agreed in the translations of those two letters (two papers being shown to the witnesses)?—We have.

Luigi Galdini was then called in, and sworn, and examined as follows by *Mr. Parke*, through the interpretation of the *Marchese di Spineto*.

Of what country are you a native?—Blevio.

Is that on the Lake of Como?—It is.

Of what trade are you?—A mason.

Did you work at the Villa d'Este at any time?—I did.

For how long did you work at the Villa d'Este?—About fifteen days, a little more or a little less.

During that time were you employed upon the house of Guggiaro?—I built the house of Guggiaro.

Who was Guggiaro?—His Christian name is Santino, and he was agent at the Villa d'Este.

Was he the agent of the Princess?—Yes.

Do you recollect a morning when you were employed in making a cornice?—I do not remember the day, but I remember that I was working at the cornice.

Was Guggiaro at this house at that time when you began in the morning?—Guggiaro told me the night before to get ready all the materials to work, such as the plaster of Paris, marble, sand, and all other things necessary, for I was working by contract.

Was Guggiaro at the house in the morning?—He was at the villa: I waited at the place till nine o'clock, waiting for the materials which he had promised to send me, and he did not send those materials; and as I had fifteen or twenty men, I set out to go to the Villa d'Este to look after the agent, in order that I might obtain the materials.

What distance was the fattore's house from the Villa d'Este?—Guggiaro dwells in the house of her Royal Highness.

How far is the house which you were making from the Villa d'Este?—Three gun-shots, 450 paces about.

When you got to the Villa d'Este, did you inquire for the fattore?—I did; I went to the kitchen of the fattore.

Did you go into any other place to look for him?—I did.

Did you go up stairs.—I did.

Were you in a large room when you got up stairs?—I went into a room, but it was not a great room, it was a room.

How long did you wait there?—For a moment; I opened the door and looked, and saw a good many doors, and I was rather out of humor, for I had lost a great deal of money on account of so many men being upon my back that day, and without work, therefore I opened the door and shut it again.

When you opened a door whom did you see?—I saw the Baron and the Princess, who were both sitting.

Whom do you mean by the Baron.—Baron Bergami.

On what were the Baron and the Princess sitting?—They were sitting both together, the Baron had his right arm round the neck of the Princess.

What were they sitting upon?—Whether it was a sofa, whether it was an easy chair, whether it was a small bed, I do not answer, because I was there only a moment, I was confused.

How was the Princess dressed as to her bosom?—She was uncovered so. (Passing his hand across his breast.)

In what position was the Princess, can you describe that?—She was sitting.

Was any one else in the room besides the Baron and the Princess?—I saw no one else.

When you opened the door, what did the Baron do?—He took away his arm from the neck of the Princess, got up, and told me what do you want from here, you dog.

What did you say to the Baron?—I told him you must excuse me, Signor Baron; I came here to look after the fattore, for I have got so many men, and I want the materials to make the men work.

Did the Baron make any reply to that?—He told me that that was not the apartment of the factor.

Did you ever see after that, the Princess and Bergami together at any time?—I saw them another time.

Where were they when you saw them together?—They were coming down the stairs arm-in-arm.

Did you see them do anything to each other at that time?—I saw them descending, and standing just for a moment on the stairs, for I was crossing.

Did you see them at any other time, except that which you have last described?—I saw them three or four times on the back of an ass; for they were passing in front of a house which I was building on account of the factor.

Was Bergami himself walking, or was he riding?—He was on foot.

Was he near the Princess?—He was.

How did Bergami hold his hand?—Once behind the back, another time on the thigh; because she was sitting on the ass.

You have said Bergami's hand was behind the back; whose back?—Behind the back of the Princess; he was supporting her on the back of the ass.

Was any other person with them at the time?—They were on the public road; they were going up and down the walk; by day it was a public walk.

Cross-examined by *Mr. Tindal*.

Whom did you first inform of what you knew upon

this subject?—The first time I mentioned it to the son of the factor on the same day.

Did you go to Milan to give this information?—I did.

Who applied to you to take you there?—A man of the name of Tagliabue.

Do you recollect at what time that was?—I remember it, for Tagliabue took me there with him.

When was it?—In the year 1817 or 1818; thereabouts.

Did you go with him there?—I did, with some others.

Whom did you see when you got there?—I went to the house of the Advocate Vimercati.

What did he do; did he examine you?—He did.

Was any one else present besides Vimercati?—There were three more persons.

Do you know who they were?—They told me that one was a colonel, that another was an advocate, and a third I do not know.

Was he an English advocate?—He was, so they said.

Was the colonel, Colonel Brown?—Yes.

How long did you stay at Milan?—Four days and a half.

Were you under examination all that time, or a greater part of it?—I was examined on the third day, because there were others before me; whether it was the third or fourth day, I do not know.

What did you receive for going to Milan?—I received ten livres per day to pay my expenses.

Do you mean to swear that you did not receive more for going to Milan?—I do.

When were you applied to, to come to England?—Last winter, towards the end of March or the beginning of April.

Do you mean the March or April of this year, 1820?—Yes.

Who applied to you?—The same Tagliabue who called upon me with the letter of the Advocate Vimercati.

Did you see Vimercati again before you came to England?—I did.

Did you make any agreement with Vimercati as to your coming to England?—I made an agreement that he should give me ten livres per day.

Was that besides your expenses?—They are for the expenses for living.

Who paid your expenses in coming over to England?—Our courier gave us our ten livres every day.

Who pays your expenses here?—I do not know that.

Where are you staying?—I am out at a little distance from this place, but I do not know where it is.

Are there several of the other witnesses with you?—I see a good many of them, I see witnesses, I see strangers, I see people, there are many.

Have you seen Theodore Majocchi among them?—Yes, in London.

Do you know him?—I have known him since my arrival here; I had never seen him.

You have seen a good deal of him since that, have not you?—No, he was in one lodging, I was in another, and I have known him since my arrival in England.

Had the room, in which you saw the Princess and Bergami, several doors?—I went in by one door, there were some other doors, but that was the first time I went into the room.

Do you recollect what time of the day it was that you saw them?—The hour was between half-past nine or ten and eleven, but I do not know precisely, for I can not keep that in my mind.

Were the other workmen employed about in their work at that time?—They were at the building of Santini, waiting that I should go.

Do you recollect at what part of the year this was; how long ago it was?—It was in the year when they gave that great feast; it was the year 1816 or 1817.

What part of the year was it; not the exact day?—Towards the latter end of September or the beginning of October.

Re-examined by *Mr Parke* :

You say that when you were traveling here you received ten livres a day from the courier for your expenses, have you received that sum since you were here?—No, I have received those ten livres for eleven

You say there are many witnesses in the place where you now are ; at what place did you land when you first came to England ?

Mr. Tindal objected to this question, as not arising out of his cross-examination.

Mr. Parke insisted that the question was perfectly regular, in consequence of the course the cross-examination had taken. Questions had been asked in order to prove that the witness had met with other witnesses. It was necessary to counteract that evidence by showing what was the reason for the witnesses being together.

The Solicitor-General contended that his learned friend was entitled to put the question, and added, that he conceived their Lordships had already decided the point.

The Lord Chancellor was of opinion that the question might be put.

Where did you land when you first came here?—In London.

The first time you came to London?—I landed here in London the first time ; afterwards I went to Holland.

Where was it you landed before you came to London?—I went to Boulogne, and then by sea to Dover.

Were there many of your countrymen, many Italians, with you when you landed at Dover?—We were four.

Did anything happen to you or them at Dover?

Mr. Brougham objected to the question.

Mr. Parke said he would not press the question.

Alessandro Finetti was next called in, and sworn, and examined by the *Attorney-General*, through the interpretation of the *Marchese di Spineto*.

Are you an ornamental painter?—Yes.

Were you ever employed at the Villa d'Este?—I was.

By whom were you first employed at the Villa d'Este?—The Baron.

What Baron?—Baron Bergami.

How long were you at the Villa d'Este?—More than two years.

Did you afterwards go to Rome with the Princess?—I did.

How were you employed when you went to Rome ; in what situation ?—I was a servant.

During the time you were at the Villa d'Este did you ever see the Princess and Bergami together ?—Many times.

Where have you seen them together ?—Walking about the grounds.

When they were walking about the grounds, in what manner were they walking together ?—She was holding the hand of Bergami.

Were they alone or were any other persons with them ?—Sometimes they were alone, sometimes there was the dame d'honneur.

Have you ever seen them go in a boat together upon the lake ?—Many times.

When you have seen them in the boat together were they alone ?—Sometimes alone, sometimes there was the dame d'honneur with them.

Did you know the room of Bergami at the Villa d'Este ?—I did.

Do you remember being at any time in the ante-chamber to that room ?—Yes.

At what time of the day was it that you were in that ante-chamber ?—It was in the morning, between ten and eleven o'clock, or thereabouts.

Did you see Bergami at that time ?—I saw him come out from the side where the Princess's room was.

How was he dressed ?—In a morning gown, with only his drawers on.

In what direction did he go ?—He was going towards his room.

Did you see where he went to ?—He went to his room.

Did he see you ?—He saw me.

When you were at Rome, at the Villa Brandi, did you wait at table ?—I did.

Did you wait at dinner and supper ?—I did.

Who used to dine and sup with the Princess ?—All of the court, and sometimes some persons who had been invited from Rome.

Did Bergami dine and sup with her Royal Highness ?—He did.

Did Louis Bergami dine and sup with her at the Villa Brandi ?—He did.

Did Bergami's mother dine and sup with the Princess at the Villa Brandi?—She did not; the mother of the Baron was not at the Villa Brandi.

Do you remember being at Ruffinelli with the Princess?—I do.

Was Bergami, at any time during her residence at Ruffinelli, ill?—He was.

Was he confined to his room?—Do you mean to his bed, or in his room?

Did he keep his bed, or did he only keep his room?—He kept his bed.

Have you ever seen the Princess in his room?—Many times.

What did her Royal Highness do in that room?—She was there conversing.

With whom?—With Bergami.

Have you ever seen Bergami taking any medicines while he was ill at that time?—I have seen him.

Who gave him the medicines?—Sometimes I have seen her Royal Highness, the Princess.

Were you ever present when Bergami's bed was warmed?—I was not present when the bed was warmed, but I brought the warming-pan.

Have you seen Bergami get out of bed for the purpose of having his bed warmed?—I have.

Was the Princess in the room at that time?—She was.

Do you remember going from Ancona to Rome with the Princess?—I do.

On any evening in the course of that journey do you remember seeing the Princess and Bergami anywhere?—Not in the evening.

At any other time of the day or night?—Never in the night, I have in the day.

At what time of the day was it that you saw them?—I do not remember whether it was before or after dinner.

At the time you saw them together did you make any observation upon their conduct?—I did.

What was it?—Passing through a court I saw the Princess so, (making a motion.)

Who was with the Princess at this time?—Bergami.

Describe how you saw the Princess and Bergami, at

the time you were passing through the court?—The Princess was embracing Bergami.

By a Lord. What do you mean by the word “embrace”?—She was doing so with her hands, (making a motion).

Where did she put her hands?—The Princess was putting her hands round under his arms.

By that do you mean round his body?—I do.

The Attorney-General. In what direction were their faces at that time; towards each other?—One opposite the other.

Were their faces near each other, or how?—Their faces were at a distance, for she is short, and he is tall.

Were you at Caprili near Pesaro?—I was.

With the Princess?—Yes.

Did you ever see the Princess and Bergami together at Caprili?—I have seen them many times together.

Do you remember on any particular occasions, seeing them after dark, or in the evening together at Caprili?—On the first evening I saw them.

Where?—Out of the house, on the steps which led into the garden.

What were they doing when you saw them together?—I went to look for a key, because I thought her to be the wife of the agent, and I found she was the Princess; she was just embracing Bergami, as I have described before.

Have you ever seen them in that situation at any other time?—Not at Caprili.

At any other place?—I have seen it sometimes also at the Villa d'Este.

Have you ever seen them do anything else to each other?—I have seen them kiss each other.

Have you seen that more than once, or only once?—I saw it only once there; other times I do not remember.

Mr. Wilde stated that he had no questions to propose to the witness.

The witness was directed to withdraw.

Domenico Brusa was then called in, and sworn, and examined by *Mr. Parke*, through the interpretation of the *Marchese di Spineto*.

Of what country are you?—Of Cazzoni.

Of what trade are you?—A mason.

Were you at any time employed in the service of the Princess of Wales?—I was.

How long were you employed?—From the year 1815 to the year 1817,

Were you at the Villa Villani?—I was.

And also at the Villa d'Este?—I was.

And also at the Barona?—I was also at the Barona.

Did you ever see the Princess and Bergami together?—I have.

Have you seen them often?—I have seen her once, twice, three times, many times.

Have you seen them walking together?—I have.

How were they walking when you saw them?—They were in a boat on the lake.

When you saw them in a boat on the lake, were they alone or was anybody with them?—They were alone.

When you saw them walking together, were they alone?—They were alone.

Were they walking separate from each other, or arm-in-arm?—They were alone, but he was rowing.

When they were walking together—

Mr. Denman said, the learned counsel was assuming that they were seen walking together; whereas the witness, in answer to a question on that point, had stated, that when they were walking, they were in a boat on the lake.

Have you seen them walking together on land?—No, I never made any observation about their walking on land; I have seen her sitting.

When you saw the Princess sitting, was any one with her?—There was a certain baron.

Who was that certain baron?—He was called a certain Bergami.

Was Bergami sitting at the same time?—He was; it was on the evening of the feast.

What feast do you mean?—The feast of St. Bartholomew, when they gave a house-warming at the Villa d'Este.

At what time was it that you saw them sitting together, what time in the day?—It was in the evening.

Whereabouts was it they were sitting?—They were sitting upon a bench under some trees, a kind of arbor.

Was there any one there besides the Baron and the Princess?—I saw the Baron and the Princess, and nobody else.

Do you know Raggazoni?—I do.

Was any one with you when you saw the Princess and Bergami together?—There was: a certain Raggazoni and I were going to sleep in a place called the Paese, which is near the Villa d'Este.

Do you remember being at work on any day at the Villa d'Este, near a corridor?—I do.

Were you working in a room?—There was a room, and then there was another, and they made two.

Was there a door from one room to the other?—There was.

Opposite that door, at the other end of the room, was there another door.

Mr. Denman objected to the question as leading.

The counsel were informed, that they might ask whether there were any, and what other doors.

Mr. Parke. Was there any and what other doors in the room you have mentioned, besides that leading into the room in which you were working?—There was another door.

In what direction was that other door you have described with respect to the first door?—They were opposite to each other, one led one way and the other the other, in the same direction.

When the door of the room in which you were working was open, and the other door you have described was also open, could you see through both?—When I was going a Garzone was coming out, and we met.

When you met the Garzone coming out, could you see into the other room?—I could, because the door was open.

Did you see any person in the room at the time that the door was open?—I did.

Whom did you see?—The Princess and the Baron.

What Baron?—Bergami.

What were they doing when you saw them?—They were caressing each other with their hands.

Was the Princess sitting or standing?—Standing.

Was Bergami sitting or standing?—They were both standing.

In what way were they caressing each other?—(The witness made a motion by stroking down the cheeks of the interpreter in a whimsical manner.)

Describe it in words?—They paid caresses to each other with their hands.

What part of the body did they touch?—On the face.

Do you know Bergami's room at the Villa d'Este?—I know it; but I can not distinguish it, for there are many rooms, they have told me that was the room.

Do you know of any alteration, after the Princess returned from Greece, in that room which you were told was Bergami's.

Mr. Denman objected to the question, it not appearing who had told the witness that it was Bergami's, or on what ground he supposed it to be Bergami's.

The Lord-Chancellor, after consulting the judges, said, that if the witness has said he was told such a room was Bergami's room, though that did not prove the fact that it was Bergami's room, he might be asked the question whether any alteration was made in a room which he was told was Bergami's room.

The question was proposed to the witness.

I have not seen it.

Do you know of anything being done to the wall of that room?—I have seen those kisses and those caresses; and I have seen no other.

Did you see any work done to the wall of that room which you were told was Bergami's?—I have not it present to my mind.

Mr. Denman stated, that he had no question to propose.

The witness was directed to withdraw.

Antonio Bianchi was next called in, and sworn, and examined by the *Attorney-General*, through the interpretation of the *Marchese di Spineto*.

Are you an inhabitant of Como?—I am.

Do you know the Princess of Wales?—I do.

Do you remember when she lived at the Villa d'Este?—I do.

Have you ever seen her on the Lake of Como, in a small boat?—Many times.

Was any one with her when you have seen her in that small boat?—There was.

Who?—A certain Bartolomeo Bergami.

Were they alone in this small boat together, or was any other person with them?—The two alone.

Do you know the river Brescia?—I do.

Have you ever seen the Princess and Bergami on that river?—I have.

What have you seen them doing there?—I have seen them in a little canoe, near to the gate or dam which they put into the water to prevent the water from overflowing the country.

What were they doing there?—I have seen first the canoe empty, and then a moment after I saw Bergami accompanying the Princess, take her by the arm, and enter the canoe.

Where were they coming from when they went into the canoe?—They came from this flood-gate; from this riparo.

Describe what the riparo is, and whereabouts it was?—(Describing it.) This is the river, and this is the riparo, which is a bank to prevent the water overflowing this small tract of land, where there is a vineyard; and here, further on, is a road which leads on a new road, which the Princess has ordered to be made, and has cut the road through the vineyard.

Where were they when you first saw them?—They were coming from the riparo, and were coming through this little road to get into the canoe.

Is that the only time you saw them on the Brescia?—I have seen them several times, but then I saw them go backwards and forwards.

How were they dressed when you saw them at this riparo?—Both in white.

What sort of dress?—I can not tell, for I did not go and touch them; I can not say whether it was linen or silk, or any other thing.

Could you see whether they had been in the water or not?

Mr. Denman objected to this question. Two persons were seen near the water by the witness, and he was asked if they had been in the water—a fact which could only be inferred from appearances, and therefore the witness should be questioned as to such appearances.

The Lord Chancellor said, the Counsel might ask whether their clothes were wet.

The Attorney-General. Were their clothes wet?—At the top they seemed wet: but I can not tell whether they were dry or not, for I did not touch them.

Did they get into the canoe when you saw them?—They went.

Which way did they go with the canoe?—They came down the small canal, and then they went towards the villa.

What small canal are you talking of?—The small canal of the Brescia.

What time of the day was it?—About two in the afternoon.

Where was it you first saw them; whereabouts were they when you first saw them at that time?—I saw them the first time leaning against this riparo.

Was there any water where they were standing?—There is a little water, but not much.

How much?—The depth of a braccio.

When you first saw them were they standing in that water, or were they upon dry land?—I saw them that they were leaning against this bank, then afterwards immediately I saw him conduct her to the boat.

Was that place, where you say the water was about a braccio deep, a place used sometimes for bathing?—Many gentlemen go there.

Do they go to bathe?—Many gentlemen go there to take a little bathing in that place, because the bank is good and the water is clear.

When you first saw the Princess and Bergami at that place, were they standing in the water or not?—They were in the water, but they came out immediately as they saw me with four gentlemen who were in a boat; they came out and went to the canoe.

You say the Princess was dressed in white; did you observe how she was dressed in the lower part; what she had on?—A species of loose trowsers that reached to the feet.

Mr. Brougham stated that he had no question to put.

Giovanni Lucini was next called in, and sworn, and examined by *Mr. Parke*, through the interpretation of the *Marchese di Spineto*.

Of what country are you a native?—Of Blevio.

Is that on the Lake of Como?—It is.

What trade are you?—A whitewasher.

Were you employed at the Villa d'Este?—I was.

Was that in the service of the Princess?—It was.

Do you know Bartholomew Bergami?—I do.

Whilst you were at the Villa d'Este, did you see the Princess and Bergami together?—I did.

Have you seen them together often?—I have seen them many times.

Did you ever see them riding together in a carriage?—I have.

Did you ever see them in a padovanello?—I have seen them in a padovanello.

Describe in what way the Princess sat?—He was sitting behind in the padovanello, and she was sitting on his knees.

Where was the arm of Bergami?—He had his arms under the arms of her Royal Highness, holding in the left the reins, by the right the whip.

Do you recollect at any time being at work in a tower near the Villa d'Este?—I do.

When you were working in that tower, did you see the Princess and Bergami?—I did.

What were they doing when you first saw them?—They were reading a book.

Were they sitting, or walking, or standing?—They were sitting.

After you saw them, what did they do?—They got up and went into a small cabinet, which was just by.

Was any person with them at the time?—No.

In what way did they walk into this cabinet?—They got up and went in; he got hold of her arm to help her to get up.

When they walked away, did you see where Bergami's arm was?—I did not see that, because he helped her to get up, and then they walked together side by side.

Do you know the room at the Villa d'Este, which was Bergami's?—I do.

Did you see Bergami in that room in a morning through the window?—I did.

How was he dressed?—He had on a morning gown of lead color.

At what time in the morning was it that you saw him?—Between ten and eleven.

Did you see anybody else in that room at that time?—There were he and the Princess.

How was the Princess dressed?—I believe she was dressed in white.

What were they doing when you saw them?—They were so, and I immediately retired.

What do you mean by "so"?—They were at the window, looking down.

Did you observe nothing more?—I did not; I was working at my business.

How long did they remain at the window when you saw them?—A little time.

Were you ever present at the theater at the Villa d'Este?—I have been.

Was any one performing?—There was.

Who were they?—The Princess was singing, and Mr. Bergami was playing upon an instrument, Torototela.

Cross-examined by *Mr. Denman*.

Did you not say at Milan, before you came here, that you knew nothing about it?—I do not understand the question.

Did you not say at Milan that you knew nothing upon the subject, but wished for a journey to London?—To me they have told nothing; I have been examined at Milan.

Carlo Rancatti was then called in, and sworn, and examined by the *Attorney-General*, through the interpretation of the *Marchese di Spineto*.

Were you ever in the service of the Princess of Wales?
—I have been.

How long were you in her Royal Highness's service?
—Nearly two years.

What was your situation in the service?—Confectioner.

Where did the Princess live when you went into her service?—At the Villa d'Este.

Do you know Bergami?—I do.

When you were at the Villa d'Este, have you ever seen the Princess and Bergami together?—Always.

When they were together, what observation did you make upon their conduct towards each other.

Mr. Denman objected to this question as much too general. Here was a servant asked to speak to conduct for two years, and to state observations which must of necessity include matter of opinion.

The Lord Chancellor suggested the propriety of striking out the word "observation" from the question, and of substituting for the word "conduct," what act or acts he had seen them, or either of them, do, requiring the witness also to fix the time of each act.

When you have seen them together at the Villa d'Este, have you seen them do anything towards each other; what have you seen?—I have seen nothing else, but to see them go walking together.

When you have seen them walking together, in what manner were they walking together?—They were walking as if they were true friends, husband and wife, or something like.

In what manner did they walk together, how were their arms when they walked?—They went arm-in-arm as man and wife.

Did you go with the Princess to the Villa Brandi at Rome?—I did.

Was it your duty to prepare the breakfast for the Princess?—It was.

Do you remember at any time, when you were preparing breakfast at the Villa Brandi, seeing Bergami?—I do.

At what time in the morning was it, that you recollect to have seen Bergami?—Sometimes I saw him at nine o'clock, sometimes in the morning as early as five.

Do you recollect at any time when you saw him in the morning early, seeing where Bergami came from?—From his room.

Did you ever see him come from any other room but his own?—I have not.

Did you accompany the Princess to the Villa Caprili near Pesaro?—I did.

Do you remember at any time when you were in the apartment of the Princess, seeing the Princess and Bergami together at Caprili?—I do.

Did they do anything when you saw them so together?—They were going to walk; I have seen them a thousand times, and I do not know what time precisely you allude to.

Do you recollect whether the Princess kept any birds at the Villa Caprili?—She had a nightingale.

Did you ever carry meat to the nightingale?—It was my duty to do so.

Do you remember at any time, when you were about giving meat to the nightingale, seeing the Princess and Bergami together?—I do.

Upon that occasion did you observe them doing anything to each other?—Once I observed something.

What was it you observed upon that occasion?—I observed that they were kissing each other.

At the time they were kissing each other, did you hear the Princess say anything to Bergami?—She was saying, “do not remain so long out, mon cœur;” she said something else in French, but I do not know how to explain myself.

At Caprili, do you know Bergami’s bed-room?—I do.

Have you ever seen or heard Bergami in the morning calling his servant from the bed-room window?—Many times I have seen him.

At any time when you have so seen Bergami at his bed-room window, have you seen the Princess anywhere?—I have seen the Princess in the room of Bergami when he was calling for his servant.

Have you been present when the Princess came down to breakfast?—I did always see her.

When she came down to breakfast, did anybody come with her?—She came with Bergami under her arm.

Cross-examined by *Mr. Williams*.

Did not your occupation lie chiefly in the house?—It was almost always in the house.

Waiting upon the Princess often, were you not?—Waiting upon the Princess, and any other person who called on me in my capacity.

Where was that bird, the nightingale, kept?—In the room before the cabinet of the Princess.

What room do you call it?—It was called a room for the reception of company.

What time of day was it that you were feeding the bird?—About ten o'clock.

In the morning?—Yes, ten in the morning.

Was that about the usual time?—It was; moments sooner or later.

The witness was directed to withdraw.

Francesco Cassina was then called in, and sworn, and examined by *Mr. Parke*, through the interpretation of the *Marchese di Spineto*.

Of what country are you?—Of Piazza.

Is that on the Lake of Como?—It is.

Of what trade are you?—A mason.

Were you ever employed at the Villa d'Este?—I have been employed there seventeen years at the Villa d'Este.

Were you employed at the Villa d'Este while the Princess of Wales lived there?—I was.

Do you know Bergami?—I do.

How long have you known him?—I have known him in the family of Pino.

In what situation was he when you first knew him?—Valet.

Did he wait at table?—He did.

Do you know the situation of Bergami's bed-room at the Villa d'Este?—I do.

Do you recollect when the Princess of Wales returned from her voyage to Greece?—I do.

Do you recollect any alteration being made about that time in the wall of Bergami's bed-room?—I do.

What alteration was it that you know of?—They opened a door.

Did you break down the wall in order to open a door?—There was a door, but it had been walled up on one side.

Were you employed to clear away that doorway?—I stopped it myself, when I was with General Pino.

Do you know whether any change took place about that time in the situation of the bed-room of her Royal Highness?—I do.

What alteration was made in the situation of the bed-room?—It was changed where she was at first; she changed a few days afterwards into that where the opening was made.

When the Princess's bed-room was changed, did that door which was opened, afford a communication from Bergami's bed-room to the Princess's bed-room?—It did; but there was another room between.

Then after that door was made, how did a person go from Bergami's bed-room to the Princess's—By that door which I had opened; any man might go into the next room, and then there was a small corridor which led into the room of the Princess.

Before that communication was made by that door you have mentioned, how would a person who wished to pass from Bergami's bed-room to the Princess's have to go?—He must have gone through by the staircase, then through the large saloon, then through this ante-room, then through the corridor, and then to the room of the Princess.

Did the opening of that door afford an easier communication from one room to the other?—It was shorter; there was only to pass through one room.

Cross-examined by *Mr. Denman*.

The door you made was an old door broken out again; it was not a door made for the first time?—It was so.

The witness was directed to withdraw.

Giuseppe Restelli was then called in, and sworn, and examined by the *Solicitor-General*, through the interpretation of the *Marchese di Spineto*.

Were you ever in the service of her Royal Highness, the Princess of Wales?—I have been.

In what capacity or situation did you enter into her service?—At first as under the chief superintendent of the stables, and afterwards as the head superintendent of her stables.

When was it you first went into her service?—I entered her Royal Highness's service at Como, at the Villa d'Este.

At what time, as nearly as you can recollect?—At the latter end of August, or the beginning of September, of the year 1816.

How long did you continue in her service?—Till the end of November, 1817.

Where was her Royal Highness living at the time when you first entered her service?—At the Villa d'Este.

Was Bergami residing there at that time?—He was.

Have you ever seen Bergami ride out in any carriage with her Royal Highness?—I have, several times.

Did you ever see her ride in a carriage called a padovanello?—I have.

Describe how she sat in that carriage?—She was sitting on the knees of Bergami.

Did you ever see her Royal Highness on the lake of Como?—I have seen her several times.

Have you ever seen her upon a lake in a canoe with Bergami, alone?—Yes; sometimes alone, sometimes with other people.

Did you ever see her Royal Highness drove out in any other carriage besides the padovanello with Bergami?—Almost every day when she went out.

Do you remember a cloak which Bergami was in the habit of wearing?—I do, at Pesaro.

Did you ever see Bergami riding out in a carriage with her Royal Highness with that cloak?—I did.

In what manner was that cloak placed at the times that you allude to?—Her Royal Highness had it upon her shoulders, but with the lower extremity of this cloak she covered Bergami.

Do you remember, at any time when you were at Pesaro, her Royal Highness going on the road towards

Farno?—Not to Farno, but returning on the road from Farno to go to Caprili.

Was it your duty to accompany the carriage on horseback?—It was; I rode before, and I came near to the carriage whenever I was sent for to receive orders.

Do you remember, at any time when going on the road towards Farno, returning to the carriage for the purpose of receiving any orders?—On our return on the road from Farno, near to the gate of Pesaro, I went near to the carriage to receive orders as to the road which I was to take, because sometimes they went round, and sometimes they took another road.

Was the carriage an open carriage?—It was an open carriage.

When you returned to the carriage in this way, did you take any notice of where the hand of her Royal Highness was?—I did.

Where was it?—In the small-clothes of Mr. Bergami.

Did you see that distinctly?—I saw it distinctly; I was ashamed of it at the moment when I came to the door.

Do you know Cattolica?—I do.

How far is that from Pesaro?—Ten miles.

Do you remember the Princess at any time driving out there for the purpose of meeting Bergami?—Several times, and I was with her.

Do you remember one occasion when Bergami had been absent two days?—I do not know whether he had been absent two or three days.

Did her Royal Highness go out for the purpose of meeting him?—She did.

Did she return again before she met him?—She did.

Did you afterwards see the carriage of Bergami before you got home?—Almost immediately after we had turned, before we reached half-way.

Was Bergami in the carriage?—He was in his traveling carriage, a white carriage.

When he came up to the carriage of the Princess, what did he do?—Bergami descended from his carriage, and ran to the door of the carriage of her Royal Highness, and she descended from her carriage.

It being suggested by a noble peer, the last two or

three questions and answers were read over by the shorthand-writer.

After they had descended from their respective carriages did her Royal Highness address Bergami; and if so, in what terms, what expressions did she use?—They spoke to each other, I did not hear what words of compliments they paid each other, but they kissed each other.

Did you hear any expressions she made use of towards him?—"Mon chere ami."

After they had embraced each other, and made use of these expressions you have mentioned, what did they do?—They took each other by the arm and went into the same carriage together, this was by night.

Do you remember the little Victorine at the Villa d'Este?—I do.

How did she call the Princess?—Mama.

Do you recollect any conversation or anything passing between the Princess and little Victorine at the Villa d'Este?—Her Royal Highness caressed her like her own child, for she called her, "Viens ici, ma chere fille."

Were you ever at the Barona?—I have been.

Did you ever see the wife of Bergami?—I have, but at the time when the Princess was not there.

Did you ever see the wife of Bergami at the Barona when the Princess was there?—She was there once whilst her Royal Highness was arriving, and they all made their escape, they all went away.

The counsel for the Queen requested that the latter part of the preceding evidence might be read, which was done.

Mr. Denman then objected to the last questions and answers. They related to what passed in the absence of the Princess, and were therefore irrelevant. He ought properly have objected to them when they took place. Anything which had occurred in her absence could not be material to the case. He must therefore submit to their lordships that this part of the evidence ought to be expunged.

The Solicitor-General contended that the questions were perfectly proper. The notes were again read, and

The Lord-Chancellor, having consulted the judges, observed that their lordships were of opinion that this part of the evidence ought not to be expunged. Such questions might be asked.

Cross-examined by *Mr. Denman*.

When were you dismissed from the service of the Princess?—Towards the end of December, 1817.

Were you not discharged for stealing the corn?—No.

Was not that the charge on which you were dismissed?—No.

What were you dismissed for?—Because I gave leave to two of our men to go to the inn, to the tavern, and Bernardo, the cousin of the Baron, and some others went to stop these men, and when these men came to complain to me of it, I said I never knew that a master should be a thief-catcher, thief-taker (*Sbirro*).

The House appearing dissatisfied with this interpretation, the *Marchese di Spineto* said it is a constable, but a low kind of constable, and in Italy it is rather a term of reproach.

The witness proceeded.

And then the day after that Louis came with the money that was due to me for three months' salary, and told me that as I was an honest man I ought not to be among the *Sbirri*; so I took the money and went away.

You say you were dismissed on that account?—Yes.

Were you never charged, when in the service of the Princess of Wales, with stealing the horse provender?—Never.

The question does not refer to a charge before a magistrate, but were you not charged in the family of the Princess, or by herself, with having stolen the horse provender?—No, never.

You swear to that as you do to all the rest of your evidence?—I do.

You never said that to anybody that you had been dismissed on a charge of stealing corn, did you?—I could never tell this lie.

Do you mean that you never tell a lie, or never without being well paid for it?

The Solicitor-General objected to the question.

The Lord-Chancellor said the counsel might ask the witness whether he was paid for the evidence he had been now giving.

Do you understand English?—No.

Not at all?—Nothing at all.

How long have you been in England?—The day before yesterday.

When did you first hear that the commission was fitting at Milan?—Towards the end of December, of the year 1818.

Between that time and the time of your leaving the Princess, were you in any service?—No.

How did you support yourself in the meantime?—I had a pension from the government, and I always have been employed as a courier.

What government is it which gives you the pension?—The Italian government.

Did you offer yourself as a witness to the Milan commission, or did those who pay your pension induce you to go before them, or how?—I have not been to Milan for this purpose, but I am settled at Milan.

The question was not whether you went to Milan, but were you induced to go to the Milan commission, or did you go voluntarily?—I have been sought after.

Who sought you?—The first time, a man of the name of Riganti came to tell me to go to the advocate.

To the Advocate Vimercati?—Yes.

Riganti is a tobacconist at Milan, is he not?—He is.

How soon after Riganti spoke to you did you go before the commission?—I have only spoken with the advocate at first.

How soon was that after Riganti sought for you?—The day after.

Was anybody with the advocate when you first went?—There was not,

Did the advocate then take your deposition?—He did not.

Did he ask you any question about what you knew?—He did.

How soon after that did you go before the commissioners?—I believe a day or two after.

How many persons did you find assembled there?—There was the advocate, three English gentlemen, and two Italian amanuenses.

Did you then tell the same story which you have told to-day?—I did.

Was it taken down in writing?—It was.

Were you sworn to the truth of it?—They did not swear me, but they told me I should be obliged to swear to the truth before a tribunal; I said I would.

Did you then take out your own cross and kiss it?—I did not, I was not there to take an oath, he only told me that I should be obliged to swear if the occasion should require before a tribunal, and I said that I would.

Did you not then become one of the most active agents of that commission?

The Solicitor-General objected that this was a question which could not be put, because it was not known that there were any agents of the commission of that description which the learned gentlemen assumed. He had no right, therefore, to say, "the most active agents."

Mr. Denman to the Interpreter. "Oh, never mind, don't put the question."

Did you not become a very active agent of the commission?—I was not an agent, they have given me orders only as a courier, which is my profession, and as a courier I have traveled.

You have been employed as a courier by that commission?—Yes; sometimes; whenever they had need of me.

Where did you first go in your quality of courier to that commission?—I went into Westphalia.

Whom did you see there?—I went with a letter to a man of the name of Credé, to come to Milan.

Did you know Credé before?—Yes, I have known him in the house of her Royal Highness.

Where was he in Westphalia?—At Hesse Cassel.

Morris Credé, was it?—Yes.

You say you took a letter to Credé, did not you yourself persuade Credé to go to Milan?—I did.

Did you not offer him money to go?—I did not.

What did you say to induce him to go?—I told him that the advocate and the commission at Milan required

him, and that both his expenses in the journeys in going and coming should be paid.

Where did you go next as messenger to the commission?—I have accompanied Mr. Cooke by the way of Lyons to go to Frankfort, and I had dispatches for Milan.

Did you go to Cassel and back again?—Not at that time.

When you went for Credé, did you go there and come back?—I did.

Whom did you see at Frankfort?—I saw Credé.

Whom else?—I have seen at a distance, but did I not speak to her, Preising.

Who is she?—A maid that was in the service of her Royal Highness.

When?—At the time that I entered the service of her Royal Highness, about September, in the year 1810, at the Villa d'Este.

Did you see any other witnesses at Frankfort?—I did not, I saw this woman by chance at the inn, but I did not speak to her.

Did you go back from Frankfort to Milan with Mr. Cooke?—I did not go with Mr. Cooke, I went with dispatches.

Did you go from Frankfort to Milan?—I did.

What was the next journey you made as courier to the Milan commission?—It was to go to Paris with dispatches to Lord Stewart, or Mr. Stewart, and return.

Do you mean Lord Stewart, the ambassador at Vienna, or Sir Charles Stewart, the ambassador at Paris?—I mean the ambassador at Paris.

Where did you go next from Milan?—I do not know precisely which was the fourth or the fifth, but I have made several journeys.

After you returned from Paris to Milan, where did you next go as courier to the commission?—I have made several other small journeys, which I do not remember; but now, lately, I came to England with eleven witnesses.

Were you ever at Vienna on the same business?—I have not been.

Have you had any other means of getting your bread except this, since you left the Princess's service?—Yes:

I have besides a pension from the government; and besides I am in the trade of a coach-maker.

Who recommended you to the commission; do you know?—Nobody recommended me; but when I spoke to the advocate, he told me that it was only to tell the truth, and I told it.

Do you know Enrico Ravizza?—I do not, not that I know of.

A man of Lodi?—I do not know him.

Have you offered anybody money for coming here as a witness?—I have not.

Have you persuaded several persons besides *Credé* to come?—*Credé* did not come with me; *Credé* did not go to Milan at that time.

Do you know *Draggoni*?—I do.

Angelo Draggoni?—I do.

Did you never attempt to persuade him as a witness?—No; I have spoken to him in confidence, but I have never endeavored to bring him.

When did you leave Milan to come here?—The first time I left it on the 29th of June.

Did you bring your father with you, and your wife and your children?—I did not.

What are you to have for coming?—They have promised me nothing.

What do you expect to have?—Nothing; they have offered me nothing, and I have nothing to expect.

Do you mean to swear that you expect nothing?—I do.

Who are the persons with whom you came?—Some I know, some I do not know; those I know, I know because we came together, but I had never seen them before.

Who are they?—They are various; I knew them by sight before, but I had no intimacy with them.

State their names?—Of some I can say; the others I do not know.

State the names of those you do know?—*Carlo Rancatti*, *Gerolamo Mejani*, *Paolo Oggioni*, *Philip Rigganti*, *Enrico Bai*, *Finette*, the wife of *Majocchi*; perhaps there may be some more, but at present I do not remember them.

Is *Credé* in England, do you know?—I do not know.

Is that maid-servant, whose name you have mentioned as having seen her at Frankfort (*Preising*) in England?—She is.

Do you know *Ciceri*?—By sight, but I never spoke to her.

The question refers to a man of the name of *Ciceri*?—Yes, but I never spoke to him.

Do you know whether he is one of the agents of the Milan commission?—I do not know.

Have you seen Colonel *Brown*?—I have.

Where did you see him?—In his house, where I went to take the dispatches upon which he sent me.

Have you been in any service from your leaving the Princess up to this time?—I have not, no other than being a courier employed by the colonel.

Did you never seek for *Draggoni*?—I have been sometimes looking out for him, seeking for him, for we are friends; but not upon this business, as he has come sometimes to look after me.

You never offered *Draggoni* any money to come forward as a witness?—I did not.

Did you never say that anybody would give him money for his testimony?—I did not.

Do you know Colonel *Vassali*?—I know a *Vassali*, but not a colonel; the *Vassali* I knew was a captain.

Did you see him some short time after you left the Princess?—I did.

Had you any conversation with him respecting the cause of your discharge?—I had.

Did you not tell him anything about the charge of stealing corn?—I did not say so; I only said I had been discharged because I called them *sbirro*.

That is all you told him as the reason of your being dismissed?—This is what I said; but if I had said something more, it is not what I can remember at present of this discourse.

Did you not tell him that the charge, whatever it was, was false?—I did not say that; I only said that I had been discharged for that which I have said, and which it is true I did say.

With regard to the time when you say the Princess

and Bergami were in the carriage, and you saw her hand in the situation you have mentioned, was it an open carriage?—It was a carriage for two, with the top open, thrown behind, and a kind of apron or cover which came here (in front); but at the moment that I came to the door to ask for orders, I saw the hand drawn from this part, which was uncovered.

Was the part of the carriage from which you saw the hand withdrawn above the apron?—The apron did not reach so far, there was only the cloak that covered the breeches.

You came back for orders, did not you?—I did.

How far had you got from the carriage before you turned back to receive the orders?—The distance from hence to this pillar; four or five paces.

You are understood to have said that you were in the habit of stopping at that place and receiving orders as to which road they would choose to go?—Not always; because sometimes I received those orders at the time I set out; but when I did not receive them I went to the door to ask for orders.

When you did not receive orders at setting out, you were in the habit of stopping at that place for the purpose of receiving them?—It was not always, but that was only the second or third time that her Royal Highness made me go by that way, to go and look after the Count Cassio.

You had stopped there several times before; once, twice, or three times, to receive orders?—She had given me the orders before we set out, and on that occasion that I stopped at that place, it was the first time.

Did they call you to the carriage?—They did not call me, I went of myself.

How often had you been upon that road before with the Princess?—Several times.

Had you always received, before that, orders which way you should go?—Sometimes I received the orders, but at others, when they were with six horses, with which they generally did go, then I merely looked behind, and they made a sign with the hands which way I should go; but on that occasion they had a small carriage, and I went back.

Did you say you had seen this very distinctly?—Yes; I saw her take out, or take away her right hand from his breeches.

You saw that very distinctly?—I saw very distinctly the princess take away her hand, and I was ashamed to see her do so.

It was broad day-light?—It was between two and three, or half-past three.

On the public road?—Yes.

On which side was she sitting?—The Princess was sitting on the left, and Bergami was sitting on the right, driving.

Whom did you first tell this story to?—I did not tell it to anybody before I told it to the commission.

How soon was that after the time that you saw it?—Eleven or twelve months.

What month was it in?—Do you mean when the thing happened, or when I told it?

In what month did the thing happen, of which you have spoken?—I do not know precisely; but it must have been about the end of November, or beginning of December.

In what year?—1817.

You do not know whether it was in November or December?—I do not know precisely.

Who was living at the Villa at that time, what servants?—There was Majocchi, a certain Francios, whose name I do not remember; there was Andrea Geralli; do you want to know the whole family?

State those with whom you are most intimate?—I had no intimate acquaintances; for as I was the chief, I did not give confidence to any one of them.

Did not the Princess remove her hand as soon as she saw you?—She did.

Did she appear confused?—I paid no attention to that, because I immediately turned away with my horse.

How long after that was it that she turned you away?—I do not know precisely; it was a month or six weeks, twenty days, or thereabouts; I do not know precisely.

The Solicitor-General stated, that he had no questions to put on re-examination.

The witness was directed to withdraw.

Giuseppe Galli was next called in, and sworn, and examined by *Mr. Parke*, through the interpretation of the *Marchese di Spineto*.

What countryman are you?—Of Cassano.

Is that in Italy?—It is.

What is your occupation?—A waiter.

At what place are you waiter?—At Barlisina, at the Crown inn.

How far is Barlisina from Milan?—Thirteen miles.

Does it lie between Milan and Como?—Half way.

How long have you been in the employment of waiter at that inn?—Five years.

Did you ever see the Princess of Wales at that inn?—I have.

How often have you seen her there?—Three times.

When was it you first saw the Princess of Wales?—The first time she passed by in a carriage, and took something for breakfast in the carriage.

When was that; in what year?—It is about three years ago.

Do you recollect who was in the carriage with her?—There was a certain Bergami.

What Bergami; do you know his name?—I have heard that he is called Bartholomew.

How long after that was it that you saw the Princess again at the inn?—About six weeks after.

The second time when you saw them, what did they do at the inn: did they breakfast or dine?—They came to dinner.

Did you see the Princess and Bergami together upon that occasion?—I did.

What was their conduct towards each other?—Bergami came from Milan, for he had passed in the morning to go to Milan, and the Princess came afterwards from her own way to come and dine there.

When you saw them together, how did they conduct themselves towards each other?—The Baron was sitting near the Princess.

Did you see them together before dinner or after dinner?—Bergami arrived half a quarter of an hour be-

fore the Princess, and the Princess arrived half a quarter of an hour after Bergami.

Did you see them together before dinner?—Not before dinner, because before dinner there were seven, or eight, or ten, altogether in a room.

What was their conduct towards each other when you saw them?—At the dinner I saw that they paid compliments to each other, and I saw that they took some delicate morsel and offered to each other.

In what way did they address each other?—They spoke in French.

Describe in what way they used those delicate morsels you have mentioned?—The Baron was the first who took something out of his plate and offered it to her Royal Highness, but I do not know what sort of food it was, for I do not recollect; but then her Royal Highness took something out of her own and gave it to the Baron.

Was it taken from the plate of the Princess and the plate of the Baron, or from some dish on the table?—From their respective plates.

You said that they spoke French to each other; in what way did they speak to each other in French?—I do not understand well the French; I can not understand it.

Do you recollect at any time when the Princess dined at the inn, her having two rooms appropriated to her?—I do.

Do you recollect what were the numbers of the rooms?—No. 7 and No. 8.

Did they communicate with each other?—They did.

How many doors was there in No. 7?—In No. 7 there was one door.

How many in No. 8?—One to enter in No. 8, and another that led into No. 7, which makes two.

In which of the rooms did they dine?—No. 8.

What was there in No. 7?—A large bed.

After dinner, did you see the Princess and Bergami together in No. 8?—I did.

How many persons dined that day with the Princess?—The first time that she dined at the inn there were ten.

Are you speaking now of the first time, or the second time, when she dined in No. 8?—She dined there twice.

Did she dine both times in No. 8?—She did.

When you saw the Princess and Bergami together after dinner, were the company remaining in the room, or had they gone out?—They had gone into the second room.

Did you observe anything done by the Princess and Bergami?—I did.

Describe what you saw?—I went to go and clear the table, and I saw the Baron holding an arm upon the shoulder of the Princess, and, at the moment that I was going into the room, I saw the Baron give her a kiss; but I did not enter, for they told me immediately to go away.

In what way was the Baron's arm placed?—The Baron was on the right, the Princess was on his left, and the Baron held his left hand upon her Royal Highness's shoulder.

Was the arm on her shoulder, or round her shoulder, or how; what way was it placed?—He had his upon her shoulder.

Did you observe in what way the Princess and the Baron left the inn at that time?—I did.

How did they go away?—I saw them go both together à charabano.

Was any one with them when they went away in this carriage?—Nobody else.

No servant?—There was none.

Describe what sort of a carriage a charabano is?—There are two seats behind, that two people may sit, and then in the middle of the carriage there is a cushion, upon which people may go astride.

Do you know in what way they sat?—Bergami was astride on this cushion, and the Princess was sitting properly on the seat.

Gross-examined by *Mr. Williams.*

State the time from which you have been speaking as well as you can; in what year, and in what month of the year, as nearly as you can tell?—The month, 1

think, was before Christmas; either November or December.

What year; do you know?—I believe it to be the year 1817.

Is not the inn of which you speak the stage at which they changed horses always between Como and Milan?—No; where the horses are changed there is no inn; it is merely a post-house.

Barlisina is the stage between Como and Milan, is it not?—It is.

Upon this occasion, when you describe this German carriage, were there not eight or ten persons in the company of the Princess?—There were.

Do you know any of them?—Her two ladies, who were called dames d'honneur; there was a daughter of the Baron, a small girl; there was the mother of the Baron, there was a servant, Professor Vocatti, there was a Captain Vassali, there was an Englishman whom I did not know; there were some other persons, but whom I do not know; the second time there were thirteen.

When you were ordered to quit the room after dinner, when you had seen the Baron and the Princess together, with the Baron's arm on her shoulder, do you know how long they remained in that room?—Perhaps they might have been about half an hour, no more.

Do you know whether anybody went into the room during the half hour;—The servants, no; but there was a second room into which they might go, for there were other people there, and the door was open.

The witness was directed to withdraw.

Giuseppe Dell' Orto was then called in, and sworn, and examined by the *Solicitor-General* through the interpretation of the *Marchese di Spineto*.

What are you by trade?—A baker.

Did you serve her Royal Highness with bread at the Villa d'Este?—I did.

Did you serve her with bread before she went upon her long voyage?—I did, before the voyage she made to Greece.

Do you remember, after her return from Greece, seeing her upon any occasion sitting in the garden?—I do.

Was she upon that occasion alone, or was any one with her?—Baron Bergami was with her.

Was Baron Bergami sitting at the same time?—He was.

Did he do anything?—He did.

What did he do?—He had an arm round her neck, and was making love to her, and kissed her.

Before he put his arm round her neck had he got up from the seat?—He had got up.

When he got up, did the Princess do anything to him or to his dress, his coat?—She took him by the lappel of his coat, and made him sit down again.

Was it after that that the arm was put round her neck?—It was.

Did you ever see the Princess in the kitchen at the Villa e'Este?—Yes.

Was Bergami there at the same time?—He was.

Was there any polenta there?—There was.

Did Bergami do anything with that polenta?—He took a little of it.

What did he do with it?—Bergami went to her Royal Highness, and her Royal Highness told him something in French, and then Bergami put the polenta half into the mouth of her Royal Highness and then the remaining half he put into his own mouth.

Did you, some days after this, see the Princess in the pantry at the Villa d'Este?—Yes.

Was Bergami there at that time?—He was.

Did Bergami or the Princess do anything?—They were both together.

What did Bergami do?—Bergami took a piece of sweetmeat and put it into the mouth of the Princess, and the Princess took it.

Have you ever seen the Princess on the lake in a canoe?—I have.

Who was with her?—Bergami.

Were they alone?—They were.

Have you seen that once or often?—Once I remember, the other I do not remember; it might have been more, or it might have been less, I can not exactly tell.

Cross-examined by *Mr. Tindal*.

Were you in the service of her Royal Highness, or

did you only bring bread to the house?—I served her Royal Highness with bread, and with bran for the horses.

Were you in her service?—I was not.

The witness was directed to withdraw.

Giuseppe Guggiari was next called in, and sworn, and examined by *Mr. Parke*, through the interpretation of the *Marchese di Spineto*.

Are you a native of Cernobio?—I am.

What business are you?—I am a boatman.

Do you follow your business on the Lake of Como?—I do.

Do you know the Princess of Wales?—I do.

Did you ever see the Princess of Wales in one of your boats on the lake?—I have served her Royal Highness with the boat of General Pino the first time she arrived, and when she went as far as Domas, which is distant forty miles from Como.

After the Princess of Wales lived at the Villa d'Este were you in the habit of carrying her on the lake at any time?—Whenever she went in a boat.

Who went with her when you took her?—Bergami, and sometimes other gentlemen that came from Como, the Vice-prefect and the Doctor, and amongst others there was the *Dame d'honneur*, the sister of the Baron.

Was there a theater at Como?—There is a theater, and whenever they went to the theater we carried them in a boat, when they wished to have a boat.

Has Bergami gone with the Princess in your boat when they have gone to the theater?—Bergami was with her.

Did you observe anything done between the Princess and Bergami on those occasions?—I have seen them kiss.

Have you seen that more than once?—About four times.

Did you ever see anything else on those occasions than kissing?—Not in the boat.

In any other place have you seen anything else between the Princess and Bergami?—I have seen them whilst they were in the pantry, and they were taking

themselves away from the table, to leave the pantry and go up into the room, and lock themselves into the room.

Which room do you mean, when you say they went to lock themselves into the room?—In the bed-room of the Princess; here (describing it) was the room where they did it, and on the other side there was the room of the Princess into which they went and locked themselves.

Were you employed in the house of the Princess?—I was working in the pantry at five sous a day.

Was that during the time you were working in the pantry that you saw this which you have described?—I can swear to have seen them with my own eyes.

Was that during the time that you were in the Princess's service?—It was.

Cross-examined by *Mr. Wilde*.

Were you examined at Milan?—I have been, by Vimercati.

Who took you to Milan?—A man by the name of Massareni, of Lugano, took me to Milan.

When did you first mention this, which you saw in the pantry?—I have said it before the Advocate Vimercati.

Was that the first time?—That was the first time in which I have spoken of what I have seen.

Are you quite sure you never mentioned anything of it to anybody, until you saw Vimercati?—He asked me whether I had seen something, and I told him I was always there; and he told me, will you have any difficulty to come and speak to a gentleman, and then this Advocate Vimercati said, will you have any objection to come with me to Milan; and I told him yes, I have no objection, I will come with you to Milan.

When was that?—In the month of January.

In what year?—Two years ago; eighteen or nineteen months ago, perhaps.

When was it you saw this circumstance in the pantry?—In the evening.

How long before you went to Milan?—About five or six months before.

Have you a brother of the name of Santino?—He is a cousin.

Were you in the boat at the time you state that you saw Bergami kiss the Princess?—I was not.

Was a man of the name of Tommaso in the boat there was.

Anybody else?—There were ten boatmen.

Name one or two of the ten?—I can mention almost all of them.

Mention three or four of them?—Tommaso Lago Maggiore, Lorenzo Rogeta, Cristofaro Casino, my brother Giovanni, and one who is dead.

Did you ever tell anybody that Vimercati had offered you money for the information you gave?—No, because he told me to go to Milan, where all my expenses would be paid.

You are not asked what Vimercati told you, but whether you have not told other persons that Vimercati had offered you money?—No.

Did you ever say you had been promised money by Vimercati?—Never.

Did you ever say that any other person had promised you money for the information?—No.

You were at work in the pantry?—Yes.

Did you go on with your work?—Yes, whenever I was there, I went on afterwards with my work.

At the time the Princess and Bergami went out of the pantry to the other room, you remained at your work?—I went to clear the table.

In the pantry?—I went to clear the table from the room in which they had been at dinner, to carry the things down to the pantry.

Do you mean to say that at the time the Princess and Bergami left the room, you continued attending to your business?—I do.

Re-examined by *Mr Parke*:

Was the room in which the things were laid out, up stairs or down stairs?—Above.

Did the room of the Princess communicate with that

room?—There was only a corridor, where people passed to go to and fro to carry the things.

The witness was directed to withdraw, and the House adjourned.

SEPTEMBER 5.

After the usual forms, *Giuseppe Sacchi* was called in, and sworn, and examined by the *Attorney-General*, through the interpretation of the *Marchese di Spineto*.

Of what country are you?—Of Villenchino.

Were you ever in the service of the Princess of Wales?—I was.

When did you enter into her service?—On the 7th of November, 1816.

Where was the Princess then residing?—At the Villa d'Este, on the Lake of Como.

How long did you continue in her service?—Precisely a year.

What was your situation in her Royal Highness's service when you first entered it?—Courier.

Did you remain in that situation, or did you afterwards fill any other in the Princess's service?—I was for some months in the same employment of courier, and afterwards I was removed to the office of equerry.

How long did you remain at the Villa d'Este?—About six weeks.

Do you know Bergami?—I do.

Was he at the Villa d'Este when you entered the Princess's service?—He was.

Soon after you entered the service of the Princess, were you sent by her with any dispatch to the Duchess of Parma?—I was.

Did you bring back any answer to the Princess?—I brought another dispatch.

Where was the Princess when you brought back the dispatch?—At dinner.

Was any one sitting by her at dinner?—Bergami.

To whom did you deliver the dispatch?—To her Royal Highness, the Princess of Wales.

What did she do with it?—She read it, and then threw it on the table.

Did any one take it up?—Bergami took it up at the time that her Royal Highness turned herself to me, to inquire after some further information; he took it up and read it, or pretended to read it without asking permission.

Do you recollect after that being sent to Milan with a letter?—I was sent at the beginning of the month of December with a dispatch to the Governor Saurau.

Did you receive any directions on your going to Milan, as to bringing back an answer?—I was desired by Bergami to make the utmost speed, and bring an answer back during the same night.

Did you return to the Villa d'Este on that night, or on the following morning?—I returned immediately after midnight.

Upon your return, where did you go?—I dismounted from my horse, I went into the kitchen, where I found a footman, whom I asked where Mr. Bergami was.

In consequence of the answer, where did you go?—I mounted the stairs, and went into the ante-room of the apartment of Bergami.

What did you do on going into the ante-room?—I found a servant of Bergami's asleep; and I went towards Bergami's bed-room; finding the door open, I went in, and saw the bed of Bergami tumbled, but there was nobody in it.

What did you do upon that?—I went away, and in going away I heard a noise on the opposite side; and at the same time I heard "Who is there?" then I knew that it was the voice of Bergami, to whom I answered, that it was the courier returned from Milan; Bergami told me that there was no such necessity to give him this answer.

How was Bergami dressed at that time?—In his dressing-gown.

Did you perceive what he had on under his dressing-gown?—I saw only about his breast, which was unbuttoned or untied; and I saw nothing else but his shirt.

In what place was it that you saw Bergami?—I saw him in a room where there was a door opposite to the door of his room.

Did you see where Bergami came from?—I could not see it on account of the darkness.

Where did that door lead to, which you have mentioned, which was opposite Bergami's room?—It led into more rooms.

Who occupied those rooms?—No one.

Do you know what room was beyond those rooms: do you know where the Princess slept?—I do not.

Do you know where the Princess's bed-room was?—I do not.

Whilst you were at the Villa d'Este have you ever seen the Princess and Bergami together?—Several times.

Where have you seen them together?—I have seen them walking through the court and the garden.

How were they walking together?—Arm-in-arm.

Whilst you were at the Villa d'Este, do you recollect carrying any letter to General Pino?—I do.

Did you bring back any answer from General Pino?—I brought a verbal answer.

To whom did you deliver that verbal answer; did you deliver it to the Princess?—I did.

Where was the Princess when you delivered that answer?—In her own ante-chamber.

Whereabouts was that ante-chamber?—Immediately after mounting the stairs, by turning on the left there was a corridor, and by turning again on the left hand through this corridor, after a few paces, there was on the left the ante-chamber of her Royal Highness.

Was that ante-chamber of her Royal Highness near the place where you saw Bergami, or where was it?—It was near the place where I saw Bergami.

Do you mean when you saw Bergami at night, on your return from Milan?—I do.

How near?—On the same corridor there was, on the right, and more particularly opposite to the door of her Royal Highness, a door which led into a room which room led into another, where I saw Bergami.

You say that the Princess used to walk arm-in-arm with Bergami; what expressions did she use in addressing him?—Familiar expressions; confidential.

What were they, do you recollect?—I have heard her call him sometimes by the expression, "mon ange,"

“mon amour,” “mon cœur,”—my angel—my love—my life.

Do you remember the Princess going to Turin?—I do.

Did you go with her?—I did.

Where did they go to at Turin; to what inn?—To the inn, the Universe.

Did you go before the Princess to Turin?—I went before her the last stage.

Did you make any arrangement of the rooms at that inn, for the accommodation of the Princess and her suite?—Yes; it was arranged between me and the inn-keeper, to give to her Royal Highness the best apartment, and to the dame d’honneur, and also to the femme de chambre; and to the gentlemen I allotted another apartment quite separate from the rest.

Did that arrangement continue, or was it altered?—At the arrival of the Princess and Bergami I showed to them the distribution I had made, but it did not meet with the approbation of her Royal Highness, or of Bergami, and the apartment which I destined for the gentlemen, was dedicated to her Royal Highness, to the dame d’honneur, to Signor Bergami, and to the femme de chambre.

How near was the chamber of Bergami upon this alteration to that of the Princess?—Between the room of her Royal Highness, and that of Bergami, there was the room where the Countess Oldi slept.

Was there any communication from Bergami’s room, through the chamber of the Countess Oldi, with that of the Princess?—There was a mutual communication.

How long did they remain at Turin?—About six days; I do not know exactly.

Do you remember going with the Princess and Bergami to the Barona?—I do.

Whilst they were at the Barona, were any balls given there by the Princess?—Many balls.

What description of persons attended those balls?—At the beginning, besides the persons in the suite of her Royal Highness, there came also some people of distinction; but in these balls were introduced people of all ranks, and both sexes, and even of very low condition; and as between some of the suite of her Royal Highness

and these low women there was some freedom, thus those people of distinction were no longer seen.

What sort of freedom; what do you mean by freedom?—Those persons took those women out from the ball-room, and made them go out at their pleasure and will; some persons took these women, and made them go out from the ball-room, according to their pleasure and will.

Did the Princess know this?

Mr. Denman objected to the question

The counsel were informed, that they had better ask what the witness saw.

Have you heard the Princess say anything at those balls, upon those persons going out or coming in?—I have not.

Did you hear the Princess say anything, or did any conversation take place between the Princess and yourself, respecting any of those females who were at the balls?—One day, whilst I was in the court, and her Royal Highness and Bergami were there, the Princess told me these precise words,—she said that she wished to make a present to some of those girls, and then she asked me, “How can we dress these young virgins, (*verginelle*), Mr. Sacchi?” then she asked me, “Do you believe they are such?” I answered, that as far as I was concerned, I believed them to be (*oneste*) modest girls; and I had nothing to say against them; her Royal Highness said to me, “I know, you rogue, that you have gone to bed with three of them, and how many times you have had intercourse with them.” I being surprised at this compliment, endeavored to persuade her Royal Highness that she was deceived, and Bergami, who was present, began to laugh, and to cry aloud, “It is true, it is true, it is true.”

Mr. Brougham to the interpreter. Is there any other word in Italian but *vergini* and *verginelle* for maids and little maids?—No; maids and virgins are expressed by the same word, *vergini*, or *verginelle*.

The Attorney-General. You have said that the Princess stated that she was about to make a present to some of those girls; did you learn from her to which of those girls this present was intended to be made?—No.

Have you seen the Princess at those balls in the same rooms with those persons of low description, and girls who came there?—Several times.

Did the Princess join in the dancing?—Sometimes.

Have you, on any of these occasions, heard the Princess make any other remark upon those women, or upon their conduct?—When one of those women came by day-time to the house of her Royal Highness, and when she was seen by her Royal Highness, she pointed her out by her finger and laughed; and on such an occasion once she exclaimed, How much the population of Barona must increase!

Did you accompany the Princess in her tour through Germany?—I did.

In the course of that journey, do you remember Bergami's purchasing a carriage calculated to carry two persons?—I do.

After that carriage was purchased, who used to travel in it?—During the night and during the days, bad weather, it was for my use.

Did the Princess ever travel in it herself?—Yes, during the days of fair weather many times she traveled in this carriage with Bergami.

Do you remember on any occasion when the Princess and Bergami were traveling in that carriage, their going on before you?—I remember that one day whilst they had remained at a place whose name I forget, her Royal Highness and Bergami set out suddenly in this small carriage, for I was not in time to follow them, as I was obliged to see about getting the other carriages ready, and having followed them as soon as I could, and making the most haste, I could not overtake them till they had arrived at the first stage.

When you arrived at that place, did you see the Princess and Bergami anywhere?—I asked about them, and I was pointed to a room in the first floor.

Did you go to that room?—I went, and knocking at the door, I inquired whether I could enter; Bergami answered me to come in, as I did; after I had entered, I saw her Royal Highness and Bergami upon the bed, but I must observe that they were decently dressed, and at a distance from each other.

How were they placed upon the bed ; how were they sitting or lying on the bed ?—They were lying on the bed as far as the middle, and the back was supported against the wall.

In the course of that journey did you stop at any inn at which there were any English persons?—I do not know.

Had you received any directions from any person on the subject of the English?—I remember that when I preceded her Royal Highness on the road to Munich, she told me that the first thing in settling for lodgings was to inquire whether there were any English ; I was to inquire after his rank, and to go somewhere else for the lodgings of her Royal Highness.

In the course of that journey what was the general disposition of the bed-rooms of Bergami and her Royal Highness?—I continued to distribute the lodgings as far as Carlsruhe, but when we arrived at Carlsruhe, there having happened the same thing that happened at Turin, that is to say, the change of the bed-rooms, I did not meddle with it any more during the rest of the journey, leaving to her Royal Highness and Bergami to choose what rooms they liked best.

What was the disposition of the rooms of the Princess and of Bergami during that journey, as far as you know?—Generally, they were as near as possible.

In the course of that journey did you go to Monte Falcone?—Setting out from Trieste, we went to Monte Falcone.

At what time of day did you arrive at Monte Falcone?—We arrived when it was already night.

Where did the Princess and Bergami go upon their arrival at Monte Falcone?—As we had been overtaken by a violent storm, and by a great darkness, we were obliged to stop at a miserable inn.

Where did the Princess and Bergami go at that inn, into what room?—They mounted the stairs, and went into a room where there was a bed.

Did they remain in that room alone?—They remained alone till the rest of the suite arrived.

How long was it that they remained alone in that room?—Between an hour and an hour and a half.

After that journey did you return to Milan, to La Barona?—We did.

From the Barona did you go to Rome?—Yes.

In your way to Rome, did you stop at a place called Savignano?—Yes.

Was the Princess ill at Savignano?—She was overtaken by violent pain.

Did you yourself see who attended upon the Princess upon that occasion?—Bergami and the Countess Oldi.

Do you know whether any medicine, or any applications, were given to the Princess on that occasion?—I do not know whether they were intended for her Royal Highness, but I saw Bergami and the Countess Oldi make some cloths hot.

Did you see where Bergami and the *dame d'honneur* carried those hot cloths?—As those cloths were made warm, Bergami as well as the Countess carried them into the room where was her Royal Highness.

Did you go to Ancona?—Yes.

At Ancona, do you know the situation of the Princess's bed-room with respect to Bergami's?—One day I was called by Mr. Bergami, whilst he, Bergami, was still in bed, and whilst he was speaking to me, there was a door open which led into another room.

Was the door open when you went into Bergami's room, or was it opened whilst you were there?—The door was open when I went into Bergami's room.

Do you know into what room that door opened?—Another room, which I believe was that of her Royal Highness.

Why do you believe that was her Royal Highness's room?

Mr. Denman objected to this question.

The Attorney-General said, that till the answer was heard it could not be determined whether it was evidence or not.

Mr. Denman replied, that nothing could be more incorrect than the doctrine of his learned friend, which founded the propriety of a question on the answer that was to be given.

The Lord Chancellor said the witness should be asked whether he knew that that was the Princess's bed-room.

The Attorney-General. Do you know whether that was the Princess's bed-room into which that door opened?—I can not say it with certainty.

What did you see in that room, when the door was open?—I saw some things belonging to her Royal Highness; as, for instance, the boxes belonging to her toilet.

Did you see the bed in that room into which the door opened?—There was one.

Did you afterwards go to Ruffinelli?—We did.

At that place was Bergami ill, and confined to his bed?—He was.

Had you occasion, during Bergami's illness, to go to his room at night?—One evening that I was going to visit him, when I was at the door, which I found by a third part open, I saw Bergami in bed.

About what hour was that?—About eleven o'clock at night.

You say you saw Bergami in bed; did you see anybody else in the room?—There was also her Royal Highness.

Where was her Royal Highness?—She was by the side of the bed, stretched on a sofa.

Could you see what was on the sofa?—There were some cushions.

Upon seeing the Princess in that situation, did you go into the room or did you turn back?—I quitted the room immediately.

From Ruffinelli did you go to the Villa Brandi?—We did.

In what part of the house did you sleep at the Villa Brandi?—I slept in the wing of the house, on the left of the entrance door.

Do you know where Bergami slept at the Villa Brandi?—He slept on the right hand, exactly opposite my room.

Do you know where the Princess slept?—Her Royal Highness also slept on the same side of the house on which Bergami slept.

Do you remember at any time at the Villa Brandi, after the people of the court were gone to bed, seeing Bergami anywhere?—I remember one night after midnight, whilst it was insufferably hot, that nobody could

sleep, I was at the window of my room, and as I heard a noise on the side of the room of Bergami, I withdrew a little; I saw Bergami come out of his room and go to the door which led into the apartment of her Royal Highness; he opened the door, entered, and I saw him come out no more.

How long did you remain at the window after you saw Bergami go in the manner you have described?—About an hour.

On any other night did you see Bergami?—A few days after I saw the same thing.

At what time was it that you saw Bergami the second time?—Nearly about the same hour as the first.

Did you, upon that second occasion, see Bergami return to his room?—I did not.

How long were you at your window the second time when you saw Bergami go, and during which you did not see him return?—About a quarter of an hour.

Whilst you were at the Villa Brandi, did you see any busts?—I saw two.

Of whom were they, the busts; whom did they represent?—I was told that one was for her Royal Highness and the other for Bergami.

You are not asked what you were told, but whose likenesses did they appear to you to be?—One represented her Royal Highness, the other Bergami.

Where was it you saw those busts?—I saw them in the room of Bergami.

At the Villa Brandi, or where?—At the Villa Brandi.

Were the busts of the same size with each other?—Nearly.

In what month was it that you saw Bergami going, as you say, at night from his room?—The month of July.

Did the Princess go from Rome to Senegaglia?—She did.

Did she travel by night or by day from Rome to Senegaglia?—She traveled always by night.

Was it very hot weather at that time?—It was very hot.

In going from Rome to Senegaglia, did you go to the carriage in which the Princess was?—Always by the side of it.

Were there curtains round the Princess's carriage?—
There were.

Did you at any time go to the carriage and draw away the curtains for any purpose?—Several times.

For what purpose; what was the occasion of your doing that?—Every morning when day appeared I went near to the carriage to ask her Royal Highness whether she wanted anything.

Who traveled in that carriage with her Royal Highness?—Mr. Bergami, and sometimes there was the Countess Oldi, or the little girl of Bergami.

Upon any occasion when you have gone for this purpose, have you observed in what situation the Princess and Bergami were?—It has happened to me two or three times to have found them both asleep, and having their respective hands one upon another.

Describe in what way, one upon another?—Her Royal Highness held her hand upon a particular part of Mr. Bergami, and Bergami held his own upon that of her Royal Highness.

Did you observe on any of those occasions the state of Bergami's breeches?—Once I saw that Bergami had his breeches loosened from the braces; that he had the front part half unbuttoned.

Upon that occasion did you observe where the Princess's hand was?—One hand was upon that part.

Was any one in the carriage besides Bergami, at that time?—I do not remember.

Did you say that they were asleep at that time?—I did.

Did you, in going from Rome to Senegaglia, see anything else pass between the Princess and Bergami?—I saw once her Royal Highness kiss the neck of Bergami.

Did you afterwards go to Pesaro?—We did.

During the time that the Princess was at Pesaro, did Bergami go away for any time?—He went to Bologna, where he remained for two days.

Upon the return did the Princess go to meet him?—Her Royal Highness went to meet him with a part of her suite.

Did she meet him?—Her Royal Highness met him near Cattolica.

When they met each other, did you observe what was

done by them?—When they met they each dismounted from their respective carriages; they met and embraced, and kissed each other.

Did they then return to Pesaro?—They did.

Did they return in the same carriage, or in different carriages?—In the same carriage.

Did Bergami use to dine with the Princess at Pesaro, and before?—I do not know, because I was never present when they were at dinner.

Do you know where Bergami's mother and brother Louis dined?—When they entered the service they dined in a room by themselves.

Did any alteration take place in their dining whilst you were at Pesaro?—I do not know.

At the time you were at the Villa d'Este, did any persons of distinction visit her Royal Highness?—Once I saw General Pino.

Did you see any other persons of distinction there?—I do not remember.

Was there a person of the name of Verano in the Princess's service?—There was.

What was he?—A servant.

In what capacity?—Like any other servant in the house; he waited at table.

Do you know what he had been before he came into the Princess's service?—I never knew what his employment had been before.

Have you ever heard Bergami converse with the Princess about Verano?—I do not remember.

Cross-examined by *Mr. Brougham*.

You do not understand English at all, it is taken for granted?—No.

Not at all?—Not at all.

How long have you been in this country?—About fourteen months.

Where have you lived all that time?—Sometimes in London, sometimes in the country.

Your name is Sacchini, is it not?—Sacchi.

Did you ever go under the name of Sacchini?—All at Milan called me Sacchini, which is a diminutive.

But whilst you were in this country the people called you neither Sacchi or Sacchini; they called you Milani, did they not?—It is true.

You have always gone by the name of Milani in this country?—It is true.

Whom did you live with at Stevenage? Did not you live at Stevenage?—Some time.

How long did you live at Stevenage?—I never lived at Stevenage.

Where did you live when you were in the country?—Aston.

How far is Aston from Stevenage?—Four miles.

Whom did you live with there?—In the house of the Rev. Philip Godfrey.

Have you seen Mr. Godfrey in town lately?—Once.

After you left the Princess, where did you go to live first?—I went to Milan.

Did you go into any other service there?—I did not.

How long did you remain out of place?—Always.

You have never been in any other service since?—Never.

When were you first examined at Milan upon this business?—In the month of November, in the year 1818.

Was that the first time that you told this story to the persons at Milan?—No, I have said it at other times.

When was the first time you were examined upon the subject?—In November, in the year 1818.

Whom had you told it to before that?—To different people.

Name one of them?—I do not remember any one.

Who asked you to go to be examined at Milan, in 1818?—A messenger sent to me by the Advocate Vimercati.

Whom did you see with Vimercati when you went to him?—No one else but Vimercati.

Did he then examine you?—No, it was not that time.

When did he examine you?—After about a fortnight.

Whom did you see then, when you were examined?—I saw the Advocate Vimercati and the Advocate Powell, Colonel Brown, and another gentleman called Cooke.

Did they take down what you said in writing?—They did.

Did they swear you to it, did they make you take an oath?—At Milan I never took an oath.

Where did you take the oath then?—In London.

Was it at Mr. Powell's chambers you took the oath?—Just so.

In what way were you living and supporting yourself at Milan the time that they sent for you?—I have always had means of my own to support myself.

What wages had you as courier to her Royal Highness?—There never were any wages settled to me.

Do you mean that you served as a volunteer without wages?—No, I have received something, but there was no fixed salary.

How much did you receive the first half year that you were courier?—I have received three times money during the time I have been in the service of her Royal Highness, making all together the sum of sixty or seventy Napoleons.

How much did you receive of that sixty or seventy Napoleons during the time that you acted as courier only to her Royal Highness?—I do not remember.

How long did you serve as courier of the year that you were there?—About nine months.

Who hired you for her Royal Highness?—I entered into her Royal Highness's service through the good offices of the banker Ceriani, the Baron Cavaletti, and Bergami.

Do you mean to represent that when you went to her Royal Highness you were in easy circumstances?—I have always been, thank God, in easy circumstances.

Were you as well dressed the day you went to her Royal Highness to be hired as you are now?—I have always been dressed equally.

You were called Count Milani here, when you were introduced to Mr. Marietti, were you not?—I do not know.

Do you mean to swear you do not know whether you were introduced to Mr. Marietti here in London as Count Milani, or not?—I have sworn to say the truth, and to say the truth alone, and I swear that I do not

know that I was introduced to Mr. Marrietti as Count Milani.

Do you mean to swear that you never were called Count Milani in your own hearing in Mr. Marrietti's hearing here in London?—I am sure that I never heard myself called Count.

Do you mean to swear you never heard yourself called Count at Aston, where you lived with Mr. Godfrey?—I am sure I never heard myself called Count at Aston.

Will you also swear that you did not introduce yourself to Mr. Marrietti as a merchant?—Never.

That you never stated that you came over to this country for commercial purposes?—No; I have always said that I had come in the service of a Spanish family.

In the service of what Spanish family did you come over?

Mr. Brougham submitted that on a cross-examination he had a right to put this question without reference to what had preceded it, for the purpose of trying the witness's credit. He would, however, to save time, shape it in a different way.

Is it true, or not true, that you came over to this country in the service of a Spanish family?—It is not true.

Did you not represent to Mr. Marrietti, or to some person in his family here, that the Princess owed you money?—I said that I had a lawsuit, a process with her Royal Highness, but I never said that she owed me money.

Was it true or not that you had a lawsuit with her Royal Highness?—I meant to say, that I was in the process which was making against her Royal Highness.

Did you mean to tell Mr. Marrietti's family that you were one of the witnesses against her Royal Highness?—No.

Was it a double entendre, then, that you used in speaking to Mr. Marrietti?—I never spoke of that with Mr. Marrietti.

With whomsoever you have spoken of that which you represented, namely, that you had a lawsuit, did

you use that expression as a double entendre to that person?

The Attorney-General objected to the question on the ground that his learned friend was not entitled to inquire into what was passing in the witness's mind.

Mr. Brougham observed, that this was an attempt to set up a new rule touching the cross-examination of a witness. The witness had said that he told some person that he had a lawsuit with the Princess, and immediately afterwards had stated that he meant something else, something essentially different, as different as the situations of a party and a witness to a cause. This was sufficient to justify him in asking whether he had meant a *double entendre* at the time he spoke of the lawsuit. He had a right to put this question, if only to try the credit of the witness. It was the common practice, on cross-examinations, to inquire into the motives by which witnesses were actuated—to ask what was their expectation of reward for testimony, what was their hope or their belief on that point. If it were necessary to cite authority on the subject, he would refer to the cross-examination, by Mr. Mansfield of a witness named Philips, in the Duchess of Kingston's case (*Mr. Brougham* here read several of the questions and answers). The fact was, that similar questions were allowed on a re-examination, which was a species of examination-in-chief. He had known it done in this very case, in the re-examination of the witness Demont, or Columbier, or whatever was the name she might be best entitled to. She had been expressly asked, on the other side, as to what had been passing in her mind.

The Lord-Chancellor observed, that if the objection had been urged when the question was first put, he should certainly have considered it a little strange to ask a witness whether he meant a double entendre. He should have been inclined to think that it ought to be put some other way. But the witness had already answered the question once, and he could not therefore see any good reason why it should not be answered a second time.

The question was, therefore, again proposed to the witness.

Yes, as a double entendre.

Did you ever allow M. Marrietti, or any person in his family, to discover—

The Attorney-General objected to this mode of putting a question.

Did you ever disclose to Mr. Marrietti, or any of his family, that you were one of the witnesses against her Royal Highness?—I told it to Mr. Marrietti after I returned from Aston.

How long ago is that?—About two months ago.

Did you not at that time know that Mr. Marrietti's family had discovered who you were?—I have.

Do you mean to swear that you did not know at the time you told him who you were, that they already knew who you were?—Who I was as a witness, do you mean?

Your name in the first instance, that they had found out your real name?—Yes, because I have mentioned it to some persons much before.

But not to any of the Marrietti's family?—I told my real name to one of the brothers of Marrietti, who was in Aston with me.

When was it that you so told your name to one of the Marrietti's?—After I had been at Ashton a few months.

How long ago is it, how far back?—Seven or eight months.

To whom was it you told your name, and who you were, two months ago?—Two months ago, I do not remember.

Did the gentleman of Mr. Marrietti's family, to whom you disclosed who you were, ever see you afterwards?—It is some time since he has set out for Milan.

Have you ever been in Mr. Marrietti's house since you mentioned this to the gentleman who has gone to Milan?—Several times.

When was the last time you were there, to make a visit?—Three or four months.

Did they then know that you were Milani or Sacchi?—The brother who has set out for Milan knew that I was Sacchi, the others I do not know.

Did the other call you Sacchi the last day you were there visiting?—Never.

Did you tell the family of Mr. Godfrey, at Aston, that you were Sacchi or Milani, the last time you were there?—I said I was Sacchi.

Did you tell them you were one of the witnesses, too?—I did not say it myself, but I caused it to be told.

By whom did you cause this to be communicated to the family?—By a Mr. Sperati.

Who is Mr. Sperati?—A Milanese gentleman, whom I have known in the house of Marrietti.

Is he not a near relation of Mr. Marrietti's?—I have heard he is a cousin.

What was the first time that Sperati knew who you really were?—It was one day he came to Aston to pay me a visit, and I told him who I was.

How long is that?—Seven or eight months ago.

You will swear that it was at least seven months?—About seven months.

Did you ever make application to be taken back into the service of her Royal Highness?—I do not remember.

Did you ever represent, after you had left the service of her Royal Highness, that you were in a destitute condition?—Never.

Did you ever entreat any person of her Royal Highness's household to have compassion on your dreadful situation, after you had left her Royal Highness?—I have never been in a dreadful situation.

Will you swear that you never entreated any one of the suite of her Royal Highness to take pity, or to take compassion on you, after you had left her?—On what account to have pity; on what account to have compassion?

Will you swear that you never entreated any one of the suite of her Royal Highness, after you had left her service, to have pity on you, or to take compassion on your situation?—It may be.

Did you ever represent to any person, after you left her Royal Highness's service, that you taxed yourself with ingratitude towards a generous mistress?

The Attorney-General objected to this question.

Mr. Brougham contended that the question was perfectly regular.

The Attorney-General was proceeding to state his objection, when

The Lord Chancellor said, "Sir, I can not hear what you say; speak out."

The Attorney-General proceeded to submit to their lordships that the question which had been put by *Mr. Brougham* to the witness was, "whether he had ever represented to anybody that he taxed himself with ingratitude to the Princess?" Now, that representation might have been made by writing: it therefore appeared to him (the *Attorney-General*) that the question should be put thus:—"Have you ever represented, in conversation or by writing,"—so and so?—There was no difference in this case between a cross-examination and an examination-in-chief; the witness's answers were not to be got at by leading questions. Their lordships had very recently laid down the rule to be observed in cases of written evidence. Supposing such evidence to exist here—supposing that the representation of the witness was a written one—that rule could no more be slighted on a cross-examination, than on an examination-in-chief. He objected, therefore, that the question of *Mr. Brougham* was too general, and that it should be put in the way he had submitted.

Mr. Brougham hoped that their lordships would allow him to submit to them his answer to this objection.

The Attorney-General, before the learned gentleman proceeded with his answer, would beg to represent to their lordships, that the witness had been confined by illness for the last two or three days; and, as he was much exhausted, perhaps their lordships would allow him to have a chair.

Mr. Brougham said, that although there were several points in the *Attorney-General's* speech applying to cross-examinations which he might contest with success, he would only say, that the difference between the cross-examination and examination-in-chief was much greater than his learned friend seemed disposed to admit. It was by no means confined to a power, or otherwise, of putting leading questions: and his (the *Attorney-General's*) own position in stating the objection was a strong illustration of that difference; for it went to admit that

he (*Mr. Brougham*) might put a question—namely, that which was now contended for by the Attorney-General—which question he never could put upon an examination-in-chief. But he would contend that he had a right to put the question he had done; and he should wish to know, whether it was usual, when counsel put one of this description—“Have you or have you not represented such a thing?” for them to be interrupted by another party’s desiring this to be asked, “do you mean a representation by writing or in conversation?” In one case, this latter question could not be put at all; and the time for taking the present exception could only be then, when the witness might imply that what he had said referred to a written representation. On these grounds he submitted, first, that he had a right to put the question generally; and next, that the objection taken did not arise in that stage of the cross-examination. Their Lordships had certainly laid down a rule the other day, relative to the law of written evidence, to which undoubtedly they (the counsel) were bound to adhere, as being correctly laid down; but he begged of their Lordships to pause before they followed that rule to the consequence now contended for; and he must strongly urge, that, in fact and in law, it was not a consequence even of that rule. If their Lordships admitted the validity of the objection taken by his Majesty’s Attorney-General, then the usual questions put for the purpose of trying the witness’s credit, which had at all times been accustomed to be so put in courts of justice, would be abolished. Instead of the witness in this instance being simply required to state, “did you ever represent so and so?” this was the inquiry to be substituted for it—“Was it in writing or conversation?” He did apprehend their Lordships would overrule the objection.

Mr. Denman wished their Lordships to allow him to say a few words upon this subject. In all the books of practice which he had ever read, in all the reports of trials which he had ever looked at, and in all his practice in the courts below, he had never known or heard of such an interruption as this before. For any counsel who had called a witness, in the course of his cross-examination thus to furnish that witness with an excuse for not

answering a question which had been put to him, to try his credit by means the most legitimate, would furnish such an opportunity of deceiving courts of justice and of preventing the truth from being ascertained by means of cross-examination, as must insure success to every conspiracy which might hereafter be properly and discreetly laid. He called on his learned friend (the Attorney-General) to mention a single case that was recorded in books of law, or that had occurred within the memory of those learned persons whom he had now the happiness of seeing, wherein such an interruption had ever before been offered, wherein it had ever been proposed to put such a question to a witness as the one for which the learned gentleman contended. It was one calculated to instruct the witness how to guard himself against the effect of his own fraud and perjury, and to protect him against those discrepancies of evidence which on that day and on other occasions might have disqualified him from ever being believed as a credible witness. But what effect such a mode of putting this question could possibly have in eliciting the truth, or in obtaining any other object to which it was the duty of a court of justice to attend, he was utterly at a loss to discover. Did any counsel ever before interfere to put a witness in mind of a mode in which he might depose to a representation's having been made by him in such a way that he never could be called upon to account for it? The question was this—Had he made such a representation? and if he had, whether it was by writing or by word of mouth, was a matter surely quite indifferent. Supposing that he said he never had made it, were they not bound to see to what extent that was true; and when possibly they (her Majesty's counsel) had his written deposition before them, by which they might be able to contradict the assertion of the witness? What! was it not competent for them to ask him whether he had said, on a former occasion, so and so, when they could, perhaps, prove it on the most authentic evidence? Was it not competent for them to put such a question, not at first telling him that they were in possession of the means of contradicting him by a letter in his own hand-writing, but reserving that hand-writing to contradict him in his

denial of to-day, at the moment when he had made it in the most unequivocal and general terms? Again, "Supposing," said the learned gentleman, "that we had that letter before us; in answer to the Attorney-General, who has objected to the question put by my learned friend (*Mr. Brougham*). I claim in the first place, before the discussion of that question (the ground of which does not appear, because it will be time enough to argue it afterwards, when the letter shall be produced), I claim, I say, the right, and I maintain that we have a right to ask the witness whether he ever made such a representation." It was a little too much to be told that a letter written by a witness, in which he contradicted the testimony given by him on a former occasion, and in which there appeared sufficient to show that he had now spoken in direct contradiction to that former testimony, and to the contents of the letter itself, must be produced before they could put a question to him which might induce an answer that would establish the fact of those contradictions in his evidence. That such letter had ever been produced before, they utterly denied; but, under such circumstances as he had been supposing, they would produce that document for the purpose of showing that the witness had there made a different representation. In the first place they must lay a foundation for such a step, by showing that he had formerly denied the effect of his present evidence upon a particular point; but if, instead of this, it was necessary for them in the first place to show a document to the witness to which he had set his hand, it would be only to lay it at the mercy of that explanation which his own ingenuity might suggest to him to make upon it. But he (*Mr. Denman*) had heard it intimated, that if they so produced the letter, they must make it evidence of their own. He could only say, that such a doctrine was quite contrary to what arguments he had ever heard in his little experience, and one which, till the present moment, he had never known attempted to be sustained; it was certainly one at war with common sense. No witness could be cross-examined in such a case as this with effect, unless they were allowed to ask him whether he had made such or such a representation.

It was useless to proceed by first putting the letter in his hands, which he might explain away, by saying that it was a "*double entendre*," or some such plea: he ought to be asked whether he had or had not made the imputed representation. If the doctrine for which the Attorney-General contended was to be followed now, and because the rule had been laid down on a former occasion, he (*Mr. Denman*) could only say, that at that time counsel were not heard upon the point; and he would much rather now manfully submit to those great authorities by whom it was supported, that it was a matter of the deepest importance, and a rule not to be settled without the most grave deliberation. If it were admitted in all its consequences, he was not yet ready to abandon that strict right which he maintained for his learned friend, (who had the right, as he must contend) of asking, in the most general terms, whether the witness ever made a representation of such a nature as that alluded to. No power on earth—not even that court,—but least of all those persons who were charged with having produced this perjured witness—had a right to object to that question, or to offer that interruption. He must therefore only put it to their lordships, in the first place, that this consequence did not (as had been argued by the Attorney-General) follow from the rule which had been laid down; and in the next place, on the part of that profession of which he was a member, and on the part of that public whom it was their duty to serve in that profession, he must solemnly entreat that such law might not go down to posterity without being fully and amply discussed before it received the sanction of their high authority.

The Attorney-General complained warmly of the term of "perjured witness," applied to the individual under examination.

Mr. Denman owned that it was improper, and begged leave to retract it.

Mr. Brougham. It was used purely hypothetically—merely hypothetically.

The Attorney-General, not only for the sake of his learned friend, *Mr. Denman*, but for the sake of this investigation, was glad that that expression had been re-

tracted. The candor of his learned friend would have induced him to expect that acknowledgment which he so handsomely made. But it must be quite clear, from his own argument, that he was endeavoring to violate a recent decision of their lordships; it had at length come to this. The opposite counsel had asked an equivalent question; and on that ground alone he (the Attorney-General) was justified in the interruption complained of. He was justified in requiring to know its extent, and in proposing another of a more definite, and, as he maintained, a more legal character. The opposite counsel had no right to do circuitously what they could not do directly. They admitted that their object was to get the witness to declare as to the contents of some written document that was in their possession, and which they might afterwards produce in contradiction of his testimony.

Mr. Brougham. I never said any such thing. (Order, order.) My lords, we have a right, when what we state is misrepresented to contradict—(Order, order.)—My lords, (with vehemence) I have a right to do so—(Cries of order, order.)—Amidst which, *Mr. Brougham*, raising his voice still higher, repeated, “I have a right to do so.” (Renewed calls of order, and increasing confusion.) “My lords, I say that I have a right.” (Order, order, withdraw.)

Counsel withdrew.

Counsel recalled.

The Lord Chancellor said, that he had it in command from the House to state to the counsel at the bar, that they must not interrupt each other while speaking, but reserve any corrections or explanations they had to make till their opponent had finished.

The Attorney-General resumed. To represent might mean in writing, or not in writing; the counsel for the cross-examination were bound to put the question in a way the least unequivocal: the witness might be asked whether he had said so and so in conversation, that would be a relevant mode of examination; any other would not. In making this objection he stood on the authority of the decision which the judges had pronounced as to this very point the other day; and the

counsel for her Majesty could have no other object in their present course of proceeding than to obtain a revision of that decision.

Mr. Brougham now explained, and said that he had never contended for anything else than simply for his right to ask generally whether the witness had ever represented so and so. Neither had *Mr. Denman* admitted that their object was to get the witness to declare as to the contents of any written paper. He had merely taken up the next stage of the argument, and contended hypothetically that, if the case were even so, they had a right to put the question.

The Lord Chancellor thought, that the former decision of the judges, as to the production of letters, did not amount to a decision of the propriety of putting the present question; and with the leave of the House he would put a question to the judges, which he should the rather do, as nothing was more important than that the House should be fully acquainted with the mode of its proceeding. He meant no unfounded compliment to *Mr. Williams*, but he must say that, the other day, he had extremely well argued this point: considering, however, the present as additional argument to what was then offered, he was most desirous to refer to the judges this question:—

“Whether, according to the established practice in the courts below, counsel cross-examining are entitled, if the counsel on the other side object to it, to ask a witness whether he has made representations of a particular nature, not specifying in his question whether the question refers to representations in writing or in words?”

The question was delivered to the Lord Chief Justice, and the learned judges requested leave to withdraw.

The judges returned, and

Lord Chief Justice Abbott said:—My lords, the judges have conferred upon the question proposed to them by your lordships, “Whether, according to the established practice in the courts below, counsel cross-examining are entitled, the counsel on the other side objecting to it, to ask a witness whether he has made representations of any particular nature, not specifying in the question

whether his question refers to representations in writing or in words."

My lords, the judges find a difficulty to give a distinct answer to the question thus proposed by your lordships, either in the affirmative or the negative, inasmuch as we are not aware that there is in the courts below any established practice which we can state to your lordships as distinctly referring to such a question propounded by counsel on cross-examination as is here contained, that is, Whether the counsel cross-examining are entitled to ask the witness whether he has made such representation, for it is not in the recollection of any one of us that such a question in those words, namely, whether a witness has made such and such representation, has at any time been asked of a witness; questions, however, of a similar nature are frequently asked at *Nisi Prius*, referring rather to contracts and agreements, or to supposed contracts and agreements, than to declarations of the witness; as for instance, a witness is often asked whether there is an agreement for a certain price for a certain article, an agreement for a certain definite time, a warranty, or other matter of that kind, being a matter of contract; and when a question of that kind has been asked at *Nisi Prius*, the ordinary course has been for the counsel on the other side not to object to the question as a question, that could not properly be put, but to interpose on his own behalf another intermediate question, namely, to ask the witness whether the agreement referred to in the question originally proposed by the counsel on the other side, was or was not in writing; and if the witness answers that it was in writing, then the inquiry is stopped, because the writing must be itself produced.

My Lords, therefore, although we can not answer your Lordships' question distinctly in the affirmative or the negative, for the reason I have given, namely, the want of an established practice referring to such a question by counsel; yet as we are all of opinion that the witness can not properly be asked on cross-examination whether he has written such a thing (the proper course being to put the writing into his hands, and ask him whether it be his writing); considering the question proposed to

us by your Lordships with reference to that principle of law which requires the writing itself to be produced, and with reference to the course that ordinarily takes place on questions relative to contracts or agreements; we each of us think that if such a question were propounded before us at *Nisi Prius* and objected to, we should direct the counsel to separate the question into its parts.

My Lords, I find I have not expressed myself with the clearness I had wished, as to dividing the question into parts, I beg therefore to inform the House, that by dividing the question into parts, I mean that the counsel would be directed to ask whether the representation had been made in writing or by words. If he should ask whether it had been made in writing, the counsel on the other side would object to the question; if he should ask whether it had been made by words, that is, whether the witness had said so or so, the counsel would undoubtedly have a right to put that question, and probably no objection would be made to it.

The counsel were called in, and informed by the *Lord Chancellor* that if, on cross-examination, they inquired of a witness whether he had made representations of any particular nature, stating the nature of those representations, they should, in their inquiries, ask the witness first "whether he made the representations by parole, or in writing."

Mr. Brougham. With great deference, my Lords, are we to ask the witness whether the representation be in writing in the first instance, before we understand from him whether he made any representation of the kind we have alluded to?

The Lord Chancellor put it to their Lordships to say, whether, if the question referred to details, it would not be competent for the opposite counsel to ask if there had been any writing.

The Lord Chancellor asked the counsel whether they wished to withdraw the question as it was now put, and substitute another of a more general nature; or whether they would follow it up by an interrogation of a more particular nature, subject to the interposition of the opposite counsel if it were in writing.

Mr. Brougham asked whether the question would be deemed regular if he added to it "in writing?" for instance, "Did the witness ever, *in writing*, make any representation of the kind before alluded to?"

The Lord Chancellor thought that the shortest course would be to amend the question, and asked if *Mr. Brougham* wished to withdraw the question.

Mr. Brougham wished most earnestly to withdraw the question, merely to save time.

The witness was again called in.

Mr. Brougham. Did you ever say to any person that your conduct towards her Royal Highness was liable to the charge of ingratitude with respect to a generous benefactress?—Never.

Is that your handwriting (a letter being put into the hands of the witness)?—It is.

Is that your handwriting (another letter being put into the hands of the witness)?—It is.

Is that (another letter being put into the hands of the witness)?—It is.

Were you ever called by any other name than Milani, Sacchi, and Sacchini?—I have been called by another name, and I am still called.

What is that other name?—I beg as a favor from the House, that I may not be obliged to state that; if I should tell what name I go by, I might be exposed to the fury of some person that is ill-intentioned; I beg, as a favor, that the House would interpose their authority that such a question, and such an answer, should not be inserted in the public papers.

Mr. Brougham, after such an intimation, would not ask the name.

Did you ever go by any other name than that while you were abroad in Italy?—I do not remember to have ever been called by any other name.

Did you ever make use of any other name while you were in Italy, for the purpose of corresponding with other persons?—I do not remember.

Have you ever been in Switzerland?—Many times.

Were you ever at Morge?—I have.

Were you ever at Colombier?—I have.

How long have you been at Morge and Colombier at a time?—About six weeks.

Did you let it be know by everybody there that you were in that neighborhood, or did you conceal yourself?—I made myself known to all.

Under what name did you go there?—By my own proper name, Sacchi.

Had not you money in your name at a banker's at Lausanne?—I had.

How much had you there in your name?—Fifty Louis.

Will your swear you had not more than that at one time at that banker's?—I had no more than those fifty Louis.

Will you swear you never had a credit which empowered you to draw upon that banker for a larger sum than that?—I never had.

Have you never represented that you had a larger sum or a greater credit?—I do not remember to have said so.

But you will not swear that you have not said so?—I can not swear when I am in doubt.

Did not you fetch a certain Mademoiselle Demont from Switzerland to Milan?—I did.

Did you bring her back?—I did not.

But you went to prevail upon her to go to Milan, did you not?—Not to prevail upon her, but to ask whether she would go or not.

Who employed you to fetch her, or to procure her attendance?—I was desired by the commission at Milan.

Did you tell any person in Switzerland that Demont was gone back, or going back, to return to her Royal Highness's service?—Never.

Whom did you come over, yourself, to this country with?—A courier, called Mr. Krouse, and my servant.

Is that Mr. Krouse the person who was lately arrested at Paris on a charge of having dealt in forged notes?—I never heard speak of that.

Did Mr. Krouse come over with you to London or remain in Paris?—He came over with me to London.

Is Mr. Krouse a regular messenger, one of the King's

messengers, or only employed in the Milan business?—
I do not know.

Have you made any other journey with Mr. Krouse?
—I have not.

How much money did you get by the Milan commission for your trouble while you were at Milan?—I have received no other sum, except for the expenses of the journey that I made to go to Lausanne and return, and for another journey which I took to Scharnitz and returned.

Do you mean to swear you have received no promise of any sum from the Milan commission for your trouble?—I can swear never to have received any promise.

Do you mean to swear you have received no promise from any person of a remuneration for your trouble in this business?—I can swear never to have received any promise.

Do you mean to say you will swear you never received any promise, from any person, of any advantage, of any sort, to be given you for this?—I have never asked for anything, nor has ever anything been offered to me.

The question is not whether you have ever asked for anything, or anything has been offered to you, but whether any promise was ever made to you, by any person, of any advantage whatever?—No one has ever promised me anything.

Have you ever said to any person that you have received any money, or any promise of any money, or of any advantage?—I have never said to any person that I had received any money, or any advantage; I might have said that I have received the money for the expenses of my journey.

Do you expect to receive nothing for your trouble in this business, from any person?—I hope that my time will be paid, which they have made me throw away till now.

Have you ever seen Mademoiselle Demont since you came to this country?—Many times.

Have you seen any of the other witnesses in this business?—Never.

Re-examined by the *Attorney-General*.

Where does your family live?—My family now resides at Trobio.

Were you ever in the army?—For ten years.

In what army did you serve?—In the army of Italy.

Whose army of Italy was it; Bonaparte's army?—Of the kingdom of Italy, headed by Bonaparte.

What rank did you hold in the army at the time you quitted it?—First lieutenant of cavalry.

When were you made a lieutenant of cavalry?—On the 6th of September, 1813, in the field of battle.

At the time you left the Princess's service, did you receive from her Royal Highness any certificate to your character?—I did.

Have you got it about you?—I have. (Producing a paper.)

Is it signed by her Royal Highness herself, in her own hand-writing?—When it was given to me I was told that it had been signed by her Royal Highness.

Have you ever seen her Royal Highness write?—I do not remember.

Have you ever seen any letters which have been written by her?

Mr. Brougham objected to the question.

Do you know whose seal is annexed to it?—I do.

Whose seal is it?—A seal that I have seen often on the letters that her Royal Highness gave me.

Who gave you that certificate?—Count Schiavini.

The Attorney-General requested that the certificate might be read.

Mr. Brougham, rather for the sake of regularity than that he cared a rush about the paper, objected. The certificate had in no way been brought home to the Princess. "It was received," said the learned gentleman, "from Schiavini." *Non constat* who was Schiavini. It had upon it a seal (of which, by the way, the impression is now entirely effaced); and the witness has seen the same seal upon letters which he has carried to the post. *Non constat* that it was the seal of the Princess. *Non constat* who put the seal, whatever it was, upon the paper.

The Attorney-General submitted that the evidence was this:—The paper sealed with the seal with which the Princess was used to seal her letters, had been given to the witness by Schiavini; and it would be found upon the minutes of their Lordships, that Schiavini was the person who used to give characters to the domestics.

The following question and answer were then read from the minutes:—

“When the servants quitted the service of her Royal Highness, did any person in her household usually give them characters?—Several times it was Count Schiavini.”

The Lord Chancellor. That evidence may, or may not apply to the time at which this witness received his character.

The Attorney-General. You say that was that given to you by Schiavini?—I repeat it.

Is the body of the certificate written by Schiavini?—Yes.

At the time you received that certificate, or about that time, was Schiavini the person who was in the habit of giving characters to persons who left her Royal Highness's service?

Mr. Brougham objected to the question.

What situation did Count Schiavini hold in her Royal Highness's service at that time?—Marshal of the Palace.

When the servants quitted the service of her Royal Highness, did any person in her household usually give them characters?—I have not seen; but Majocchi so received his certificate, and that was given to him by Schiavini.

Had Schiavini the office of Marshal of the Palace at the time he gave you that certificate?—He had.

Did you apply to him for a certificate to your character?—I did not.

How long before you quitted her Royal Highness's service was it that Majocchi quitted?—Majocchi went away before me.

How long before you?—I do not remember.

About how long?—About two months.

The Attorney-General submitted, that he was now in a

condition to read the certificate, connecting this evidence with that given on a former day.

Mr. Brougham submitted, that the Attorney-General had not carried the thing one step further.

Lord Erskine said, that the situation of Schiavini would not entitle him to grant certificates without the instruction of the Princess. A number of questions and answers were then read by the short-hand writer, and,

Mr. Brougham contended that that part of the witness's answer, in which he said that he had been *told* by Schiavini that the paper was signed by the Princess, should be expunged.

The Lord Chancellor. Certainly; what the witness was told can not be evidence. The better way would be to call some one to prove the hand-writing of the Princess.

The Attorney-General thought that if he could prove her authority given, it would be sufficient. The evidence of the witness, joined to that which had been read from the minutes, laid, he contended, a *prima facie* case that Schiavini filled such a situation as empowered him to give characters to the servants.

Mr. Brougham would merely request their Lordships to look at the seal upon which the Attorney-General was pleased to rely. The eye was out of the question, but not even with a microscope could any one discover the impression which the wax had borne. There was a piece of wax, and something like two circles upon it; but what those circles meant it was quite impossible to conjecture. Besides, there was no evidence to show that the seal had been affixed by the Princess.

The Attorney-General said, he had not very good eyes; but he thought the impression on the seal was sufficiently obvious.

The Lord Chancellor. Will you allow us, Mr. Brougham, to look at the seal?

Mr. Brougham. Most certainly; but even if it were the seal of the Princess, I should still object to it as evidence.

Mr. Denman observed that there was no evidence that the seal had not been affixed by the witness himself.

The Attorney-General submitted that he had made out a *prima facie* proof that the certificate was signed by order of her Majesty, and the House decided that the evidence was not sufficient; accordingly it was not read.

You have been asked as to your communications with persons of the name of Marrietti; who are the Marriettis?—I have known several brothers called Marrietti.

Have they a banking house at Milan?—The family of Marrietti are bankers at Milan.

Have they also a house of trade in London?—I know no establishment under their firm.

Do you know the firm of Orbicini and Company?—I do.

Is one of the Marrietti's a partner in that house?—I believe so.

Do you know whether the Marriettis are the Princess's bankers at Milan?—I know that the house were so.

You have stated, in answer to a question, that about two months ago, one of the Mr. Marrietti's called upon you?—I did.

Upon that occasion did Marrietti state for what purpose he called upon you?—He did.

Mr. Brougham objected: No conversation between Marrietti and the witness could be evidence, unless the House meant to lay it down as a rule that because a person was the banker to the Queen, all he said on any subject at any time was evidence against her.

The Attorney-General observed, that the question he had put arose directly out of the cross-examination.

By order of the *Lord Chancellor*, the following questions and answers were read from the previous part of the evidence:—

“Did you ever disclose to Marrietti, or any of his family, that you were one of the witnesses against her Royal Highness?—I told it to Mr. Marrietti after I returned from Aston.

“How long ago is that?—About two months ago.

“Did you not at that time know that Mr. Marrietti's family had discovered who you were?—I do not know.

“Do you mean to swear that you did not know at the

time you told him who you were, that they already knew who you were?—Who I was as a witness, do you mean?

“Your name in the first instance, that they had found out your real name?—Yes, because I have mentioned it to some persons much before.

“But not to any of Marrietti’s family?—I told my real name to one of the brothers of Marrietti, who was at Aston with me.

“When was it that you so told your name to one of the Marrietti’s?—After I had been at Aston a few months.

“How long ago is it; how far back?—Seven or eight months.

“To whom was it you told your name, and who you were, two months ago?—Two months ago, I do not remember.

“Did the gentleman of Mr. Marrietti’s family, to whom you disclosed who you were, ever see you afterwards?—It is some time since he has set out for Milan.

“Have you ever been in Mr. Marrietti’s house since you mentioned this to the gentleman who has gone to Milan?—Several times.

“When was the last time that you were there, to make a visit?—Three or four months.

“Did they then know that you were Milani or Sacchi?—The brother who has set out for Milan knew that I was Sacchi, the others I do not know.”

The Attorney-General then submitted, that as *Mr. Brougham* had asked as to a portion of a conversation between the witness and Marrietti, he was entitled to obtain the whole of it.

Mr. Brougham argued, that all that the witness had said was, that he told Marrietti that he was to be a witness against the Queen, but it did not appear that Marrietti had spoken one word to the witness on that occasion. If any doubt existed as to what had passed, and further explanation were necessary, the case would be different.

By the desire of several peers, the evidence of the witness on this subject was again read.

The Lord Chancellor said, that what was to be stated

by the witness as the observation of Marrietti, must be relative to the subject matter of this inquiry, and it must have passed at the conversation wherein the witness said that he was to appear against the Queen.

Mr. Brougham admitted that the witness might be asked what led to his reply that he was to give evidence on this occasion.

Lord Erskine concurred in the view taken by the Lord Chancellor: what the witness had said on the occasion alluded to might be the consequence of some question by Marrietti, but that did not yet appear.

The Lord Chancellor added, that assuming that part of a conversation had been given in evidence, the Attorney-General had a right to have the whole of that conversation on the minutes.

By his Lordship's order the notes of the shorthand-writer were read a third time.

Lord Erskine said, that it appeared on the notes merely as the remark by the witness, that he was to give evidence, and not that Marrietti had put any question leading to such an answer. For anything that stood on the cross-examination Marrietti might have been dumb.

The Attorney-General. Upon what occasion was it that you told Marrietti you were a witness against the Queen?—On the occasion that he came to pay me a visit at my lodgings, about two months ago.

What was it that made you state that to Marrietti; what had Marrietti said, or had anything passed which induced you to state that to Marrietti at that time?—Mr. Marrietti before coming sent to me one of his friends.

Confine yourself to the time when Marrietti came?

Mr. Brougham interposed, and insisted that the witness had said nothing in his cross-examination leading to such an explanation as he was about to give. It was not because A. B. had told Marrietti something, that it was to be made evidence against the Queen. Marrietti might have been dumb, as had been remarked, for anything that the witness had stated in his cross-examination.

Mr. Denman further enforced this objection, contending that the answer formerly given by the witness

required no further explanation, which formed the only reason for allowing more questions to be put on re-examination.

The Attorney-General fully allowed that all questions on re-examination must arise out of something said on the cross-examination: for this reason the question he had put was perfectly regular; the witness had told Marrietti that he was to give evidence against the Queen, and what he (the Attorney-General) wished to know was, what Marrietti had said to the witness to give him that information. He would not waste time by arguing at length a matter in itself so clear.

The Lord Chancellor informed the counsel, that they might ask as to the particulars of any conversation with Marrietti, to which the witness had been asked on cross-examination, but that the witness should be asked whether that which he had said arose out of the inquiries of Marrietti.

The Attorney-General. Did any conversation pass between you and Marrietti, at the time to which you have referred, relative to your being a witness on the subject of the Queen?—Marrietti came to me in the morning, and told me that Mr. Brougham, the brother of the counsel of her Majesty, had called upon him, and as Marrietti had received some favors from those two brothers—

Mr. Brougham. See, my Lords, to what your permission leads. (Order.) Do any of the judges refuse to allow me to speak? (Some confusion.)

The Lord Chancellor. When a proper question is put to a witness, and the witness gives an improper answer which ought not to be continued, it is consistent with the duty of a counsel to interrupt the witness.

Mr. Brougham added, that he presumed their lordships did not mean to wade through all the conversations between the two Marriettis; if so, there could be no end to such matters. The favors he had done to Messrs. Marrietti by keeping an account with them were exceedingly small.

The Lord Chancellor. Now you are giving evidence.

Lord Erskine maintained, that as nothing appeared on the minutes to show that Marrietti had put any

question to the witness, no inquiry ought to be made regarding any such question.

The Lord Chancellor informed the Attorney-General that he might ask the question what induced him to make to Marrietti the statement of his being a witness against the Queen.

The Attorney-General. What induced you to make the statement to Marrietti, that you were a witness against the Queen?—Marrietti, when he came to pay me a visit, had already been told by somebody that I was a witness against the Queen, and he asked me whether it was true, what he had heard, that I was a witness against her Majesty; I answered in the affirmative: he then told me—

Mr. Denman could not allow the witness to go further without submitting that he was going beyond the limit prescribed. All that the Attorney-General had a right to inquire had been answered: and with great humility, but confidence, he argued that the interrogatories on this point ought not to be pursued further. What had already passed ought to operate as a considerable warning; and when the cross-examination had been so strictly circumscribed, he thought the House would not refuse to limit the re-examination according to the practice of all courts of justice.

The Attorney-General said, that a counsel who in cross-examination put a question regarding a conversation, knew, or ought to know, that he thereby ran the risk of having the whole of that conversation brought forward in the re-examination. This was only the common case, such as occurred every day at *Nisi Prius*, and their lordships would deal with it accordingly.

Mr. Brougham proceeded to enforce the inconveniences that must necessarily arise, if a door were thus opened to conversations of any kind, and with any persons. The primary issue regarded the Queen, and there was a collateral issue on the credibility of the witness, but neither of them could be affected by the dialogue between the witness and Marrietti. Suppose the witness had conversed with Mademoiselle Demont respecting the Queen, would the House think of inquiring into all that had passed between them.

The Lord Chancellor wished the Attorney-General to put a distinct question, on which the opinion of the judges, if necessary, might be taken.

The Attorney-General put it as follows: "What did Marrietti say to you, after you told him that you were a witness against the Queen?"

Mr. Brougham objected to the form, and was confirmed in that opinion by *Lord Erskine*.

The Lord Chancellor. My opinion is that the question is put too generally in any way of arguing the subject. Why do you not ask—"Did Marrietti say anything, and what, to you at that time, with respect to your being a witness against the Queen?"

The Attorney-General put it as directed, and *Mr. Brougham* took the objection he had already argued.

Mr. Denman submitted that the witness could be asked as to no part of the conversation between him and Marrietti, after the latter had been told that the former was a witness against the Queen.

The Attorney-General then put the following questions:—

Before you stated to Marrietti that you were a witness upon this subject, had he said anything more than you have already stated?—No.

Upon your saying that you were a witness, did Marrietti make any observation upon the subject of your being a witness?

Mr. Brougham. To that we object. What Marrietti said can not touch the Queen, unless agency be first established.

The Lord Chancellor said, that the judges could not mistake the point on which their opinion was required; but he believed that it would be necessary, that they should be assisted by the shorthand-writer's notes of the part of the cross-examination relating to the point. With them they might be furnished to-night; and as the hour of adjournment was close at hand, it might be as well, perhaps, to postpone the subject until to-morrow morning.

SEPTEMBER 6.

The Lord Chancellor, after recapitulating what had

occurred yesterday on the questions put to the witness Giuseppe Sacchi, relative to what had passed between him and the banker, M^r. Marrietti, wished to simplify the questions to be put to the learned judges, and therefore proposed—

1.—“If upon the trial of an action brought by A. (plaintiff) against B. (defendant), a witness examined on the part of the plaintiff, upon cross-examination by the defendant’s counsel, had stated, in answer to a question addressed to him by such counsel, that at a time specified in his answer he had told a person named C. D. that he was one of the witnesses against the defendant, and being re-examined by the plaintiff’s counsel, had stated what induced him to mention to C. D. what he had so told him, and the counsel of the plaintiff should propose further to re-examine him as to the conversation between him and C. D. which passed at the time specified in his former answer, as far only as such conversation related to his being one of the witnesses, would such counsel, according to the rules and practice observed in the courts below with respect to cross-examination and re-examination, be entitled so further to re-examine such witness; and if so, would he be entitled so further to re-examine as well with respect to such conversation relating to his being one of the witnesses against B. as passed between him and C. D. at the time specified, after he had told him that he was to be one of the witnesses, as with respect to such conversation as passed before he had so told him?”

2.—“If upon the trial of an indictment against A. a witness examined on the part of the crown, had stated upon cross-examination by the counsel of A. in answer to a question addressed to him by such counsel, that at a time specified in his answer he had told a person named C. D. that he was one of the witnesses against A., and being re-examined by the counsel for the crown, had stated what induced him to mention to C. D. what he had so told him, and the counsel for the crown should propose further to re-examine him as to the conversation which passed between him and C. D. at the time specified in his former answer, as far only as such conversation related to his being one of the witnesses, would

such counsel be entitled so further to re-examine him ; and if so, would he be entitled so further to re-examine as well with respect to such conversation relating to his being one of the witnesses against A., which passed between him and C. D. at the time specified, after he had told him that he was to be one of the witnesses, as with respect to such conversation as passed before he had so told him ? ”

The questions were delivered to the Lord Chief Justice, and the learned judges requested leave to withdraw.

Mr. Brougham was always unwilling to complain, in any case, of the public press, but he felt himself bound to say, appearing as a professional person before their Lordships' bar, that some bounds ought to be ascertained, at which anything like misrepresentation in the daily papers ought to be stopped. In the case which he had to bring before their Lordships, he was obliged to add, that he could not believe the error to have been an involuntary one ; but, in expressing his opinion of the necessity of some such bounds as he had mentioned, he begged to be understood as applying himself not so much to the present case, as to a preventive measure for the future. In one of the public prints of that morning a charge was brought forward against a near relation of his, founded on the following misrepresentation of what the witness (Sacchi) had said, in answer to a question from the Attorney-General. The question asked was—“ Did any conversation take place between the witness and Marrietti, relative to his being a witness against the Queen ? ”—The pretended answer—“ When he told Marrietti that he was going as a witness against the Princess, Marrietti told him that *Mr. Brougham*, brother to her Royal Highness's counsel, had said he would bestow favors on those who would not go.”—So that by this false statement of what the witness had answered, his (*Mr. Brougham's*) brother was charged with having tampered with witnesses ; and this journal dealt with that honorable relation of his as any person deserved to be dealt with who was really desirous of so tampering with witnesses to be produced at their Lordships' bar. But nothing like this was said. He referred their Lordships to

the minutes of the evidence : it was only said that " that person (Marrietti) had been with Sacchi in the morning, and told him that Mr. Brougham, brother to the counsel for the Queen, had desired him to go ; and as Marrietti considered himself to be under some obligations to him and his brother "—Here he (*Mr. Brougham*) had himself interrupted the witness : the fact was, that Marrietti was going to ask him something else—namely, what Sacchini had to say for himself? Now, he did mean to ask, whether a more gross and scandalous misrepresentation of a plain fact had ever been made before in any court of justice? He could only hope that if their Lordships should be of opinion with himself that this matter required examination, they would enable him to go into an examination of a point which he (*Mr. Brougham*) yesterday, not knowing the full extent of human malignity, did require should not come under discussion. That objection he now solemnly begged to waive ; and was earnestly desirous that the matter should be probed to the bottom, in any manner which might be judged the most sure and open. For himself, he would say, that he never saw Marrietti until October last. He only requested to waive, in this instance, his privilege of parliament, and that their Lordships would deal with him exactly as they would with others who had it not. All that he was apprehensive of on the occasion was their Lordships not going into this inquiry. He had now only to state one circumstance, if any were wanting for that purpose, in order to corroborate the fact that this was a gross falsehood. It was, that he himself had put into the hands of one of his Majesty's ministers, who had to sustain, undoubtedly, a most anxious part in these proceedings—he himself had put into the hands of a noble earl (Liverpool) a letter from Marrietti the father, in which he mentioned the circumstance of young Marrietti's having gone to see Sacchini. The fact was expressly mentioned ; and he (*Mr. Brougham*) was not very sure that this particular circumstance, of one of the Queen's counsel openly placing such a letter in the hands of one of his Majesty's minister's, had not been the origin of the unfounded charge against him. The object of that letter was to express the fears of M. Marrietti, the father, that

from the unhandsome conduct of Colonel Brown in all these transactions, the conduct of young Marrietti might be the cause of his being sent out of the country. The noble earl, he was happy to say, very handsomely, and in the kindest manner, relieved all M. Marrietti's fears, if he had any, and informed him that what he apprehended should not be done. He said M. Marrietti's fears, if he had any, because those who knew the character and mind of that noble earl well would never have entertained them. All this he mentioned only to show that he had himself told the Earl of Liverpool that young Marrietti had gone to Sacchini, as undoubtedly he had a right to do, and as it was his duty to do. It was perhaps troubling their lordships to add, that in the same paper he found it stated, that the Lords of the Admiralty had yesterday sent to ask for the attendance of two witnesses, being under their control, for they were officers of the navy, to answer certain questions. (Cries of "Mention the paper.")

Mr. Brougham. *The Morning Post.*

The Attorney-General said that his learned friend had gone much further than he was warranted; for his observations went to charge him (the Attorney-General) with having held some communication relative to Marrietti with his Majesty's government. He never heard, however, of the facts till they came out upon Sacchi's examination by his learned friend. He was then informed, through a channel which it would be improper for him to mention, that their lordships thought it might be important to have the whole of the matter sifted to the bottom. His learned friend should be a little more cautious how he imputed to him the holding any communication with the Earl of Liverpool on the subject: which he could assure the learned gentleman never took place. With respect to the misrepresentation complained of, it was undoubtedly competent for *Mr. Brougham* to bring it before the notice of the House, and to that he ought to have confined himself.

The Lord Chancellor. It did appear, from a reference to the printed notes of evidence taken by the shorthand-writer, that the publication which had been complained of was by no means, in many places, consistent with the

evidence which had been given. With respect to representations and misrepresentations which were to be found in the public prints, he trusted that their lordships would excuse him for now taking the liberty of saying, that if their lordships had chosen to waive their privileges with respect to such publications, they must yet insist that they should be minutely correct. Whatever might have been the complaints with respect to some other publications that had gone forth to the world, or whatever might be intended respecting them, their lordships would be hereafter called upon to consider. At present it did not appear expedient to enter upon the subject.

The judges, having remained apart nearly two hours in consultation, returned.

The Lord Chief Justice Abbott then stated, that the judges had taken into consideration the two questions referred to them by their lordships, but as they had not come to an unanimous opinion, they proposed to deliver their respective opinions *seriatim*.

Mr. Justice Richardson, as junior judge, then read the first question referred to him and his learned brothers. It was in substance, whether, if on the trial of an action between A. and B. in the courts below, the plaintiff's witness should, on his cross-examination, admit that at a particular time he had told C. D. that he was to be one of the witnesses on the trial, and being re-examined, should be asked as to other parts of that conversation in which he had said to C. D. that he was a witness; were the plaintiff's counsel entitled so further to examine him, and to inquire into what had passed between him and C. D. before he informed C. D. to the effect stated? The second question was in the same terms, but was directed to the rule adopted in criminal cases. The learned judge proceeded to state, that he felt himself bound to answer the first question in the negative. He did not conceive that counsel were entitled, by the rules or practice of either courts, to inquire upon a re-examination into the whole extent of conversation which might have passed between the witness and C. D. touching the statement of the former that he was a witness in the cause. It did not appear to him that there was any

difference in the rule as observed in criminal proceedings. The reasons upon which he founded this opinion would be stated in detail by the Lord Chief Justice.

Mr. Justice Best said, he could not but feel himself considerably embarrassed in differing, as he was on this occasion obliged to differ, from those whom he most respected. Short as the time was during which he had had the honor of filling a judicial office, it was still his first duty to state his opinion candidly, and without reserve. He felt himself bound, then, to answer the two questions put by their lordships in the affirmative: he knew of no difference between the rules of evidence observed in civil and in criminal cases, for they were founded on one and the same principle—that of obtaining the discovery of truth. His answer, therefore, to the second question, was the same as to the first. If there was any difficulty in the case, it was a difficulty that might easily be got over. It might, indeed, be supposed that a witness, after cross-examination, had weighed all the motives and had recollected all the circumstances which occurred or operated upon his mind at a given period; but it was nevertheless true, and it was confirmed by daily observation, that a particular question might afterwards bring to a witness's memory facts and motives which he had either before forgotten, or which, although extremely material, the cross-examination had failed to extract from him. It might be extremely inconvenient to the administration of justice, and, above all, he conceived that persons on trial for crimes would be placed in a dreadful situation, if, when some particular motive should be assigned in evidence, all further inquiry were to be stopped. That further inquiry, he thought, should be prosecuted, if it were only for the purpose of ascertaining whether other circumstances than those adduced had not operated upon the mind of him whose conduct or declarations were in question. But the opinion which he now gave rested on the broad ground of the practice in the courts of Westminster Hall. According to his understanding of that practice, when a part of a conversation was given in evidence, the whole of it must be received. If this were not the rule, he did not see how any law could be beneficially

administered, or how any witness could be safe. Such a rule was due in justice to the witness; it was necessary for the protection of his character against proceedings which might afterwards be taken against him. It was with such views, he apprehended, that a part of a writing or of a conversation could not be admitted in evidence unless the whole was produced. The question of their Lordships presented two cases—one relative to a conversation with the party to a cause, and the other to a conversation with a witness in the cause. The first instance applied directly to the issue; the second only to the credit of testimony. But the rule in both cases was the same; and if a witness were asked as to what a party in a cause said, there was no doubt that the whole must be stated. This was the consequence to which a counsel, cross-examining a witness, necessarily exposed himself. In the other case, it was the duty of a judge to remember that the question was only material as it affected the credit of the witness; and in common sense, which he had always found to be the same as common law, that witness ought to have the opportunity of explaining what might seem suspicious or obscure in his cross-examination. It would not, in his opinion, be doing justice to one witness to deprive him of the benefit of the whole of whatever conversation might have occurred with another. Such was shortly his opinion. The point before their Lordships had certainly been now, for the first time, submitted for the opinion of the judges; for, in the courts below, the mode in which questions of a similar nature were put prevented the necessity of raising such a point as this upon them. With respect to the rules of evidence generally, in his opinion these rules were kept rather too narrow, and excluded too much. He thought it were better they should be extended as far as the principle which governed them could be made to sanction the extension. Were he presiding in a court when such an objection as this was interposed, he should feel himself bound to tell the jury that they ought to receive in evidence the whole of the declaration, but not to take it as they would take proved facts, but as a matter which went to affect the credibility of a witness.

Mr. Baron Garrow said that he concurred with his learned brother who first spoke in answering the question submitted by their Lordships in the negative.

Mr. Justice Burrough, *Mr. Justice Holroyd,* *Mr. Baron Graham,* and *Chief Baron Richards,* severally delivered their opinions, also in the negative, and declined occupying the time of their Lordships with a statement of the reasons which led them to that conclusion.

Lord Chief Justice Abbott. My Lords, I agree with the other judges in considering the two questions proposed to us by your Lordships to be, with reference to the point on which our opinion had been asked, substantially one; and that question, as proposed by the House, contains these words, "the witness being re-examined, had stated what induced him to mention to C. D. what he had so told him," by which I understand that the witness had fully explained his whole motive and inducement to inform C. D. that he was to be one as the witnesses; and so understanding the matter, and there being no ambiguity in the words, "I am to be one of the witnesses," I think there is no distinction to be made between the previous and subsequent parts of the conversation, and I think myself bound to answer your Lordships question in the negative.

I think the counsel has a right, upon re-examination, to ask all questions which may be proper to draw forth an explanation of the sense and meaning of the expressions used by the witness on cross-examination, if they be in themselves doubtful; and also of the motive by which the witness was induced to use those expressions; but I think he has no right to go further, and to introduce matter new in itself, and not suited to the purpose of explaining either the expressions or the motive of the witness. And as many things may pass in one and the same conversation relating to the subject of the conversation (as in the case put by your lordships, the declaration of a witness that he was to be a witness in a cause or prosecution), which do not relate to his motive, or to the meaning of his expressions, I think the counsel is not entitled to re-examine to the conversation to the extent to which such conversation may relate to his be-

ing one of the witnesses, which is the point proposed in your lordships' questions to the judges.

And I distinguish between a conversation which a witness may have had with a party to the suit, whether criminal or civil, and a conversation with a third person. The conversations of a party to a suit, relative to the subject matter of the suit, are in themselves evidence against him in the suit, and if a counsel chooses to ask a witness as to anything that may have been said by an adverse party, the counsel for that party has a right to lay before the court, the whole that was said by his client in the same conversation; not only so much as may explain or qualify the matter introduced by the previous examination, but even matter not properly connected with the part introduced upon the previous examination, provided only that it relate to the subject-matter of the suit, because it would not be just to take part of a conversation as evidence against a party, without giving to the party, at the same time, the benefit of the entire residue of what he said on the same occasion. But the conversation of a witness with a third person is not in itself evidence in the suit against any party to the suit; it becomes evidence only as it may affect the character and credit of the witness, which may be affected by his antecedent declarations, and by the motive under which he made them; but when once all that had constituted the motive and inducement, and all that may show the meaning of the words and declarations has been laid before the court, the court becomes possessed of all that can affect the character or credit of the witness, and all beyond this is, in my opinion, irrelevant and incompetent. On these grounds, I feel called upon to answer your lordships' question in the negative.

The Lord Chancellor stated to the House the manner in which the point was disposed of upon reference to the judges, and read the question and answer from the minutes out of which the point had arisen. In his opinion, after what had taken place, the more advisable course would be to abide by the opinion delivered by the majority of the judges. Was it, therefore, the opinion of their lordships that he should order counsel to be called in, and then instruct them that the question which

had been considered must not be put to the witness? He thought it right to state, that the information thus given to counsel would not bind their lordships from putting any question which they might deem proper. They might still ask such questions as they pleased. For some years he had had no opportunity of knowing much about the rules of evidence when delivered *viva voce* in the courts below; and it was in consequence of his not having that recent experience, that he now recommended their lordships to act upon the opinion pronounced by the majority of the judges. He must, however, certainly say, for his own part, that he had long been in the habit of thinking, that counsel were permitted to inquire into the whole of a conversation alluded to by a witness, and going the whole length of ascertaining to what extent it had been carried.

Lord Erskine stated that he had no difficulty in concurring in the recommendation of his noble and learned friend, that the House should adopt the opinion of the majority of the learned judges, and reject the dissenting opinion of one of them. He also begged leave to say that they had got into this difficulty, or inconvenience, by using a term which would not be found in the shorthand-writer's notes, of what had fallen from the witness; for, in fact, he had never used the word "conversation" at all. The witness had been asked what induced him to make this arrangement? Up to that part of his evidence no difficulty had arisen. Now, he would ask, how was it possible that anything which *Marrietti* could say afterwards had any bearing upon what affected the witness's previous motive?

The Lord Chancellor. My lords, shall I inform counsel that they ought not to put the particular question as follows: "On your saying that you were a witness, did *Marrietti* make any observation?"

It being decided that this instruction should be given to the counsel, they were called in, and apprized that they must not put the question last submitted to the witness.

Giuseppe Sacchi was then again called in, and further re-examined by the *Attorney-General*, through the interpretation of the *Marchese di Spineto*.

You have stated, that when you came to this country, you assumed the name of Milani, what was the reason why you assumed that name?—I took this name on account of the tumult (*tumulto*) which had taken place, and of the danger I should have run if I had come under my name, knowing that I should have been known.

You have stated, that you have taken another name; when was it that you assumed the name by which you now go?—It was immediately after the affair that happened at Dover.

You have stated that you took an oath to your deposition, when was that?—I do not remember exactly the day, but it is about two months ago.

On what occasion were you sworn to that deposition?—It was proposed to me by the Advocate Powell.

For what purpose?—He told me—

Mr. Brougham here submitted to their lordships whether the question could be put consistently with the decision that their lordships had already arrived at. If this question was not evidence, for the sake of regularity and the rules of evidence let it be rejected. He felt how a counsel was exposed to the imputation of wishing to conceal a truth, that a witness might disclose in his answer, when he interposed an objection of this nature. In the courts below the judges would relieve him from this difficulty by stopping the question as irregular.

The Lord Chancellor. Can anybody doubt that the occasion on which he was sworn was to make him a witness?

The question being again put to the witness, he answered,

He told me that he (Mr. Powell) had received a letter from Lord Liverpool, who had said that it was necessary I should take this oath.

Mr. Brougham said he had made the objection after the first three words used by the witness. The remainder of his answer showed how necessary it was that he should have interposed at that moment, for it disclosed not only that the witness was giving in evidence what Mr. Powell told him, but also what Lord Liverpool wrote to Mr. Powell.

The Lord Chancellor said that *Mr. Brougham* was

right to take his objection whenever it best suited him, but that their lordships could not shut out the answer given by the witness.

The Attorney-General maintained that his question was regular.

Did he state anything more of the purpose for which this deposition was to be used?—He added nothing else.

The Attorney-General said he had no more questions to ask the witness.

Robert Hare was then called in, and sworn, and examined as follows by the *Solicitor-General*.

Are you cashier in the banking-house of Messrs. Coutts & Company?—I am.

How long have you held that situation?—About thirteen years.

Does her Majesty the Queen keep any cash at the house of Coutts & Company?—She does.

How long has she done so?—I do not recollect the exact time, but previously to her going abroad.

Have you, as cashier, from time to time paid her drafts?—I have.

State whether you believe that signature to be the hand-writing of the Queen (a paper being shown to the witness)?—I think it is the hand-writing of the Queen when Princess of Wales.

Cross-examined by *Mr. Brougham*.

Do you know the hand-writing of his Majesty the King?—I have seen it.

Do you know his hand-writing when you see it?—I think I should know it.

The Solicitor-General. Have you ever seen the King write?—Never.

How do you know the hand-writing of the King?—I have only seen it in a commission.

What commission?—I do not exactly recollect what; but the King's signature has been shown to me in a commission.

Have you any other knowledge of the hand-writing

of the King, except that a paper, purporting to be a commission, was shown to you, and you were told that was the hand-writing of the King?—Not any knowledge.

Mr. Brougham. Did his Majesty, when Prince of Wales, keep money at your house?—He did.

Were you cashier at the time?—I was.

Did you pay his drafts?—He did not draw himself.

The witness was directed to withdraw, and the paper spoken of by the witness was then read.

“*Pesaro, 5th November, 1817.*”

“H. R. H. the Princess of Wales, certifies to whomsoever, that Mr. Joseph Sacchi, native of Como, and during a year in the service of H. R. H., at first as courier and afterwards as equerry, is endowed of the best behaviour, and has served her with all assiduity, zeal, and fidelity: it is also certified that the above-mentioned Mr. Sacchi has been dismissed merely from motives of economy, and for the preference alone which older servants in her service ought to have.

“CAROLINE,

“Princess of Wales.”

The Attorney-General proposed to give in evidence the certificate produced by Majocchi, referring to the evidence; and it appearing on the further evidence that Schiavini (in whose hand-writing it was proved to be) was marshal of the palace, and that he had, in several instances, given certificates to the servants.

Mr. Brougham, on the contrary, insisted that though it appeared by the testimony of Madame Demont that Schiavini “several times” had given certificates, yet those very words implied that somebody else gave them at other times.

The Lord Chancellor referred to the evidence of Francesco di Rollo, who had received a certificate from the hands and in the writing of the Princess herself. He thought that no sufficient ground had been laid for reading the certificate of Majocchi.

The House decided accordingly, and it was rejected.

The Attorney-General stated to the House, that he had an application to make of considerable importance; that certain persons resident at Lugano, who were in-

tended to be produced as witnesses, had set out in order to give their evidence; that they had advanced as far as Beauvais, when reports and rumors had reached them that certain persons who had come here for the purpose of giving evidence, had been extremely ill treated at Dover; that they were alarmed, and in consequence of the apprehensions they entertained, they went before the magistrates at Beauvais, on the 27th of July, and made a deposition to that effect, and not thinking it prudent to proceed, had returned to Lugano; that this deposition being received in this country, persons were immediately dispatched, in the hope of overtaking them before they had reached their home, but that they had reached their home before they could be overtaken; that on Monday last, letters had been received from Lucerne, near to the residence of the witnesses in question, in which it was stated, that those witnesses had altered their determination, and were about, on the following day, the 29th of August, to set out for England for the purpose of giving evidence; that as their arrival might therefore be expected in a very few days, he begged to ask of their lordships an adjournment, to permit that evidence, which he conceived to be important, to be laid before the House. He had felt it his duty to mention these circumstances, and to ask their lordships whether, in an anxious desire that this great subject should be thoroughly and properly investigated, they did not think the application for a short delay fit and reasonable.

Mr. Brougham, in resisting the application, said, that the only analogy to guide the House was to be found in the proceedings of courts below: there, such a motion as that the remainder of a trial should be postponed when it had been half gone through, because a material witness was absent had never yet been heard of. Motions of the kind were invariably made before the trial commenced, and then the party must swear to the importance of the testimony, to his inability to procure the attendance of the witness, and his expectation that in a short time he might be procured, was generally added in the affidavit. As, however, by the forms of the House, affidavits could not be admitted, he presumed that it would be required those points should be

established at the bar. He was ready to assume, therefore, that the Attorney-General was prepared to do so, and he should oppose the present application on very obvious grounds. The prosecution had been commenced (and he only used the word prosecution for shortness, as, for aught he knew, this was nothing more than an amicable lawsuit, and most of all unlike a prosecution), and the prosecutor had had full time to prepare himself: for months and years he had known that it was to be brought into court; he had chosen his own time, and he had, above all, begun it with a debate staring him in the face, originating on the part of her Majesty, and in which the attention of the Attorney-General was called most especially to this point. "Do not begin (said the counsel for the Queen) before you are quite ready, for delay in the commencement is comparatively of no importance, but delay interjected in the middle, after the accusers' case is closed, may lead to the most mischievous consequences." A delay, however, between one part of the prosecution and another had never entered into their imagination, and the argument was directed against any interval between the case for the accusers and for the accused; but, let it be observed, after this the Attorney-General did not go on at once; he took an additional three weeks to prepare his case—he would not proceed *instantly*, as the Queen's message, and her counsel, most earnestly entreated, but he insisted upon waiting three or four weeks under pretense that his witnesses were not ready. The House had granted that delay; it had granted it on the distinct understanding that on the 17th of August he would be fully prepared for his undertaking. This delay having occurred, a strong disposition prevailed on the part of the counsel for her Majesty, that three or four days' further time should be allowed for their personal accommodation: they were told, however, that it was impossible, that no noble lord could propose it, and although the Queen's Solicitor-General and himself were in an infirm state of health, and though medical certificates could have been produced to show that six or seven days might make all the difference between sickness and health, and between danger and security, they were told that

the matter was totally out of the question. Yet now, in the face of all this, the Attorney-General came forward, and told the House that he was expecting three or four more witnesses, and that he must be allowed to stop, to mend, and patch his case by the testimony of some frightened Luganians. He (*Mr. Brougham*) asked if there was anything like fairness—anything like equal treatment in this—whether, referring to the analogy of other trials, a prosecutor was to be allowed to pause in the middle, until he could hunt up new evidence to prop his case, that could not stand without fresh support? If any impediment had been put in the way of the witnesses by her Majesty, which was not pretended, there might be some ground for such a request; but was the House, merely because this story (to which he would not give the vulgar appellation due) was told from Beauvais, to grant time for the collection of new evidence and the promulgation of fresh slanders? He did not say that the Attorney-General would abuse the interval so to be allowed—he was incapable of it; he did not say that those who sent him here (whom he did not know, because every time they were mentioned they were veiled in additional obscurity), would abuse it; but he entreated the attention of the House to the consequences that might result from a concession of this kind for the purpose of defeating the ends of justice. In ordinary cases the absence of a material witness in the middle of a trial invariably led to the acquittal of the defendant, and he felt satisfied that even in this unprecedented proceeding their Lordships would not consent to this most unprecedented demand.

Mr. Denman, before he followed on the same side, wished to know at what time these supposed witnesses were at Beauvais?

The Attorney-General replied, on the 27th of July.

Mr. Denman. On the 27th of July these witnesses had returned from Beauvais, because they heard rumors of what had passed at Dover. He requested their Lordships to ask themselves, whether if any of the witnesses for the defense had been alarmed by reports that the Alien bill would be put in force against them, or that the English ambassadors at foreign courts—active

agents against the Queen—were using their utmost efforts to bring them into trouble, they would think it sufficient ground for delaying the progress of the defense; more especially when it had been commenced at the time chosen by the counsel for her Majesty, and when therefore, they came plighted to pursue it to a conclusion. Yet such, in truth, was the request on the other side regarding witnesses who were to be here four or five days hence, and who might have been here four or five days ago if ordinary diligence had been used by the agent who had them in his charge. Where was this to stop? Was the Attorney-General to be permitted thus to supply defects in every instance where he had completely failed in establishing the facts he had opened? Was he on such paltry pretexts as these to introduce fresh cargoes of Lughian witnesses? What agent would not in future take care to neglect his duty, if it were to place his employer in a situation so advantageous? When would the prosecution be terminated, if excuses like these, which would be scouted in any of our courts, were accepted by the House to induce them to abandon all the known forms of justice? From day to day opportunities for preparation and completion had been afforded to the other side; and now, in the last hour of trial, when that period had arrived for which the Queen had been so long and so anxiously waiting, she was told that she was to be again exposed to the pelting of new dirt, by reinforcements of supplemental witnesses. Surely, from every quarter she had enough to complain of, without being subjected to this additional suffering. To consent to the application would be the most gross and intolerable injustice, and he was confident that the honorable minds of their Lordships would refuse at once to subject to it that illustrious female, who for weeks had been the victim of calumnies to which the Attorney-General had not even ventured to allude. He entreated the House to have some consideration for the feelings of that injured lady, at the moment when she expected to be called upon for that defense with which she was fully prepared, and which would clear her from all the foul aspersions cast upon her character and conduct. In no cases but those protracted prosecutions for treason had

adjournments taken place from day to day; but, here, not the slightest ground had been laid for the motion; and recollecting the weight of imputation resting on his illustrious client, he was confident that in their Lordships she would find a bulwark and protection against the new cargo of libels about to be imported against her.

The Attorney-General commenced his reply by complaining of the unfair opportunities taken by the other side, of deviating from the real question for the sake of making declamatory addresses, and offering insinuations against the witnesses already produced. He had also some reason to complain of the manner in which the present application had been treated. It had been said that the object was to mend and patch up the case of the supporters of the bill; but, after having stated the particular circumstances, he appealed to their lordships whether this charge were deserved, and whether the motion was not founded in reason and justice? It had been asked why the request was not made on the 17th of August; but the answer was clear—because there was then every reason to suppose that the witnesses would arrive in time for the inquiry. Next, it had been said that the agent had neglected his duty, when the fact was that no agent had been employed to conduct the witnesses, and there was every reason to suppose from their conduct that they were willing to give their testimony. The *proces verbal* before the magistrate of Beauvais, which he held in his hand, was decisive as to the real cause of the delay. From the endeavors used there was now every reason to believe that the witnesses were actually on the road, and this was not the first time they had been heard of. The order of the House, under which he attended, desired him to produce the evidence in support of the bill, and this was a part of the original evidence; they were no new witnesses, their names and the nature of their depositions were known, and but for an accident some of them would probably by this time have been examined. It had been urged that ample time had been allowed to the prosecutors, as they were called, to prepare; but he had had no notice to attend until the second reading had been fixed; and when he had opened his case, he

had done so in the firm persuasion that all the witnesses would arrive in time to support the statement. Their lordships would deal with the application as they thought best; but he had done no more than his duty in requesting that time might be allowed for the procuring of that evidence which the House had ordered him to produce. It was a little singular that this objection to a short postponement should come from those who had obtained a delay for the purposes of more effectual cross-examination.

The Lord Chancellor thought that the House would find infinite difficulty at arriving at a decision; but in his opinion the question would not be fairly raised until proof had been given at the bar of the cause of the detention of the witnesses, their materiality, and other circumstances of a like nature. It would be very dangerous for the house to proceed to a decision upon any case merely assumed. He wished, therefore, to know what the Attorney-General was prepared to prove in this respect; and also to be informed whether the transactions to which the witnesses were to swear had been included in his original opening. Then might arise a question whether the counsel for the Queen were prepared to go into the further cross-examination of the witnesses already produced; and if in the interval, and before the summing up of the Solicitor-General, the witnesses arrived, the subject would be attended with less embarrassment. He did not mean it to be at all understood that he should be ready to accede to the present proposal, because it required most deliberate and anxious consideration.

The Earl of Carnarvon observed that the Attorney-General ought first to be asked whether he was prepared with evidence to support his application.

The Lord Chancellor accordingly put the question, and

The Attorney-General said, "I think I shall be able to lay before your Lordships such proofs as will satisfy you."

Mr. Brougham. My learned friend does not venture to do more than to tell the House than he *thinks* he can satisfy you on the point. (Order; adjourn; go on, go on.)

The Lord Chancellor asked the Attorney-General,

whether he proposed and was able to enter into any proof of the circumstances on which he founded his application.

The Attorney-General stated, that he thought he should be able to lay before their Lordships such proof as would be received in a court of justice; that he was prepared to lay before the House the *proces verbal* taken before the magistrate at Beauvais, disclosing the facts to which the witnesses deposed before him; that he should be able to show that the evidence of those witnesses was material, and to prove by persons who had received the letters to which he had referred, that they believed the contents of those letters were true, and that they, in consequence, expected the arrival of the witnesses; that having presented these circumstances, he begged to leave the matter entirely with the House.

The Solicitor-General, after noticing what the courts below usually expected, contended that the law officers of the Crown had not neglected their duty in this instance more than in others, but that they had discharged it with a degree of pain and anxiety that could be judged of properly by none but themselves.

The Lord Chancellor then desired the counsel for her Majesty to state (if they felt prepared at the present time so to do), whether, if they consider the case in support of the bill to be closed, they were prepared now to proceed with the cross-examination which had been reserved to them of the witnesses who had been examined, or to state that they had no further questions to put on cross-examination, or whether they wished that a further time should be allowed to them for that purpose.

Mr. Brougham said, that the resolution he and his friends had formed, must be, to a certain degree, hypothetical, and dependent on the conduct of the other side; but if he was to consider the case in support of the bill as being now closed, he should propose only to request of their Lordships to call back one of the witnesses, to put three or four questions to him; that if, however, the Attorney-General was to be at liberty to call further witnesses, of course he was not to be considered as bound by the answer he had given, as he must judge what would be most for the interest of her Maj-

esty when he should have heard the whole of the case in support of the bill.

The House then adjourned.

SEPTEMBER 7.

The Attorney-General said, that it was proper for him to state to their Lordships, that within the last half hour he had received letters from Milan, by which it appeared that a longer delay must take place than he had anticipated before the witnesses he yesterday stated he expected could arrive. He felt, therefore, that under these circumstances he could not ask for a postponement of the proceedings, and now begged leave to withdraw the application he had made.

The Lord Chancellor, before putting the question to their Lordships that this application be withdrawn, thought it necessary to observe, that after the details the Attorney-General had stated in his opening, and under the particular circumstances under which he was placed yesterday, that learned gentleman would not have done his duty had he not submitted to their Lordships' consideration the application for delay which he had made, though other circumstances might now render it proper to withdraw the application.

The application was then withdrawn.

Theodore Majocchi was then again called in, and further cross-examined by *Mr. Brougham*.

Do you know one Julius Cæsar Gavazzi?—I never heard this name of Julius Cæsar Gavazzi; I do not know the name.

Do you know the name of Gavazzi?—In Italy I have heard this name of Gavazzi, and one is a jeweler in the Coperto dei Fugini at Milan; I have seen him, and he is a fat man; he lived there, but I never was in the shop.

It being suggested by a noble lord whether the whole of the answer had been translated, the interpreters were asked whether the witness had said that he understood the person lived there, but he did not know it.

The interpreters both answered, that they did not hear that stated by the witness, as he kept on talking after he appeared to have given his answer.

The same peer desired that the witness might be asked if he meant to say that he heard of a person named Gavazzi, who lived at Milan.

The Lord Chancellor put the question, and the witness said,

I heard of this Gavazzi by name, and whether he was the Gavazzi or not, I can not tell.

Mr. Brougham. The question refers to a Gavazzi who lives in Greville Street, Hatton Garden, or who did live there last February?—I remember that this Gavazzi told me that he was a relation of this Gavazzi of Milan, for when I came here to London I met with this young man, and he told me he was a relation to that of Milan.

The question refers to this Gavazzi, and not to the other, who you have stated was the only one you knew?—But I have known this young man, Gavazzi, only during the few days I have been in London.

Did not this London Gavazzi and you dine together last winter for eight or ten days together?—Not eight or ten days, I was not here ten days.

Did you not dine with him once or twice in the same place?—Yes, I remember I did; I dined with him twice, and we ate some rice.

Now that you recollect it all so accurately, even to the dinner, was not this a short time before the death of his late Majesty?—The King was already dead.

Was not it about the time, near the time, of his Majesty's death?—After the death of the King.

Do you mean that it was immediately after the death of the King?—I think, as far as I can remember, that I arrived here on the day when they were telling me that the King was already buried.

Did you not show Gavazzi a letter which you said you had received from some person?—What I had received was a letter that came from Milan from my wife.

The question does not refer to that letter at all, but did you not show him another letter, which you told Gavazzi at that time you had received from some per-

sons here to carry abroad?—What I remember is to have shown him the dispatch which I had received to carry abroad, and I showed only the address, the outside.

Was not that a dispatch which you were to carry to Lord Stewart?—It was.

Did you not also show a number of Napoleons which you had received at the same time that you got the letter?—Yes, for my journey; I counted them there.

Now many Napoleons did you so count?—I believe there were eighty.

Will you swear there were not an hundred and fifty?—I can not swear, but what I remember is, that there were eighty, and I can swear that they were eighty Napoleons in gold.

Did you not tell Gavazzi at the time, that whoever gave you this had given you more than you asked to pay your expenses?—He can not say so, because I have asked only the money to make my journey.

Will you swear you did not tell Gavazzi that they gave you more than you had asked to pay your journey?—I can not swear any such thing, because I have asked for nothing else than the expenses of my journey, and Gavazzi can not say to the contrary.

Will you swear that you did not tell Gavazzi, that whatever you asked, they gave you more than that?—But I can not swear to have asked for more, nor can he say that I asked for more, and as I have once sworn to this, I can not swear to this a hundred times.

Will you swear that you did not say to Gavazzi, that you had got more than you asked?—I never said so; no.

Do you know one Joseph Visetti?—I do not know the name of Giuseppe Visetti.

The question refers to a person who lives near Liquorpond Street?—You may say Liquorpond Street, for I can not remember that; I came here in a sack, and I went away in a trunk, and I do not know the English language, and I can not remember.

Though you knew nothing about Gavazzi, you recollected him perfectly well the moment you were told something about Hatton Garden?—I recollected it be-

cause I knew the name of Gavazzi, not because I knew the garden; for I did not go reading what is put at the top of the streets; I do not know the English.

Do you remember an Italian that dined frequently at the same place where you and Gavazzi dined?—There were many Italians who came there, sat down, and ate the rice which was prepared.

Did you not know an Italian whom you met there, who accompanied you frequently up and down London, to show you the way, and to explain things to you?—That is true; because he served me as a *lacquais de place*.

What was his name?—I never asked him the name by which he went.

Do you not know that he was a cabinet-maker?—It was said that he was a carpenter or joiner.

Do you remember going with him, either on the day or the day after the late King's funeral, to the west end of the town?—Where did I go?

To the west end of the town?—He carried me about, and brought me here and there, and told me this place is this, and that place is that; and I did not know whether that was this or was that, and how can I remember.

Did you not go with him, in the way you describe, somewhere or other on the day of the King's funeral, or the day after it?—To look at the funeral, do you mean?

No, not to look at the funeral?—I have been with him in several places; he was telling me that on the day they went to see the King, but I never went.

A peer here interfered, and observed that the witness had not used the word "funeral."

Mr. Brougham complained of this interference. He was not to be interrupted in this way. Their lordships must be aware that he was obliged to pay the greatest attention to the course of the cross-examination, and yet a noble lord thought fit to object to a term he had used, and thus prevent him from proceeding. He desired to know whether their lordships allowed him to put the question.

Counsel were directed to withdraw.

Counsel were called in ; *Mr. Gurney* read the question, and the examination proceeded.

Do you mean to say that it was on that day that the young man told you people were going to see the King's funeral?—He told me that the people all went twenty or twenty-one miles to see the funeral of the King ; but whether it was true or not true, I do not know.

Did you go with that young man to any particular house to call there?—I remember to have called in some street upon some gentleman whom I do not know ; I carried a letter, and a servant told me that he was not at home, because he had gone out to see the ceremony of the funeral of the King.

Was that a large house?—I do not know whether it was large or small ; I was not there to look at it ; I went to the door, I was answered that he was not at home, when I went away.

Did you go that day with the young man, the *lacquais de place*, to any other house?—Yes, because I had another letter, and even there I did not find the account (*il conto*) ; and that day we could not find the house, for we went here, and we went there, and could not find the address.

Do you mean to say you called at a house with a letter to carry to somebody, and could not find that person at home?—Not on that day, but on another day ; for on that day we went here and there, and could not find the account (*il conto*).

On that day, or on the other day, did you go to find any person in a very large house?—But how am I to know whether it was large or small, I do not make observations of these things ; I went to the door, and I did not make observation whether the house was large or small.

Did you, on either of those occasions, go into a house where there was a sentinel standing at the gate?—Was that on the same day when I went with that letter ; for you must give me a more clear explanation, for I went into three or four houses.

Did you, on any of those occasions, when you were accompanied by the *lacquais de place*, go into any large house where there was a soldier standing sentinel at the

door?—That was on the first day of my arrival in England, when I was told that that was the house where was the court of the King, for I had three or four letters.

Did you ever go to that house again?—Yes, I went to and from this house.

Do you mean that you went several times to and from this house?—I do.

Upon those occasions did you go into the house, and leave your *lacquais de place* at the gate?—The first time I left him out at the door.

Did you not leave him at the door also the other times when he accompanied you to the house?—What I remember is, at the house where there are the soldiers, to have left my *lacquais de place* out at the door.

Do you mean to say, that the other times you were there your *lacquais de place* went into the house with you?—Whether he came or not I can not tell, I left him there, and I told him to stop, whether he afterwards came in I can not tell.

Did you find him there waiting for you, when you came out of the house upon those occasions?—I have not measured the place, what I remember is, that I found him there waiting for me when I went out.

Upon one of those occasions did you come out with a gentleman whom you found in the great house?—Yes, I did.

Did you go from thence with that gentleman to his chambers?—No.

Did you not go with him somewhere?—With this gentleman I went nowhere.

Who was this gentleman that you came out with?—What I remember is, that it was Mr. Powell.

Will you swear, that you did not go with your *lacquais de place* and Mr. Powell immediately from what you call the *corté* to Mr. Powell's chambers in Lincoln's Inn?—With Mr. Powell I did not go.

Did you not at that time make an appointment to go the same evening at six o'clock to Mr. Powell's chambers?—I did.

Did you not go that evening according to the appointment?—I did.

You are understood to say, that you went several times backwards and forwards to that house with your *lacquais de place*?—Yes.

Did you not upon one of these occasions, go from Mr. Powell's with a note to that same great house?—I did.

Did you go in upon that occasion too, and leave your *lacquais de place* outside the gate?—I believe to have left him outside the door; but I can not say for a certainty.

Was not this great house Carlton House?—The name of the house I never heard; it was said it was the house of the King.

Were there pillars before the door?—I know that the people entered by a small door, and as soon as they got in there was a porter.

Did you see no pillars upon the house?—I saw some ancient Grecian columns, but I paid no attention to them; I saw the columns.

After you entered the outer gate was there a court in the inside between the house and the street?—There was a court between the house and the columns.

Had you any conversation with Mr. Powell about your expenses in the presence of your *lacquais de place*?—I do not remember.

Did Mr. Powell say to you, in the presence of the *lacquais de place*, that money was no object, and that you might have more if you wanted it?—No.

Will you swear that?—I swear that Mr. Powell never said that.

Will you swear that he never, in the presence of that *lacquais de place*, said anything to that purport?—Mr. Powell never held this sort of discourse.

Perhaps Mr. Powell never spoke to you at all about this business of the Queen?

The Attorney-General objected to evidence of the declarations of Mr. Powell.

Mr. Brougham appealed to their Lordships.—Was it meant to be said that he could not, upon cross-examination, ask this question? Was it meant to be contended that it was an irregular question? *Non constat* that Mr. Powell had said this or anything else. Her Majesty's

counsel knew not Mr. Powell; they had not upon the record any description of Mr. Powell; but anything he might have said was as much and as fair matter of evidence in this case as anything else.

The Lord Chancellor thought that the counsel for the Crown had better allow the question; and if, in answer, anything was stated which they thought erroneous, they might afterwards call up Mr. Powell in order to contradict it.

Mr. Brougham. Do you mean to represent that you never had any conversation with Mr. Powell on the subject of the Queen?—On what do you mean; I do not understand what you say.

The Interpreter. My Lords, If I am to use the word "conversation," I shall never make myself understood.

Mr. Brougham. Then pray use another word, Sir; "discourse," if you please. Put the question again in this way:

Do you mean to say that Mr. Powell has never spoken to you upon the subject of the Queen?—Mr. Powell spoke to me on this business at Milan, when I made my first deposition; but after that we have never spoken any more upon this subject.

Did you ever see this letter before (a letter being shown to the witness)?—I never saw it; I do not know how to read.

Do you know a Mr. Long; a person of the name of Long?—I am not acquainted with such a name as Long.

Were you ever at the Globe Tavern, the place where you used to meet Gavazzi and the others at dinner?—Yes, I met them, but I do not know the name of the tavern, for I did not look; and I do not know how to read and write.

Do you know the master of that tavern?—If I were to see him, I should know him.

After your first examination in this place, have you seen either Mr. Powell or his clerk?—Yes, I have.

Have you seen them, or one of them, frequently?—Yes, I have seen him sometimes, for he comes into the place where we are, and I have seen him sometimes, but I can not recollect precisely the number of times.

How long were you ever with him or them at any one of those times?—I have seen him coming to others, and I merely paid him my respects; and I saw him the other day when he came to ask for my certificate.

Turn and look at this person; is that the master of the house (a person, stated to be of the name of Joseph James Long, being pointed out to the witness)?—Yes, I know him.

Mr. Brougham. My Lords, he says this is the master of the house.

Did you employ that person, not being able to write yourself, to write a letter for you to a Mrs. Blackwell?

The Lord Chancellor observed that it was necessary for *Mr. Brougham* to specify what was his definite object in bringing forward Mr. Long.

Mr. Brougham. It was only, my Lord, to prove that he wrote this letter which I hold in my hand.

The Lord Chancellor. I understood that he had just come in, and that you brought him in in order to identify him; but, unless this be stated, one does not know what objections may arise.

Did you employ that person, not being able to write yourself, to write a letter for you to a Mrs. Blackwell?—He has written twice for me; once to Mr. Hyatt, and the second time to Mrs. Blackwell.

Should you know either of those letters again if it were to be shown to you?—I have not seen the letters, because I told him, "Do me the favor to write for me," and he wrote those letters, and then he told me, "Here are the letters which I have written," but I never took them, and I can not recognize them.

Mr. Brougham. What I now mean to ask the witness; with the permission of your Lordships—he not having written that letter himself, but having employed another person—is, whether he did not give such and such instructions to Mr. Long to write that letter—whether he did not state certain things which he begged Mr. Long to write. Your Lordships will observe that I do not ask him what Mr. Long did write, but only what the witness stated to Mr. Long to induce him to write.

The Lord Chancellor. It strikes me that you can not give any evidence as to the contents of a letter, but that you may ask A. B. whether he employed another to write it.

Mr. Brougham. Very well, my Lord, that is exactly what I wish.

Did you not request Mr. Long to write a letter to Mr. Blackwell?—Yes, I have begged him to write a letter in my name.

Did you tell him to write it in this manner: "I have safely delivered the letter to your brother, and he was quite well, and desires to be remembered to you kindly?"—I told him to write to the following effect: "I have not found your brother at home, but I have left the letter in the hands of his wife; that they are well, and I beg to make my compliments to the family," because I was going away.

Did you not add in your instructions to Mr. Long, "I have got a situation, and am going off this evening to Vienna?"—Yes, that I had got a place, and was setting out for Vienna.

Did you not desire in that letter to give your kind regards to Mrs. Hughes, Brother, Madame Catalani, Monsieur Bodena, and Mr. Daniel?—Whose brother?

Meaning Mrs. Hughes's son, whom you were accustomed to call brother?—As an act of friendship.

Do you mean that you used to call Mr. Hughes brother, as an act of kindness and friendship?—Yes.

Did you desire Mr. Long also to write: "After I left you all, I could not eat, nor drink, nor sleep; so God bless you all?"—As when we were together we played and joked among ourselves, so when I was writing to them, I said to Long to write, as a matter of compliment, "I can not eat, or drink, or sleep; so God bless you."

Did you ever propose to marry Mrs. Blackwell?—Yes; I wanted to marry Mrs. Blackwell, Mrs. Hughes, and everybody in the house that would marry me.

Were you ever in Paris in the year 1818 or 1819?—I was not.

Were you ever there in 1819?—I never have been in Paris.

Re-examined by the *Attorney-General*.

You have been asked respecting some Napoleons which you received before you went to Vienna; in what capacity was it that you went to Vienna?—I went to Vienna as a courier.

Did you receive any directions to travel to Vienna with all expedition?—Yes, I was ordered to go as quick as possible.

For what purpose were those Napoleons given you before you went to Vienna?—To pay the expenses of the journey.

Were you to account for those Napoleons?—I was.

Did you account for those Napoleons?—Yes, I gave an account of my expenses at Vienna.

You have been asked, whether you took a note from Mr. Powell to the great house of which you have been speaking, for what purpose was it you took that note?—As far as I can recollect, to obtain a passport.

Upon that occasion, into what part of the house did you go if you went into the house at all?—I went to the outer gate, and then I went through the court, I turned to the left hand, mounted a few steps, and went to the door and rung the bell, a servant came and I gave him the note.

How long did you stay upon that occasion?—About half an hour, not longer.

Were you directed to go anywhere else for your passport, and did you go elsewhere?—I did.

Where?—The Austrian ambassador's.

Did you, upon that occasion, get your passport?—When I showed the note, they gave me the passport.

Do you recollect whom you saw at the great house upon that occasion?—I saw a footman, and I saw a German, who talked to me in German.

You say you were there at other times; at any other times whom did you see at that great house?—A big man, rather a handsome man, who did not talk either French or Italian, and spoke to me by signs.

For what purpose did you go to that house?—The first time I went to carry a packet, and then I said that I must have a receipt for that packet, for I can not give it

without a receipt ; and this was the object of my first going, because I was obliged to deliver it in person.

Did you bring that packet over with you when you came over with Mr. Hyatt?—I had it in my pocket.

How many times altogether did you call at that house, according to the best of your recollection?—What I remember is, that I have been there three times.

You have stated what you went there the first time for ; do you recollect for what you went there the other two times?—The second time I went to see whether there was any answer to the packet for which I had a receipt ; the third time, because they had told me to call again ; I had got no answer.

Was it the third time, or another time, that you went there upon the subject of your passport?—Then I went another time for the passport.

The Attorney-General. Am I to understand that the Queen's Attorney-General does not contemplate any further cross-examination *at any time* ?

Mr. Brougham. At no time.

The SOLICITOR-GENERAL then rose to sum up the evidence to the House. He commenced by stating, that his learned friend (*Mr. Brougham*) having closed the long and elaborate cross-examination of Theodore Majocchi, and as the whole of the evidence in support of the Bill was now before their Lordships, the duty devolved upon him of summing up to their Lordships the leading points of that evidence, in support of the allegations contained in the Preamble of the Bill of Pains and Penalties against her Majesty the Queen. He trusted that, before he entered upon this summing up, their Lordships would allow him a few moments to justify himself, and his learned friends who acted with him, as to the course pursued by them, and the principles by which they were actuated, in conducting this most painful and anxious inquiry. The moment the Attorney-General had received his instructions to support this Bill, he, together with his learned friends who were

appointed to assist him, directed their most minute and anxious attention to collect all the evidence that it would be their duty to adduce before their Lordships upon such an occasion. They lost not a moment in weighing well and considering all the materials, and every other evidence which could bear upon this great question. They collected together and digested everything which they thought material to this paramount inquiry, without regard to either the influence or the impression which any parts of that evidence were calculated to create when it came before their Lordships. In so doing they felt that they were performing their duty fully, fairly, and candidly to their Lordships. Now that the evidence had been gone through, they trusted their Lordships thought they had fully discharged the duty imposed upon them. They felt that in the progress of this cause they were not to make themselves a party to the inquiry; but to pursue it, according to their Lordships' instructions, fairly, candidly, and honestly. Having said thus much in behalf of himself and his learned colleagues, the duty now devolved upon him of pointing their Lordships' attention to the leading facts, as disclosed in the evidence before them. The difficulty which he had to encounter, in performing this duty, was, as their Lordships must be aware, greatly augmented by the circumstance, that as the learned Counsel for the Queen had yet to make their answer to the case, he was left without any knowledge of any of the arguments with which they meant to combat the provisions of the Bill, or of any of the facts upon which the defense of her Majesty the Queen mainly rested. All that he could, therefore, do, in the performance of his present duty, was to enforce upon their Lordships' attention the manner in which the case at present stood, and how the evidence adduced made out and supported the allegations in the Preamble of the Bill. He trusted that, upon reference to that evidence, which he would not now give

their Lordships the trouble of reading, they would find the Preamble mainly sustained.

Before he impressed the leading facts upon their Lordships' memory, he begged to state that he should carefully abstain from either misstatement or exaggeration. His duty was not to impose or to influence by any distorted statement; all that was required of him was, that he should sum up the evidence with truth and accuracy, and then point out how it applied to the charges upon which the Bill was founded. If it were not expected of him to incur any charge of this misstatement, still less, he hoped, was it expected of him to use the slightest expression derogatory from the station and dignity of her Majesty the Queen. No such expressions should escape his lips. The Queen was here on trial before their Lordships: one side—and that the case against her—had only been heard. He, therefore, was bound in strict law, and so were their Lordships, to consider her Majesty innocent of those foul charges ascribed to her until they heard her defense. None could pronounce her guilty until their Lordships' verdict decided and justified that imputation. He and his learned friends had been charged with scattering calumnies abroad, and throwing dirt against the character of the Queen. But, though this charge had been insidiously disseminated, he, and those with him, felt guiltless of the imputation. They had, throughout, stated nothing which they had reason to believe would not be satisfactorily proved. If calumnies had been uttered, they belonged to another quarter; that quarter alone ought to be called upon to account for them. Before he went further he would beg leave to call their Lordships' attention to the nature of the charge set forth in the Preamble of the Bill of Pains and Penalties against her Majesty the Queen. That Preamble began by stating, that her Majesty, in the year 1814, had, in Milan, engaged in the capacity of a menial servant a man named

Bartolomo Bergami; that she had, immediately after that time, committed disgraceful and unbecoming familiarities with that person; that she had raised him in her household, and loaded him with honors; that she had placed several members of his family in various situations of honor and rank about her person; and that she had afterwards carried on, for a considerable period, an adulterous intercourse with him. That was the head of the charges against the Queen, as contained in the Preamble of the Bill; and it was his duty to ask their Lordships if that charge had not been substantially made out in evidence.

He must now beg leave to carry back their Lordships' attention in point of time to what was done by her Majesty when she first set out from Milan to Naples. He thought it right, for the sake of perspicuity, to take up the subject at the time he had just mentioned, and then pursue it from that period up to the latest time that the Queen's conduct had been mentioned in evidence. It appeared, from the evidence before their Lordships, that her Majesty took Bergami into her service as a courier, at Milan, in the year 1814; he had previously lived as a menial servant with General Pino, his wages then being three livres a day. It was also stated by the witness, that for the first fortnight after the Queen took Bergami into her service, he waited behind her Majesty's table. At that time a youth, of whom their Lordships had heard, named William Austin, was in the constant habit of sleeping in her Majesty's apartment, but the Queen gave directions, when she set out for Milan, that another bed-room should in future be provided for him, as he was advancing to a period of life when it would be unfit for him to sleep any longer in the chamber she occupied. A separate apartment was accordingly provided for Austin on the arrival of the Queen at Naples. When her Majesty arrived there, she slept at a country house. On the night after her arrival at Naples the Queen went

to the opera. It was here most material for their Lordships to attend throughout to all the relative situations of the Queen's bed-room and Bergami's, who was then her courier. At Naples the communication between them was of this kind: there was a private passage, which terminated at one side in a cabinet, that led to Bergami's sleeping-room, while on the other side of the same passage was the bed-room of the Queen; so that the occupant of either one or the other room could traverse this passage without interruption, for the passage had no communication with any other apartments than the two he had mentioned. The witness, their Lordships would recollect, had stated, that on the evening upon which her Majesty went to the opera at Naples, she returned home at a very early hour, and went from her apartment into the cabinet contiguous to Bergami's. That she soon returned to her own room, where her female attendant was in waiting, and gave strict orders that young Austin should not be admitted into her room that night. The manner and conduct of the Queen upon that occasion attracted the notice of the servant, who, excited by what she had noticed on the preceding night, examined the state of the beds on the following morning. And what was the result of that examination?—She had stated that the small traveling-bed had not been slept upon at all on that night, but that the larger bed had the impression of being slept in by two persons: and she further said, in answer to a question from one of their Lordships, which could not be evaded, that she had also observed in the bed two marks of a description which but too clearly indicated what had passed there in the course of the night. He had, indeed, heard that none of the witnesses had deposed before their Lordships to the actual fact of adultery; but to such an assertion he would reply, that, if those facts were true, no person of rational mind could doubt that on that night the adulterous intercourse was commenced which

formed the subject of the present unhappy investigation.

Upon the sort of proof required in cases of adultery he should merely observe, that he did not recollect a single instance, in cases of adultery, where the actual fact was fully proved in evidence. The crime was always to be inferred from accompanying circumstances, which left no doubt of the fact upon the mind of a rational and intelligent man. On this point of proof he would beg leave to quote the opinion of one of the most enlightened judges that ever sat in this country. He had received this opinion from one of his learned friends who had taken notes of it at the time it was pronounced by the learned judge. It was in the case of *Loveden v. Loveden*, before Sir William Scott, in the Consistory Court, in the year 1809. The learned judge then stated, that there was no necessity in a case of that nature to prove the actual fact of the adultery, for that could not be proved in ninety-nine cases out of a hundred, where there was still no doubt of its having taken place. The uniform rule was, that where facts were proved which directly led to the conclusion that the act of adultery had been committed, such proof must be taken as sufficient. Now let the House for a moment look at the case in this light :—Suppose an adulterous intercourse really to have existed, how would that intercourse have manifested itself? How, but from the habitual conduct of the parties? To screen such an intimacy from the eyes of attendants was impossible; and let their Lordships direct their attention to the scenes which had been constantly occurring, to the scenes which, in continued detail, had been described by the witnesses. Their Lordships would remember the ball which took place at the house upon the sea-shore while the Princess was at Naples. To that ball her Royal Highness went, accompanied only (for the purpose of dressing and preparation) by the waiting-maid, Demont, and by Bergami; two

apartments, a dressing-room and an ante-room being allotted for her use. For her first character, that of a Neapolitan peasant, the Princess was dressed by the waiting-maid; she went into the ball-room, stayed a short time, returned for the purpose of changing her dress, and did change it entirely; the chambermaid all the while being left in the ante-room, and the courier being in her dressing-room during the operation. Now the House could not but have noticed the style of *Mr. Williams's* cross-examination as to that transaction. The witness had merely been asked whether there were not persons of rank and consideration in the ball-room below. But it had been said that, even admitting all these facts, they did not amount to evidence of adultery. Could any man look at a Princess, locked up in her bed-room for nearly an hour, and changing her dress with the assistance of her courier, and entertain any doubt upon the subject? The thing did not stop there; there was another change of dress; her Royal Highness assumed the character of a Turkish lady; and in that character, for the second time, went down stairs arm-in-arm with this courier, this common footman, this man accustomed to wait behind her chair; and what happened then? Why, almost instantly the courier returned. (The Solicitor-General then repeated the other heads of *Majocchi's* testimony.) All this, however, rested upon the testimony of *Majocchi*, who was, of course, a witness unworthy of belief. That witness had been cross-examined once, twice, and because *Carlton-house* had been somehow introduced, he had just now been cross-examined for the third time; he (the Solicitor-General) had attended most diligently to the first cross-examination; he had since read the evidence as it appeared upon the minutes; and he did declare, that, as it appeared to him, during a cross-examination of seven hours, extending over a period of three years, and going through a variety of complicated facts, in no one instance had that

witness been betrayed into inconsistency. Certainly, the witness had repeatedly used the phrase (perhaps of equivocal import), "I do not remember;" and the changes which had been rung upon that circumstance might produce an impression upon low minds, although it could produce none upon the minds of their Lordships. But it was impossible not to perceive the artifice—the "let us have a few more *non mi ricordos*;" and it was equally impossible not to perceive that to the questions proposed the witness could return no other answer. The next witness called had been Gaetano Patruzzo, whose evidence had been calculated to produce a deep and lasting impression upon the House; that impression had instantly been felt by the learned Counsel on the other side; it became necessary to remove it; and, by a proceeding to the propriety of which he (the Solicitor-General) never could assent, Majocchi (after the examination of Patruzzo) had been again placed at the bar. With what view, and for what purpose, had he been interrogated? First he had been questioned as to certain statements which he was said to have made, in order that, if he denied them, witnesses might, at a future time, be called to contradict him. What was the hurry? What was the necessity for calling back the witness at that particular time? The necessity was clear; all that was wanted was a few more *non mi ricordos*. It had next been made matter of accusation against the witness, that he had not, on his former examination, stated he had before been in England; the fact being that he had come to England as courier to a Mr. Hyatt, remained a few weeks in Gloucester, and afterwards again left the country with dispatches. The facts to which Majocchi had sworn were not directly confirmed by the witness Demont; but that witness had spoken to facts of similar description, and occurring at the same period.

Not to dwell upon the constant familiarity between the Princess and this courier, upon their being con-

on the other side: Louis Bergami might be called:—let him be called. But there were circumstances which might, even more strongly than additional evidence, confirm the testimony of witnesses, and such circumstances he found on every side. Let the House observe how carefully Bergami surrounded the Princess with his relations and friends, thereby confirming the domination he had obtained over her to a degree which might deprive her even of the power to shake it off. During four months at Naples the intercourse was carried on; and at Genoa the sister, the mother, and the child of Bergami were introduced. The child, too, a child of two or three years old! and the House was told that all this was fair connection between servant and mistress; that the Princess was attached to him for his talent and fidelity. Fidelity! He brought to the Princess a child, still of an age to need the care and protection of a mother; if the connection was a fair one, why was not the mother brought, too? But if the story told by the witnesses was true, the last person to be introduced into the establishment of the Princess would be the mother of Victorine; and it would be an additional corroboration of their statement, that, as soon as it was known that her Royal Highness was coming to the Barona, that individual escaped from it as fast as possible.

To another point. It appeared that the Princess, while at Genoa, had gone to look at a house in a secluded spot, and at some distance from the city. What was the recommendation of that house? That it was far from Genoa; far from the English. Let their Lordships look to the evidence of Sacchi, and they would find—what? Why, that during the whole of the journey through Germany, and through the Tyrol, the greatest anxiety had been shown by her Royal Highness to avoid the English upon every occasion: the first question to be put, on arriving at any place, was, whether any English of rank were at hand? If that question

was answered in the affirmative, the party proceeded to other quarters. From Genoa, being joined by Lady Charlotte Campbell, the Princess proceeded to Milan; Lady Charlotte Campbell, however, did not travel with her Royal Highness, and shortly after quitted her altogether; from which time no English lady of rank or station remained in her suite. A lady of honor was then, it appeared, to be procured at Milan. And who had been chosen to fill that situation? The sister of Bergami. No foreigner of rank; no English lady of respectability; but the sister of Bergami, the Countess Oldi. Was that lady in any way fitted for the office? The Princess spoke little Italian; the Countess spoke only the Italian of the lower orders, and no French. They were so situated, that little communication, and no conversation could take place between them. It was upon these facts, which had been called trifling by the other side, but which he did not look upon as trifling; it was upon these incidental facts, facts which could not be invented or exaggerated by witnesses, that the learned gentleman relied for confirmation of his case; and those persons must willfully shut their eyes against conviction, whose inferences and conclusions were other than his own.

There was another incidental and important fact to which he would request the attention of the House. At Milan the Princess was in the habit of wearing a blue dress. One morning Bergami opened his bed-room window and looked out. How was he attired? In the blue dress of the Princess! Could there be a doubt that he had that very moment come from the apartments of the Princess; not supposing that, at so early an hour, he should be liable to observation?

It would be in the memory of their Lordships that the Princess had, during her residence at Milan, taken a trip to Venice. Upon that occasion she had been accompanied by Mr. William Burrell and Dr. Holland; and

here a circumstance had occurred which, if not disproved, would alone be sufficient to place the question beyond doubt. At first the party lodged at the Hotel de Grande Bretagne. Afterwards, leaving Mr. Burrell and Dr. Holland at that inn, the Princess went to a house in the neighborhood. According to the usual practice, after dinner the jeweler was introduced with his trinkets, and a gold chain was purchased. The party (the learned Counsel stated the fact as it had been proved by the witnesses) quitted the room; the Princess, and the courier, who had been waiting behind her chair, lingered behind; and what took place? The Princess took the gold chain from her neck, and passed it round the neck of Bergami; they laughed together; he took the chain again from his neck, and put it upon that of her Royal Highness, pressed her hand, and led her into the adjoining room. Was this, he would ask, true or false? It described the Princess toying with the man who waited behind her chair. If the assertion were false, it was open to contradiction; if the character of the witness were bad, it was open to impeachment; but if the fact were not by some means disproved, it did appear to him impossible to reconcile such a circumstance with the supposition of innocence. In the course of a visit to Bellinzino, Bergami, being still even in the dress of a courier, sat at the table of the Princess, and by her own invitation. Upon a subsequent occasion, the witness Demont had seen Bergami pass through her chamber at night, and enter the room of the Princess. Upon those facts he would make no observation. At Villa Villani the same communication as usual existed between the apartments, and a witness had stated that the bed of Bergami appeared not to have been slept in. He now came to Villa d'Este. The evidence which he was recapitulating had already occupied nearly three weeks of the time of their Lordships; and he trusted that they would not think a few hours longer ill bestowed, if

he should be compelled to detain them in the performance of the task which had devolved upon him. The arrangement of the bed-chambers at Villa d'Este was important. At a subsequent period, after the return from the Grecian voyage, a door had been absolutely opened to facilitate the communication. In cases like the present, everything was to be inferred from the general conduct of the parties; and it had been clearly shown that the Princess and Bergami were constantly conducting themselves like lovers, or like man and wife during the day, while every preparation was made to prevent the interruption of their intercourse during the night. The familiarities at the Villa d'Este were not spoken to by one, two, or three witnesses, but by such a body of testimony as set doubt at defiance. Walking arm-in-arm in the gardens; alone in a canoe on the lake; embracing and kissing each other; where such intimacies were proved, even between persons in an equal rank of life, accompanied by a constant anxiety for access to the bed-chamber of each other, no court could refuse to draw the inference that adultery had been committed. To go through the whole series of evidence, would only be to fatigue the House: but what would be said to the testimony of Ragazzoni with respect to the statues, to the figures of Adam and Eve? He remembered that, in the very case upon which he had already stated to the House, the judgment of Sir William Scott, in that very case a letter had been produced, written by the lady to her lover, in which she related some circumstances of an indecent nature. To that letter, as evidence, the learned Judge had most particularly adverted; saying, that no woman would have so written to a man, unless adulterous intercourse had taken place between them. That observation applied most fully to the case in point. The learned gentleman then recapitulated, at considerable length, the evidence of the witnesses Galdini, Bianchi, and Luccini, which he

considered as utterly irresistible, and upon which he declined to make any observations.

He now came to what occurred in Sicily. When her Royal Highness and Bergami arrived at Messina, the intercourse between them had continued so long that her Royal Highness appeared even in the bed-room of Bergami in her night dress, with the single addition of a mantle. At Messina Bergami asked leave of absence to make some purchases. The witness, Majocchi, described the manner in which they separated. Her Royal Highness called him "*mon cœur*," "*mon ami*," and he embraced her in the warmest manner. The parties were found in that situation at Messina, kissing, fondling, and embracing each other. They now proceeded to embark on board the *Clorinde*, Captain Pechell. Here some hesitation arose about the table at which the Princess was to be entertained. Captain Pechell said, "I am desirous, in every possible way, to afford accommodation to your Royal Highness, but there is one point on which I must insist; there is one sacrifice to be made by your Royal Highness, without which I can not provide for you at my table. I, as a British officer, can not sit down at the same table with a man who has stood behind a chair. I should be degraded and dishonored if I conceded this point." A message was sent to her Royal Highness on the subject; but she treated the matter very lightly. She observed that she had no desire to incommode Captain Pechell, and felt no wish to give him the trouble of forming a second table. This was the motive she assigned for dining with Bergami. But was this really her motive? Was this statement true? Her Royal Highness had, for a considerable time before, been in the habit of dining with this man. It was not, therefore, for the purpose of saving Captain Pechell the inconvenience of having two tables, that she proposed dining on board with Bergami; but because it had long been her habit, and she was determined to bow to it. Captain Pechell

did not, however, wish to be so accommodated, and he replied, "I am ready to provide for Bergami elsewhere." The moment her Royal Highness said she wished to accommodate Captain Pechell, this was his observation; and one would suppose that her Royal Highness would at once have said, "Here the difficulty ceases—provide a table for him elsewhere." Her Royal Highness took time to consider of it; she refused the proffered accommodation, and Bergami dined with her during the voyage. Why did he mention this? To show that the conduct of her Royal Highness was not plain and direct—to show that she concealed the truth—and that she would not, even for the sake of saving appearances, make the sacrifice required.

She now proceeded to Catania, and he begged leave to call their Lordships' attention to what had passed there, because it was most important. There was a particular arrangement of apartments, which, in consequence of the indisposition of Bergami, was afterwards altered. Her Royal Highness slept in the room adjoining that of Madame Demont, and her sister, Marietta Bron, and on the other side of the room slept the Countess of Oldi. Bergami being ill, he was put into the room previously occupied by the Countess of Oldi, and the Countess was placed in the apartment of her Royal Highness. It would be seen, therefore, that, up to this period, Demont and her sister slept between the apartment occupied by Bergami and that allotted to her Royal Highness. They were in the habit of going to breakfast about nine o'clock; the door which communicated with their room was sometimes open, sometimes closed; but, on one particular morning, happening to remain beyond the usual time (to the best of her recollection, her sister being present), about the hour of ten, her Royal Highness, carrying the pillows on which she was accustomed to sleep, came out of the room of Bergami. She saw Demont—she eyed her, and passed

into her own room, contrary to her usual custom, without saying anything. He believed that no questions were put, as to that part of the case, by the learned counsel on the other side; but their Lordships, in the discharge of that important duty which had been cast upon them, thought it necessary that some questions should be asked to ascertain whether a large portion of time had not been passed by her Royal Highness in the bed-room of Bergami? Their Lordships asked whether Demont had quitted the room that morning; to which she answered that she had not. How long had she been awake? She answered two hours. Whether, during that time, her Royal Highness passed through the room? Her answer was, No. Then the inference was, that certainly for two hours the Princess had been in the bed-room of the courier.

When he stated this fact he was aware it would be again said, that it depended upon the evidence of Demont, and therefore it became necessary, as much of what he had to introduce rested on her credit, fortified and supported as it was by corroborative statements, to say a word or two with respect to what had been thrown out on the other side, for the purpose of impeaching her testimony. Certain letters were brought forward, in which the fine feeling, the extensive charity, the exalted generosity, and all those distinguished qualities which her Royal Highness was said to possess in a most eminent degree, were warmly described. In noticing this, he had no idea of taking away those virtues from her Royal Highness. He had no doubt, looking to the noble race from which she had sprung, that she possessed them to the extent stated by this woman. But it was going too far to say, that generosity, however exalted—that charity, however extensive—that feelings, however ardent, were inconsistent with a woman's forming a base and low attachment. Was there anything to show that those qualities were incon-

sistent with the conduct here alleged? Could any person who was aware of what passed in the heart of man rely on such an argument?

But it was not necessary to depend on this reasoning: there was another circumstance that must bring conviction home to the mind of every one who heard him. He alluded to the circumstance that took place at Pesaro. Let their Lordships look to those circumstances, let them view the miserable intrigue that was there carried on. Did not their Lordships see, as men of the world, in what particular view and character those letters were written? They would recollect that the servant was writing a letter, and that some suspicions were entertained by Bergami as to the contents and object of that letter. He entered the room while she was writing the letter, and altered the arrangement for sending it from Pesaro. He imposed upon her a relation and a tool of his own, who took the letter to the post-office, and on the following day, to the disgrace of all the parties engaged in this transaction, it was found in the hands of the Princess.

This was not the only instance of intercepted letters—of the breach of private confidence. Another letter was taken from the post-office, its terms were altered, and afterwards, in that altered form, it reached its destination.

This was not all; for the correspondence of the maid, Brunette, who was still in her Royal Highness's service, was carried on, partly in the hand-writing of her Royal Highness herself. He stated this, not with a view to make observations on the conduct of her Royal Highness foreign to this case—and he trusted he was incapable of doing that—but for what he considered to be a valid and legal object, to point out the motives of the witness Demont in writing those letters. It appeared that the young woman was affectionately attached to her sister, and that the latter was wholly dependant on

her Royal Highness for her station in life. Knowing that letters were intercepted, knowing how the correspondence was carried on, the witness must have felt, when she wrote to her sister, that the letters would fall into the hands of her Royal Highness. It became, therefore, material to consider this fact, when observations were made about these letters, because it plainly showed the reason of that extravagant praise of her Royal Highness which they contained. It was evidently important to the interest of her sister, that she should not only not detract from the character of her Royal Highness, but that she should say everything in praise of it. Another part of the case was here very important.

Something had been said of Demont's intention to come to London in the situation of governess. The moment such a thing was known at Pesaro, what would be the feeling of the Princess towards the sister? She would feel that Demont, when she arrived in London, would perhaps reveal every circumstance she knew, and the circumstance might prove fatal to her sister's welfare. She therefore stated in her letter, that some supposed application was made to her to give evidence, which she had resisted. Why was this done? It was done to satisfy her Royal Highness, that, though she did go to London as a Governess, her Royal Highness need not fear that she would betray the secrets with which she had become acquainted. And here he asked their Lordships to look to the letter from Rimini. Three letters were produced; the witness proved that those letters shown to her were in her hand-writing; two of these were read, and one the learned counsel on the other side withheld to suit their own purpose. They did so, because their Lordships would not allow partial extracts to be made from a letter, for the purposes of cross-examination, but decided that the whole document should be produced. The second letter was written from Rimini. What was its object? Demont was dis-

missed from the service. She asked advice as to the course she should pursue. She was told to write a letter to the Queen, to ask her pardon, to do everything in her power to conciliate her Royal Highness. She was asked had she done so? and she admitted that she wrote this letter from Rimini. When the letters were introduced as evidence of motive, it was necessary that the circumstances attending them should also be considered, with a view to the elucidation of that motive.

So much for these letters of Demont; was there anything else that shook her testimony? No; he did not recollect a single fact adduced against her credibility. The learned Counsel on the other side had examined her very sparingly indeed on other points; and when their Lordships were asked to reject her evidence, on account of these letters, an inference was drawn, and a statement was made, which the circumstances did not at all warrant. He asked their Lordships to look at the long letter, out of which the principal doubt arose, and to say, whether it was not obvious, from its language and phrases, that it was written under the impression that her Royal Highness would see it. It was, he conceived, impossible for men of common understanding—for men of common sense—to examine that letter, and not to see it was written for this particular purpose. Passing over the general feeling, the style, language, and complimentary diction which appeared in the first letter, he would refer, in proof of what he said, to certain passages in the letter itself. Demont then directed her sister to communicate so and so to her Royal Highness. Was it not clear then, if those communications were made, that her Royal Highness would naturally wish to see those letters?

The only argument that he had heard, of any consequence, on the other side, was, that from certain names being mentioned, there appeared to be something confidential in those letters, and that they could not, therefore

possibly have been meant for exposure. This arose on the cross-examination, and might be traced to the delicacy of the witness. It was observed by the learned Counsel, "a person's name is mentioned in this letter, and of course it is confidential, because you wish that name to be suppressed." But what was the answer which reason gave, and which must flash on the mind of every man? It was not with respect to his being known at Pesaro that this suppression was called for. It would be of no consequence to her, or to the individual mentioned, if the circumstances had been known there. But the proceedings of their Lordships were sent through Europe, by means of the public journals, and the witness feared that the disclosure of a name might lead to scenes which it was better to prevent by withholding it from the public. This was the only point they had by which it was hoped to impeach the credit of the witness; but, as he had already stated, the evidence of Demont was supported, in its general details, by the great mass of evidence. If what the Counsel on the other side were saying was correct—if there were no ground for casting an imputation on the character of her Royal Highness—if there were nothing mysterious in the conduct of this courier—if Bergami were advanced in the service, solely on account of his merits, and the respect he bore to an honorable mistress—if such were his situation, and the character of his connection, what was the inevitable conclusion to which it led? Could there be a more desirable witness than that man himself, to contradict the testimony of Demont? She spoke of his conduct when the three parties only were present; not on one occasion, but many. If the connection of Bergami with her Royal Highness were such as was alleged in the Bill, he certainly could not appear at their Lordships' bar; but, if it were a pure connection, unsullied by those circumstances which he (the Solicitor-General) had stated, why was he not opposed to this witness? Why was he not

brought forward to contradict Demont—to show that a base attack was made on the character and honor of the most amiable Princess in the world—to prove that Demont had been falsely accusing her Royal Highness with crimes that were never committed.

Having made these observations on the statement of his learned friend, relative to the testimony of this witness, he called on their Lordships to consider the whole of the evidence, to take all the story together, and to see whether she was ultimately contradicted in any point that could destroy the inference to which her testimony must evidently lead. He asked of their Lordships to mark the evidence on both sides, and to mark how the case then stood. At Milan this man had been employed as a courier in General Pino's service. He afterwards was admitted to the same rank in her Royal Highness's household. But in the course of a few months he became her Royal Highness's equerry, then her chamberlain, then, by her influence, Knight of Malta, then Baron de la Franchini, then Knight of the Holy Sepulchre, at Jerusalem, and then Grand Master of the order which her Royal Highness herself created. They would find him also possessed of a considerable property at the very gates of Milan. The man who had been a few years before living in a prison (for what reason he knew not), who had received three livres a day from General Pino—they found this man suddenly covered with orders and honors. For what cause? for what service? for what talents? He asked this, because when their Lordships considered it together with the other facts, it strengthened and confirmed the statement of the witnesses, and made it almost impossible to adduce any other cause for the extraordinary love which her Royal Highness manifested towards this man, but that which was alleged. While they were at Catania, a picture of her Royal Highness was painted, in the character of a "Penitent Magdalen." He need not describe to their

Lordships what a "Penitent Magdalen" was; nor was it necessary to state, that, in such pictures, the person was always considerably exposed. That picture was afterwards found in the possession of Bergami. For whom could they suppose it to be painted? Would they not conclude that it was painted for Bergami, the more particularly, when the picture of Bergami, which was also painted at this time, was seen in her Royal Highness's possession. Her Royal Highness was present when that portrait was painted. She settled Bergami's dress, she fixed his turban, she arranged the neck of his shirt, observing, "*Je l'aime mieux comme ca.*"

All the circumstances led to the same conclusion. These things occurred in Italy and Sicily; and he would now proceed to what occurred at sea. Her Royal Highness went on board the *Clorinde*, Captain Pechell. On board that vessel Bergami was often seen in her Royal Highness's apartment, in his great coat, lying on one bed, while her Royal Highness lay on another. But—to proceed. A vessel was hired for the purpose of making a long voyage, and her Royal Highness went on board at Augusta. (The Solicitor-General here repeated the evidence relative to the transactions on board the *polacre*.) Here were five witnesses speaking of what passed on board the *polacre*—deposing to circumstances that took place in the presence of a person who was in the suite of her Royal Highness at the time, and was still in her service. Why, then, were they not contradicted? As the case now stood, had he not stated sufficient to convince their Lordships' minds of what was passing, at that important period, between those parties? What questions were asked to do away this evidence? Not a question was put by *Mr. Brougham*, in cross-examining, with respect to the facts of the case. The learned Counsel for the Queen inquired of the witnesses "what have you received?"—a question which was particularly directed to the captain and mate of the *pol-*

acre, and which he appeared to have answered most satisfactorily. Those, indeed, who were conversant with courts of law, particularly in the city of London, knew that large prices were paid to witnesses brought from foreign countries, more particularly if they were engaged in commercial pursuits; and, looking to the ordinary compensation paid in such cases, he would appeal, even to his learned friends on the other side, whether that which was given here, could fairly be considered extravagant.

The learned gentleman then proceeded to comment on the evidence relative to her Royal Highness's conduct when she returned to Italy, and took up her residence near Milan. Here one would have supposed that she would have been surrounded by all that was noble and elevated in rank and character; but, instead of that, they found her in the midst of persons of the lowest situation, and the most abandoned and profligate habits. When she was proposed as a member of the Cassino, at Milan, so little respect did she inspire, that the proposition was negatived by a black ball. As a proof of the licentiousness which marked the proceedings at the Barona, he need only mention the name of the man Mahomet. The evidence on that point was, at first, sneered and laughed at by his learned friends, but its overwhelming nature ultimately astounded them, and made them give up that line of defense. While her Royal Highness was at the Barona, she took a journey to Charnitz. On that occasion, during the absence of Bergami, Demont and the little Victorine were ordered to sleep in her Royal Highness's room. Bergami, however, returned in the night, and Demont and little Victorine were immediately obliged to quit the room. The only question put, relative to this occurrence, on the cross-examination, merely went to the circumstance of her Royal Highness having on a particular riding-habit at the time.

He would pass over what took place at the baths of

Baden, noticing only the circumstance of Demont having entered a room in which she found her Royal Highness and Bergami together on a sofa, her Royal Highness having her arms round his neck. At Carlsruhe there was such an arrangement of the apartments that the Princess and Bergami could always meet together; and here the servant, Barbara Kress, discovered the Princess sitting on Bergami's bed, he lying in it, and having his arm round her neck. She also, in making his bed, found a mantle belonging to the Princess. This witness, in giving her evidence, so comported herself as to convince every one who heard her, that all she stated was perfectly true. From the circumstances in evidence, the inference of an adulterous intercourse at Carlsruhe was direct, unless the contrary could be proved on the other side. From Carlsruhe her Royal Highness had proceeded by a circuit, by the way of Vienna to Trieste. Well, what took place at Trieste? A witness—Puchi, he believed—who had been for nine years at the head of an establishment there, had, in his situation of head waiter, observed particulars which he would now call to the recollection of their Lordships. His testimony might be impeached; he might be contradicted if what he had stated was not correct. This witness deposed, that at successive times he had observed Bergami coming out of his room in his morning-gown, with drawers and his slippers on, and going into the Countess Oldi's room, which led to the Princess's room. There were two beds in the room of her Royal Highness, and two persons were proved not to have been in the room; yet the two beds had been lain in. All those facts proved an adulterous intercourse at that period, and by circumstances, too, which mutually confirmed each other.

He would now call their Lordships' recollection to the evidence of two witnesses—the last that were called before them—he meant Rastelli and Sacchi. [He here restated their evidence.] The learned gentleman now

stated that he had endeavored, in the discharge of the duty imposed upon him, to offer such observations upon the circumstances in evidence as appeared to him to be warranted. The duty was not a very agreeable one, because he knew not what he had to contend with, and he might, therefore, have been contending with shadows. He had made such remarks on the characters of the witnesses as the case required, and the present circumstances justified. He begged now to be allowed to revert to what had been said yesterday, that the case had fallen infinitely short of the opening of his honorable and learned friend, the Attorney-General. He asked if the case now in evidence was not as strong in the facts and the details as the opening had been, and if it did not justify all which his honorable and learned friend had stated in the discharge of the duty which their Lordships had imposed on him? It was impossible for him to sit down without alluding to what had been dragged into every cross-examination, and had been rung in their ears, not only from the beginning to the end of this case, but from the first moment any mention was made of the subject, and for the purpose of involving in reproach every individual who took any part in the proceedings. It was quite impossible for the persons at the head of his Majesty's government not to have established some mode of inquiry; it was quite impossible that they should not have inquired into reports in the highest degree derogatory to her Royal Highness, and in general circulation in most parts of Europe. He asked them whether it was not their duty to inquire if those reports were or were not true. There was only one mode of doing this: that mode was, to select persons eminent in point of character, of great character for integrity and knowledge, to make that inquiry. Accordingly, as judicious, as proper a selection as could be made, had been adopted. At the head was one known to be a man of the highest respectability—known to

possess unimpeachable integrity, and of great skill and knowledge in the laws of his country. He had been at the head of the commission—if commission it was to be called—for the purpose of obtaining, not idle rumor, but evidence of facts, such as could alone be admitted in every court in this country. He asked if any fairer selection could have been made than another gentleman of whom mention had been made in the course of the proceedings, who possessed great practice in the law. A third gentleman, Colonel Brown, he was not acquainted with; but he was told that his character stood as high as that of any of those who had dared to traduce him. Was he justified, then, in saying that it was a duty upon ministers to have instituted an inquiry into the reports circulated? And was he justified in saying that ministers had exercised a sound discretion, liable to no imputation whatever, in selecting persons to conduct the necessary inquiry? He begged pardon if he had occupied their Lordships' time too long. He hoped he had fairly stated the evidence in the case. He had been anxious not to have tortured or discolored any fact or circumstance. If he had tortured or discolored in any degree, he regretted it; for he had been desirous only to do his duty, and not to misrepresent; and he hoped he might be allowed in conclusion to say, and he said it from the bottom of his heart, and in the utmost sincerity, he sincerely and devoutly wished, not that the evidence should be confounded and perplexed, but his wish was that it should be the result of this proceeding that her Royal Highness should establish, to the satisfaction of their Lordships, and every individual in the country, her full and unsullied innocence. Whether this was likely or not, it would be unbecoming in him to offer any opinion. He had only to say, that the preamble of the Bill was proved, unless the proof should be impeached by evidence, clear, distinct, and satisfactory, on the part of her Majesty. (*Hear, hear—order, order.*)

The Counsel were directed to withdraw.

The Counsel were again called in, and the Counsel for her Majesty were asked, whether they proposed now to proceed, or to ask for delay, previous to entering upon their case.

Mr. Brougham stated that he was not prepared at the present moment to commence his opening of the case of her Majesty, but that he might be prepared by twelve o'clock to-morrow.

The Counsel for her Majesty were asked whether they should be ready then to proceed with their case, or whether having then commenced, they proposed after that to ask for time.

Mr. Brougham stated that he was not yet prepared to give an answer to that question; that he had not received her Majesty's commands to ask for any delay; that he felt it to be important to her Majesty not to suffer an interval to elapse without some answer being given by his opening speech to the case on the other side; that in the course of his address he should judge how far it was necessary to call witnesses, but that if those witnesses should be required their attendance probably could not be immediately had.

The Counsel for her Majesty were acquainted, that the House desired to be informed in what manner they proposed to proceed, and that to that question the House would receive their answer to-morrow at twelve o'clock.

The Counsel were directed to withdraw, and the House adjourned.

SEPTEMBER 8.

Counsel were called in, when the Counsel for her Majesty were desired to state in what manner they proposed to proceed in the defense: and *Mr. Brougham* stating, that he wished to proceed forthwith; he was asked, whether he meant that it was his wish to proceed forthwith in opening his case, and then to follow it immediately by evidence, or to open his case, and then to pray for time to produce the evidence.

Mr. Brougham stated, that he was not yet enabled to

state with certainty, but that it was probable he should wish to call evidence; in which case there were two classes of witnesses, to one of which the observation respecting delay was alone applicable, and the other not within the scope of that remark; that if he should feel it advisable to call evidence not now in this country, it would be necessary to entreat the indulgence of the House, after having been heard to open the case of her Majesty; but that it was possible he might not feel it to be necessary to trouble the House with evidence.

The Counsel were directed to withdraw.

The Counsel were again called in, and the Counsel for her Majesty were informed, that if they thought proper now to proceed to state the case of her Majesty, and meant to produce evidence, they must proceed at the close of the statement of the case to produce the whole evidence intended to be adduced, such being the usual course of proceeding; but that the House were willing to adjourn for such reasonable time as the Counsel for her Majesty might propose, in order that when they began their statement they might be able to proceed in producing their proof at the close of it.

Mr. Brougham submitted to the House whether he might not be allowed in the course of to-morrow to be heard to comment upon the case already made out on the other side, binding himself in the course of that comment, not to describe or even to allude to the particulars of any statement of evidence which her Majesty might be advised to bring forward on her part.

Mr. Brougham was informed that he could not be allowed to-morrow to comment upon the evidence adduced in support of the Bill, unless he proposed immediately to follow it by evidence, if he meant to adduce evidence.

Mr. Brougham requesting that he might be permitted to take till to-morrow morning to confer with the other Counsel for her Majesty, and finally to come to a resolution what course to take, he was informed that the House would receive his answer to-morrow morning at ten o'clock.

The Counsel were directed to withdraw, and the House adjourned.

SEPTEMBER 9.

Counsel were called in: and the Counsel for her Majesty were desired to state to the House what course it was their wish to pursue.

Mr. Brougham stated, that her Majesty was most anxious that the delay should be as short as possible; but that the preparation for her defense would necessarily require a few days; he trusted, therefore, that the House would allow them till at or about Monday fortnight.

Mr. Brougham was desired to explain more precisely what he meant by the words "at or about Monday fortnight."

Mr. Brougham stated that, having consulted with the other Counsel of her Majesty, and with her Majesty's Solicitor, he was enabled to say that he should be perfectly prepared by Monday, the second of October next, if that time should be consistent with the convenience of the House.

The Counsel for the Queen were informed that the House understood they would assuredly be prepared to proceed on Tuesday three weeks:—to which *Mr. Brougham* assented.

The Counsel were informed, that an application had been made on behalf of Lord Frederick Montagu and the Honorable William Burrell, who were named as witnesses on behalf of her Majesty, that they might be examined by commission, they being abroad, and in a state of health which prevented their personal attendance; and *Mr. Attorney-General* was desired to state, whether he consented to such mode of examination.

The Attorney-General begged leave to state, that having been directed by an order of the House, to produce the evidence at their Lordships' bar, he scarcely felt himself authorized to give his consent to the application; and that he humbly submitted it was rather a matter for their Lordships' consideration: but, at the same time, if the House should think it meet that the application should be granted, and that his consent was requisite, he should in that case feel himself bound to give it.

The Counsel were directed to withdraw, and the House adjourned till Tuesday, the third of October.

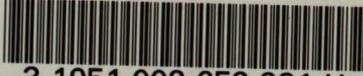
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