

Monday Afternoon, 5 o'Clock,
August 28, 1820.

PROCEEDINGS ON THE EVIDENCE OF
BARBARA CRANTZ,
AND
IMPORTANT SPEECH OF
MR. BROUGHAM.

This day her Majesty did not arrive in St. James's-square till twelve o'clock. Alderman Wood preceded her Majesty about two hours, and, as he emphatically said "was up to his eyes in business."

The avenues leading to Palace-yard, which have not lately received the appellation of "Caroline Fair" were notwithstanding the well-known influence of Saint Monday, but thinly attended; and even those who did assemble at an early hour became so impatient that they retired to their ordinary avocations.

At ten minutes before ten the Lord Chancellor came down to the House, and prayers were read by the Bishop of Winchester.

The Peers were then called over.

In the Examination of Barbara Crantz on Saturday, Mr. Brougham having proposed a Question to her as to her present place of residence, it was objected, that if the Counsel for the Queen thought proper to Cross-Examine the Witness at the time of their Examination, they ought not to be allowed to Re-cross-examine them after the case for the Prosecution was closed. After a very long and important Debate Mr. Brougham rose and spoke as follows:

Mr. Brougham.—I trust your Lordships will give me leave to say a few words with respect to the great embarrassment in which I feel myself on this subject. I am asked to state, and to support that statement by reasons, if I propose any departure from the usual course, which in my opinion, and with reference to the proceeding, may be desirable, with a view to promote the ends of public justice. My Lords, I know that in ordinary cases I am bound, by my professional duty, to be at all times ready to address the Court in which I may have the honour to plead. I know that in ordinary cases I am never allowed to complain of being taken unawares, and thereby being prevented from making whatever suggestions may appear to me to be favourable to the cause of my illustrious client. I know that the ends of justice can be attained on any uncontroverted point only by allowing each party to be heard by their counsel, and by then leaving the Court to decide on the merits of the case.

But, my Lords, although, in ordinary proceedings, in proceedings where there are rules and precedents either known or analogous, I should not be allowed to complain if I were taken unawares by a requisition to state my objections to the usual course pursued, yet I most humbly, and with the greatest confidence in your Lordships's justice, suggest that, with reference to

interests of my client (those interests which am bound especially to attend to,) it is very hard (to say no more) to be called on to point out at once what, in my opinion, ought to be the general course of proceeding, in an inquiry which has no precedent, which has no parallel, which is utterly new, and respecting which, therefore, I can have no guide. My Lords, I may be allowed to add, that I am only one of six Counsel in this case. I am their leader undoubtedly, and on my shoulders must fall the responsibility consequent on such a station—a responsibility from which I have never for a moment shrunk. But, my Lords, it is indeed a fearful responsibility which I am called upon to assume, when I am required to state at once the result of our six opinions on a point as delicate and difficult as it is important, without having the opportunity afforded me of even turning round for an instant to ascertain the opinion of my colleagues upon the subject.

I cannot tell whether they may not think that I ought to make no proposition on the subject, but to leave it to your Lordships' un-influenced determination. I cannot tell whether in their, superior wisdom, they may not conceive that a refusal of the names of the witnesses, and of an enumeration of the times and places at which the alleged facts were committed, which it seemed good to your Lordships to decree, has tainted the whole of these proceedings with a mischief for which there is now no remedy. I cannot tell whether they may not be disposed to argue, that the course which your Lordships have adopted, is a course which cannot be retracted. On the other hand, I cannot tell whether they may not consider themselves bound to consider to suggest to your Lordships, that the course which has been hitherto pursued—although a course which cannot be wholly retracted, or altogether deprived of the mischief which it has occasioned—may nevertheless be retraced to a certain degree; by granting to our Illustrious Client now what ought to have been originally granted to her.

A list of the witnesses to be adduced against her, and a specification of the times and places at which she is charged with the commission of these acts, which it is the object of the Bill before your Lordships to punish; and by their adjourning the further consideration of the subject for a period, which would allow us to prepare efficiently for her Majesty's defence. My Lords, you now begin to see the evils of the step which you formerly took on this subject.

