

IONIAN ISLANDS.—CONDUCT OF SIR THOMAS MAITLAND.

HC Deb 07 June 1821 vol 5 cc1128-49 [1128](#)

[§ Mr. Hume](#)

said, that he was aware of the situation in which he was about to place himself, by submitting to the consideration of the House a subject involving several points of importance, not only to individuals, but also to the public at large. As he had no personal acquaintance whatsoever with sir T. Maitland, he trusted that the House would give him credit when he stated that the observations which he had to make upon the conduct of that individual were such as were extorted from him by a sense of public duty, and the events which had occurred in the Ionian Islands since he had acted there as lord commissioner. He could have wished that ministers had been present at this discussion [loud cries of "Hear"!] because some of the comments which he should have to make upon the conduct of sir T. Maitland seemed also to apply to the noble secretary of state for the colonial department (lord Bathurst.) He was given to understand that all communications which had been made; from the Ionian Islands to England had been made through the office of lord Bathurst; and if that were the case, at if the facts [1129](#) which he had to state were correct, lord Bathurst appeared to him not to be entirely free from blame. Having himself spent some time in the Ionian Islands, he could speak to the degree of estimation in which the British character was once held there. On the first arrival of the English, the islanders considered them as deliverers, and looked forward to a change from a state of turbulence and faction to a state of peace and prosperity under British protection. For a certain period the islanders remained contented with their lot; but at present, he was sorry to say, the case was altered, and the British character was held there in less estimation than it formerly had been. It was well known that the islands of Zante, Cephalonia, Ithaca and Cerigo had been originally conquered by the British arms in 1809; and that of Santa Maura in 1810: and it could not be forgotten that it was not till the year 1815 that they had been formed by the congress of Vienna into an independent state, under the protection of the king of Great Britain. He wished the House to pay some attention to the treaty which had formed them into this independent state, because much of what he had hereafter to say would depend upon it. By that treaty it was determined that they should constitute a single free independent state, with the name of the United States of the Ionian Islands. Under the guarantee of his British majesty, they were allowed to

retain their form of government until a constitutional charter could be drawn up by themselves, which charter was to make them secure of person and property, under the government of his Britannic majesty. In that situation were the islands in the year 1816, when sir T. Maitland went there as lord high commissioner. His arrival was hailed by the inhabitants with the utmost joy, as it was expected that he would immediately preside at the formation of a free constitution. Instead, however, of meeting with a protecting hand from sir T. Maitland, a very early act of his government was, to disperse the senators, who had been sent from the other islands to assemble in Corfu. This his first act struck the utmost terror into the minds of the islanders, because it was in direct contravention of the treaty, which stipulated, that the government should remain without change until a constitution was formed. He dismissed four of the senators, because they pretended to have a will of [1130](#) their own, and were not so subservient as he could have wished to his inclinations. They remonstrated against their dismissal, but in vain; he sent them from the island, and left the senate under the control of one Teotochi, a creature of his own, to whom much of the former misfortunes of the island were to be attributed. That individual, whom the French government had removed from the islands, and whom sir James Campbell had refused to employ on account of his former misconduct, sir T. Mailand took into the public service, at the same time that he dismissed from it the senators Flambu-riari, Roma, Metaxa, Stiffanizzi, and the secretary Cazzaiti, whom he stigmatized in one of his proclamations as inert and corrupt. Now Flamburiari was a man of unblemished character, and had afterwards been reinstated in his office in consequence of a letter from lord Bathurst to the lord commissioner. He was now, however, in a dungeon at Zante, because he had signed a petition to his Britannic majesty, complaining of the arbitrary conduct of sir T. Maitland. He mentioned this fact to show the despotic manner in which that officer attempted to govern the Ionian Islands. The House should know that any thing like liberty of the press was not permitted in the Ionian islands: indeed, but one press was allowed to exist, and that was at Corfu, under the eye and direction of government; so that the commonest advertisement could not be printed without being sent there. A government paper was published from it, which contained a gross libel on the people of the Ionian islands; and sir T. Maitland, in one of his letters of 14 pages, explained the cause why he dismissed the councillors, viz. because they had ventured to complain of this libel. He (Mr. Hume) challenged the hon. under secretary (Mr. Goulburn) to point out any other reason for that act of arbitrary power. Not long afterwards, sir T. Maitland left Corfu for England, to prepare and concert with government the constitution for the islands. On his return he was received with addresses and adulatory effusions of all kinds, though he had expressly stated in his correspondence his utter detestation of every thing like external pomp and parade. These addresses were got up by persons always ready to worship the rising sun, to pay a dastardly court to authority; and the flattery was, in truth, of the most nau- [1131](#) seating kind. In a short time other public testimonies were voted; a triumphal arch was subscribed For in Corfu, to perpetuate services of scarcely two

months' continuance. A colossal statue of sir T. Maitland was raised in Cephalonia; a bust of him, by Canova, was placed in a public situation in Zante. In Ithaca a monument was inscribed to him, and in Santa Maura he was honoured with a second triumphal arch. The consequence was, that those who had been active in these testimonials were selected for reward and office, without mentioning the bands of knights of the orders of St. Michael and St George. It was a fact not to be denied, that sir T. Maitland had made use of public employments and honours to obtain individual subserviency to his purpose to a degree incredible by all who had not witnessed it—by which he had deprived the people of the Ionian islands of that degree of liberty given to them by the treaty of Paris. The insolence of the four remonstrating senators was not to be endured: a spirit favourable to representative government was growing, and must be suppressed; and accordingly on the 18th January, 1817, sir T. Maitland assembled all the authorities, and with great solemnity declared that a conspiracy was on foot, and that the first blow of a revolution was about to be struck. It was then that British officers, some of the staff, were employed to arrest the most respectable individuals in Corfu as disaffected traitors, though some of them refused an office so degrading and unworthy of their rank; yet it turned out that there were but two persons guilty, and they were the individuals who had compounded and fabricated this supposed plot of treason and revolution. One of them was named Lepiniotti, clerk to col. Hankey, sir Thomas Maitland's military secretary, and a young man of desperate fortune, who, aided by another equally abandoned, had trumped up the whole story, which thus spread around dismay and consternation. When the matter was further sifted, it was discovered that not a tittle of credible evidence could be produced against the individuals arrested, and whose papers had been seized and carried to the palace of the lord high commissioner, sir T. Maitland. A commission, consisting of the principal public officers, was named, to inquire into the foundation of the plot; and that commission reported that the whole was the [1132](#) mere invention of Lepiniotti and his accomplice. Upon this transaction, he (Mr. Hume) contended ought to be founded a grave charge against sir T. Maitland, for not having acted with greater caution. The court sentenced Lepiniotti to death for his crime; but the lord high commissioner, in his absolute dominion, commuted the sentence to nine years imprisonment, one of which was to be solitary. A few months afterwards, however, this detestable wretch was found at large in the island of Cerigo, acting as secretary to captain Heathcote the commandant of that place. He was then placed in the Lazaretto at Cephalonia, but without, irons, at in the enjoyment of every accommodation the place could afford; whether he was now dead or living did not appear. He (Mr. Hume) contended, that the origin of this plot, so convenient to the purposes of sir T. Maitland, was of itself a matter, of great suspicion. He had seen a great deal of plots of the same kind in this country, and knew well in what way they had, sometimes been manufactured. In order to tranquillize the public mind, after, these terrible reports, ending in nothing, lord Bathurst had thought it right to, make the amende honorable, in a letter to be communicated to those concerned, in which he admitted that there was not the slightest reason

for questioning the conduct of any of the parties charged. That letter, dated 21st April, 1817, ran thus; "His royal highness cannot but deplore the wickedness of the individual who, by a long course of falsehood and perfidy, could, without any apparent cause, involve in ruin various respectable families, together with persons immediately connected with him; his royal highness however is happy to find that the proofs of his perfidy have been so clear and so positive as not to leave any doubt whatever in the mind of any one respecting the loyalty of the various distinguished individuals against whom his accusations were directed."

He now came to the constitution given to the free inhabitants of this independent state, and he maintained, that it was a complete imposition and farce on the part of this government. His first object would be, to show that it was but a mockery of freedom, and, in truth, devolved the whole power into the hands of sir T. Maitland. A copy of it had been laid upon the table two years ago, and it would be found to give the inhabitants of the Ionian islands, a senate or council of ten members, with a [1133](#) president, and a legislative assembly of 29 members, amounting to 40 in the whole. Each island was to elect, as it was called, a certain proportion: for instance, Zante was to appoint seven members, but those seven were to be chosen Out of fourteen names sent to them by the lord high commissioner. The people refused to vote they were indignant at such a farce of representation, and the independent parliament of this free people was in fact named by sir T. Maitland. Nothing could be worse but the system of a Scotch borough; and the Copy nearly rivalled the original. Having met on the 23rd of April, 1817, and gone through certain forms on that day, how did this independent body proceed with regard to the consideration and discussion occupying 32 closely printed pages? It was read over on the 24th, and, without any discussion, it was adopted, and signed oh the 25th. On the 5th of May, a deputation was sent to England with this glorious free constitution, in order that it might receive the sanction of his majesty. With regard to the power given by it to the lord high commissioner, it was to be observed that he was enabled to reject every measure which the legislature might adopt: he might be present at its sittings at any time, and for this reason the place of meeting adjoined the bed-room of sir T. Maitland. This of itself was a most objectionable privilege, calculated to prevent all freedom of debate if it could exist otherwise. He had also the appointment of the principal secretary, without whose signature no law was valid; the treasurer-general was also to be named by him, and to him was alone responsible. In fact, the legislator could do nothing but appoint a few police officers, and make a few internal regulations. The lord high commissioner had likewise the power of reversing the sentences of the judicial authorities, and indeed no judge could act without his sanction and approval. To him was given, in short, the power of finally deciding every case that could be brought before any tribunal of the islands. He was nothing less than a Roman proconsul, the alpha and omega in every proceeding, with the advantage of screening himself from responsibility behind his underlings. It was a complete despotism under the disguise of a representative government, it was more odious than the tyranny of Turkey or Persia, and was a disgrace to England. The hon. member then

entered into some de- [1134](#) tails of the transactions regarding the canal and mole at Santa Maura, maintaining that the hon. under secretary (Mr. Goulburn) was completely in error in what he had formerly advanced upon this subject. The hon. under secretary had then relied upon the letter of sir F. Adam but he (Mr. Hume) was now prepared to show that that authority could not be depended upon. He (Mr. Hume) had formerly insisted, that the cause of the disturbances at St. Maura was the imposition of taxes upon the people, for the construction of this mole and canal, while the hon. under secretary had contended that an absurd rumor that the militia were to be embarked for colonial service was the real origin of them. In contradiction to this last opinion, and in confirmation of his own, he now read to the House several extracts from the petition of the peasantry of Santa Maura, setting forth their poverty, and various grievances, among which was the tax for the public work already mentioned. Another cause of the insurrectionary movements was the employment of foreigners by colonel Robertson, who filled all appointments in his gift with Sicilians, even down to the constables of parishes. He contended that sir T. Maitland was answerable for all the blood that had been shed, and all the property confiscated, in consequence of the disturbances which resulted from his own ill government. It formed also a grave case against the colonial department in this country, which had permitted the name of Great Britain to be coupled with such acts of tyranny and injustice. The hon. member then went on to confute another part of the letter of sir F. Adam, which denied that imposts had been laid upon corn, oil, sheep, &c.; and also adverted to the arbitrary manner in which the sum of 3,000 dollars had been raised by levies, upon the inhabitants who were supposed to have property. Upon this point he produced an original document to the House, published by the government, and containing the various imposts imposed, the contents of which could not be disputed, and were directly contrary to the assertion of sir F. Adam. There were no less than 45 persons assessed at that period, who were found incapable of paying their assessments. When the senate passed the act for levying the Contribution, sir T. Maitland was in the island; so of that act at least he could not plead ignorance. Indeed, so flagrant was [1135](#) the system of the government, not only in this, but in almost every other case, that the acts of oppression were universal; they were so flagrant and arbitrary, that he pledged himself, if the House granted a committee to inquire, or sent out a commission to take evidence (though that was hardly necessary, for the official documents themselves proved enough to support the general accusation) to prove such a System of misrule as must excite the indignation of every good man, and he could only, if his motion should be refused, appeal to the House as a witness of his endeavour to prevent the disastrous consequences of rebellion and civil war which must ensue in these islands, if sir T. Maitland was allowed to act the tyrant. To convince the House of the truth of his statement, he would now mention another case—that of Valerio Stai, who was suspended from the responsible situation he filled, without inquiry, and refused every opportunity of justifying his conduct, although by the constitution he was entitled to have his case carried before the public

tribunal. There was another cruel and arbitrary act towards Signor Alisandro Battaglia, who was the inheritor of church-abbey lands, which had for a long course of years been in his family. The estate had been duly conferred by an abbot 150 years before. This man loudly complained of the revision of his title to this property, and demanded that the matter might be legally investigated before the regular judicial tribunals. At length sir T. Maitland determined that the case should be referred to two natives and two Englishmen. The state of things in the islands was such, that the whole four were under the influence of the governor. The parties, however, did not concur eventually in opinion, for two were for referring the case to the lower tribunal, and two for the adoption of a different course. The equality of voices led to the introduction of sir T. Maitland's opinion as umpire, and he, in an elaborate letter, dated the 12th April, 1820, filling several pages, and containing the most extraordinary view of the whole case, decided against the complainant upon the authority of an act passed by the Senate of Venice, in the year 1412, which declared that church property was inalienable. In vain did the complainant urge the length of time during which this property had been in the possession of his family; in vain did [1136](#) he point out, that when they got it the land was uncultivated, and that it had been made productive by the application of their own capital and industry. Nothing could be more flagrant than the act of injustice which had deprived this man of his property. Such conduct ought not to be tolerated in any governor. Sir Thomas Maitland, who had been long in India, ought to have recollected the scrupulous care which was taken by British governors in the East to protect the natives from any wanton attack upon their rights of property, or upon their habits or religious principles. The same proper and politic delicacy ought to have marked his conduct towards the inhabitants of the Ionian islands. It would be endless to travel over all the acts done by the governor, contrary to the spirit of the British constitution, in open violence of those equitable rules which ought to have regulated his conduct towards the people over whom he had been appointed to preside. He would, however, now come to another case. An act of parliament was passed by sir Thomas (he said by him, for to his influence he directly referred every act of the senate) in the month of May, 1820, for the appointment of an administrator-general to superintend ecclesiastical domains. This supervision was of course to extend to all the property of the church; and the person appointed to administer the office was colonel Robertson, a captain of marines, who already held, under the lord high commissioner, more appointments than any other individual he had ever heard of; he was collector-general of customs and public revenue of the Ionian islands; director of the salt works; exclusive purveyor of grain for the supply of the population of Corfu; master of the mint; administrator-general of the civil institutions, hospitals, foundlings, monti de pieta, ? director-general of the public roads, bridges, storehouses, markets, &c.; commandant of the Flotilla and in charge of the dock yards in the Ionian islands; captain of the coast and ports of the United States &c.&c. The appointment was signed on the 30th of May, 1820; and its announcement was in, fact considered as proclaiming no less than universal confiscation of church property. The

hon. member then referred to several of the provisions of the act, to show that, it took away from the inhabitants altogether the Rights which were previously vested; in them by [1137](#) the constitution of the Ionian islands. The new administrator's authority was to be everything; and from it there was to be no appeal. Such was the act promulgated to a people, whose previous rights of their own tribunals, had been acknowledged and recognized by the constitution that was to have been maintained. The greatest alarm pervaded the island, upon the manner in which the rights of property had been shaken; but on the 26th June an order came, which might be put in comparison with the most arbitrary decree that had ever been issued in any country. The administrator of convents enacted, that all convents not having four inmates within the establishment, ought to be abolished. Now he (Mr. Hume) did not complain of the general policy of this proceeding, so much as he did of the means by which it was sought to be carried into effect among a people so strongly attached to their religious rites as members of the Greek church were known to be. This violent and arbitrary proceeding created a considerable sensation and much opposition on the part of the people, when in the most wanton and unjustifiable manner one of the richest and most respectable inhabitants of the island, whose name was Martinango, was seized by armed men, in the middle of the night in his bed, his papers and property bundled together in the greatest confusion, while he himself was hurried on board of one of his majesty's frigates, and transported to Corfu, where he was kept in close confinement. Nothing could equal the violence and hardship to which this gentleman had been wantonly exposed. He had taken no part whatever in the disturbances, and yet, in defiance of all propriety and law, this was the treatment he had endured; all his memorials and remonstrances, notwithstanding his rank at Zante, being utterly disregarded, he protested against the tribunal, and demanded to be tried by the court established by the constitution—he was tried and condemned, contrary to every existing law, on the plea that the old laws of Venice permitted such proceedings. The sentence was as harsh and unjustifiable as the previous proceeding was cruel and unprecedented. He was doomed to 12 years' imprisonment in the island of Santa Maura, which, considering his advanced age of 66, and the unhealthy nature of the place of his confinement, might be regarded as imprisonment for life, s His majesty's ministers he (Mr. Hume) had heard lately, had seen the injustice of the sentence, and changed it to three years' exile in any part of Europe not in his majesty's dominions. But, to suppose that this high-minded man would accept of such terms of clemency, without the power of clearing his character, or justifying his conduct, was to show a total ignorance of his resolution and his principles. To show the unhealthiness of the place of his present confinement, he (Mr. Hume) had merely testate, that he had heard that before he was there, out of a regiment of 700 men, 450 were on the sick list. The hon. gentleman went on to state the hardships of those who had signed petitions to the government at home, for instituting inquiries into the late disturbances, and who had in consequence been arrested and thrown into prison though the constitution expressly guaranteed the privilege of presenting such petitions. Thirty-two persons were in this predicament. Another body of

50 had presented a petition to col. Ross sir T. Maitland's (resident in Zante) and were in a similar manner arrested and punished. One of them, who was a member of the legislature, had been degraded and was to be tried for high treason, while Signer Rossi, who was a magistrate, and who had signed the first petition, had likewise been degraded and ordered for trial. The hon. gentleman then re-stated the list of grievances under which the people of the Ionian islands had suffered, and of which they had complained. The monopoly of corn, which had been at first abolished as unwise and impolitic, was re-established on the 27th of April, 1819. The effect of the measure was, to raise the price of grain from six to ten piasters, and to threaten the islands with a scarcity. In the second place, a great partiality was shown in the treatment of different individuals. For instance, while some persons were detained on board during the regular time of quarantine, others were allowed to land immediately. A third grievance was the exaction on salt, which was severely felt by all classes. A fourth was the employment of foreigners in the police; thus furnishing in every village the sign and evidence of their degradation. The police establishment in these islands was a system of revolting espionage. No one durst speak his mind, because every expression, however idle, [1139](#) might be reported and punished. The last grievance he would mention was excessive taxation to support useless officers. If justice to the Ionians would not prevail on the House to interfere, the enormous expense of 130 or 140,000l. which these islands cost the people of England, and that altogether unnecessary, called loud; for their immediate interference— exclusive of what was paid out of the taxes of Great Britain. Within these few years 16,292l. had been levied for additional salaries. Colonel Robertson received a half per cent, on the whole revenue of the islands, amounting to 432,408l., which, with his other numerous allowances, amounted to a very enormous sum. Sir T. Maitland himself held appointments to the amount of 12,000l. a year, and resided in the Ionian islands, or travelled about Europe while his presence was required at Malta, of which he likewise held the governorship. The members of the senate, who were the creatures of sir T. Maitland, were paid, in all, 36,000 dollars. He maintained that the system now pursued in the Ionian islands was such, that unless a speedy and total change should be adopted, most serious consequences must be anticipated, for which those whose duty it now was to interfere would be responsible. It was disgraceful to England, it was cruel to the Ionians, and on the heads of those who supported such misrule would be the blood that would be shed [Hear hear!]. In bringing forward the motion with which he should conclude, the hon. member begged to declare that he acted from motives of public duty alone, and not to attain any private or personal ends. He hoped nothing he had said or should say would hurt the feelings of sir T. Maitland as a private individual; and as a public servant, he could not expect exemption from the strictures which his public conduct might justify. The hon. gentleman concluded by moving, "That an humble Address be presented to his Majesty, that he would be pleased to appoint a Commission to proceed to the Ionian Islands, to inquire into the state of the Government there, the conduct of sir T.

Maitland, as Lord High Commissioner, the causes of the dissatisfaction which exists there, and of the numerous arrests which have taken place."

[§ Mr. Goulburn](#)

begged leave to say, with respect to the treaty of Paris, on which the present constitution of the Ionian [1140](#) Islands was founded, that it would have been well if the hon. gentleman had read that treaty, and observed the limitations and conditions attendant on the formation of the constitution. The object of the treaty was, that the Ionian states should enjoy a constitution founded upon their former constitution, but with greater advantages to themselves, and be placed under the protection of Great Britain. He denied in toto that the object or intention was to confer on those states a perfectly free government such as that enjoyed by Great Britain. It was by no means fair, therefore, to compare the legal acts of persons in authority in the Ionian Isles with the legal acts of persons in authority in this country. Whatever defects we might see in the Ionian as compared with the British constitution, it by no means followed that it would be advantageous to the people of the Ionian states to transplant thither the pure British constitution. He dwelt the more especially upon this, because it was a very vulgar error in this country to call all systems of government tyrannical and oppressive which did not exactly resemble the British, although they might be much more suitable to the people among whom they were introduced. The fact was, that the character of the people of the Ionian Isles was such as would not allow of the introduction of a free government to be entirely administered by themselves. Some external protection was necessary to them. Having been previously under the protection of Russia, they were placed by the treaty of Paris under the protection of England. The hon. gentleman here adverted to the history of the Ionian Isles, and specified the, various powers under whose protection they had been successively placed. It was with states as with men. There was a period in which they were not qualified to enjoy perfect liberty. In youth a human being must necessarily be subject to some restraint and guidance; and it was only when a state had become mature that it could safely be trusted with unlimited! liberty. If in the constitution of the Ionian Islands there existed a frequent reference either to the lord-high-commissioner, or to the British government at home, he denied that sir T. Maitland had exhibited in his conduct with respect for that inference the slightest disposition to arrogate to himself any undue power. As to the elections, he would ask if it was [1141](#) not sir T. Maitland's duty to assemble (as he had assembled) in the primary council, all those from whose abilities and local knowledge-he might expect to derive the most beneficial advice and aid? Let the House look at the names of those individuals. It was impossible to select men of greater rank, property, influence, and other qualities calculated to render the competent to the execution of the task imposed upon them. But the nature of the hon. member's general distaste for these individuals might be gathered from the particular accusation in which he had indulged with respect to one of them, whom he had charged with having been at a former period very hostile to France, and

especially obnoxious to Buonaparte. What was the fair conclusion, but that he possessed much of English feeling? As to the case of Mr. Martinengo, that individual was charged with a conspiracy, which involved the lives of several persons; and having been found guilty, he was sentenced to death. The sentence was, however, mitigated to solitary confinement for one year, and eight years' confinement in irons. The hon. member had designated this infliction as one of extreme severity, and yet he had supported a bill which, if it had passed, would have visited the crime of forgery with imprisonment and hard labour for ten years. Not content with charging sir T. Maitland with those acts which were committed when he was in the Island of Corfu, the hon. member had alleged against him proceedings which took place during his absence, and of which he could not have been the author. The hon. member went farther: he blamed sir Thomas for acts of which he had particularly disapproved. In the case of Santa Maura, for instance, sir T. Maitland was no actor whatever. Let it not be supposed that he cast any imputation on the gallant officer who succeeded sir T. Maitland. He was prepared to assert, that the conduct of sir F. Adam, so far from being arbitrary, was the only conduct which a British officer of honour, character, and humanity, could pursue. He would deny that he (Mr. Goulburn) had on a former occasion made a false statement of the cause which led to the insurrection at Santa Maura. Although the ostensible cause was the imposition of a new tax, the real cause was, the apprehension, that the British government were on the point of sending the militia to the [1142](#) West Indies. In the unfortunate circumstances which ensued, the most laudable forbearance was shown by sir F. Adam. On the 29th of September a large body of peasants in arms approached the town. Instead, however, of repelling force by force the commanding officer desired them to send the representation of their grievance in the shape of a memorial to Corfu. To this they assented; but on the following day the resident induced several gentlemen to endeavour to appease the people; two of them, however, were arrested, and a constable was assassinated by the peasants; and that took place before it was possible an answer could be returned to the memorial. It was not until the day after the assassination of the constable that sir F. Adam ordered a reinforcement of troops from Corfu. On the 3rd of October the insurgents began the work of destruction, by rushing down on the town, and setting fire to a magazine. Upon this, the officer on duty, very properly thought it necessary to act. The moment that the insurgents were defeated, all hostile proceedings were stopped; and the principal delinquents were arrested and brought to justice. So far were the subsequent proceedings from being sanguinary in their character, that only four of the principal ringleaders were executed. The hon. member had required a return of the killed and wounded. It was impossible to furnish that information in an official shape. But he knew, on the best authority, that the number did not exceed fifteen or twenty.—He now came to the case connected with the administration of the church property. He positively denied that any confiscation, of the church property had ever taken place for purposes of revenue. The object was to rescue it from those by whom it had been unjustly obtained, in order to restore it to the church, that it might afford

the means of diffusing additional religious instruction. With respect to the case of Pataglio, that case had come before the proper court; in which two of the judges were of one opinion, and two of another; a complete answer to the insinuation of the hon. member, that the judges were wholly under the influence of sir T. Maitland. The lord-high-commissioner was compelled ultimately to decide; and whether his decision was correct or not, if he decided to the best of his judgment, no imputation could possibly attach to him. The next point adverted to was the decree [1143](#) for the reclamation of church property. But the hon. gentleman had concealed the fact, that the decree was issued in the absence of sir T. Maitland, and that on the return of sir Thomas he caused that very decree to be recalled. With respect to the disturbances at Zante, and the prosecutions which followed, the hon. member had contended that those prosecutions ought not to have been instituted, because the disturbances emanated from the act of government. But even if that had been the case, he must deny that the disturbances were justified. The fact was, that the disturbances originated, not in any alarm for the interests of the church, but in the alarm of those who feared that the property which they had iniquitously obtained would be taken from them. Martinengo was undoubtedly arrested, but with other persons. The hon. member objected to the tribunal by which Martinengo was tried, as unauthorized by the law of the Ionian states; and to the prosecution itself, as exhibiting a disregard of justice. Both those positions he denied. Pie maintained that the tribunal was competent, and referred to the articles of the constitution in proof of his assertion. The lord high commissioner had referred the subject to the highest legal authorities in the Ionian states, and their opinion was, that the ordinary civil tribunals could not take cognizance of the particular crime; and that there was no alternative but that the lord high commissioner, or some one delegated by him, should act as judge on the occasion. It had been argued that the tribunal before which this individual was tried was not competent to the inquiry; but even Martinengo himself had made no objection to the competency of the tribunal. He had appealed on different grounds, namely, that he had petitioned the king and government of Great Britain, and therefore he claimed, as a matter of right, that he should not be put upon his trial until an answer to that petition had been received. The hon. gentleman might contend that this was a legal ground of postponement, but how could it be so considered unless it was allowed to operate in criminal cases generally? If such a delay were allowed, it would overthrow the whole criminal jurisdiction of the Ionian states. He would say, therefore, that whatever inconvenience arose in the trial of this gentleman, it was not at all attributable to the lord high commissioner. If the delay claimed by the accused could [1144](#) not be allowed by law, what course could be followed but that of giving the party time to enter upon his defence, and in default of any defence to pronounce sentence? He denied that Martinengo had been punished with more than necessary severity—he had been allowed to take necessary exercise under the inspection of a police officer. As to the alleged unhealthiness of the prison in which he was confined, he did not deny that sickness had prevailed in Santa Maura, but it appeared from the report-of an officer, who had long served

in the Mediterranean, that that island was more healthy than any other of the Ionian islands, except Cerigo, but the situation of that island made it inconvenient to send persons to it.—The hon. member, after alluding to another individual who had been convicted upon acknowledging that a certain document, in which it was stated that the Senate was venal and corrupt, was in his hand writing, proceeded to show that the fees and emoluments under the former state of things were much greater than the regularly established salaries of officers now were. This had been the work of sir T. Maitland. He had also put down the monopoly of grain, and had left that trade open in the islands. This, however, was not easily done; it was not until all attempts to induce the merchants to open the trade had been found fruitless, that the funds of government had been placed in the hands of an individual for that purpose; and by what means, he would ask, could those islands expect to be supplied, unless the granaries of Europe from the Black Sea were opened to them? This it was that had preserved the Ionian islands from that famine which otherwise would inevitably have come upon them. The hon. member had charged sir T. Maitland with a proneness to adulation, a fondness for show and parade, and, in fact, with supporting bribery and corruption. He was aware that the high and meritorious character of that gallant officer could gain little from his advocacy. He would however maintain, that the charges urged against him were wholly groundless. He did not feel it necessary to put the general character or the public services of that gallant officer in opposition to those charges; but he felt confident in asserting, that either the one or the other would be more than sufficient to vindicate him from any imputation now attempted to be cast upon him.

[1145](#)

Mr. Bennet

said, that his hon. friend had truly described the constitution given to the Ionian islands as a mere mockery, a trick, a juggle. It was high sounding and pompous, indeed; something to the ear; a little to the eyes; but in fact—in substance—nothing. It was something like those constitutions which, for the last twenty years, the French government had been in the frequent habit of promulgating; but, whatever were their specious pretensions, in the one case, the power of the emperor, and in the other the exorbitant power of the lord high commissioner, effectually abrogated them. As for the lord high commissioner, he had so fashioned the constitution which he had given to these people, that while there was some appearance preserved of his Own measures being liable to parliamentary cognizance, he, in fact, behind the scenes, was the head, the master Punchinello, who worked the puppets within just as he pleased, and directed all their movements. The hon. gentleman had said, that this government worked well. He begged the House to consider whether it did or no. Let them look at the case of Battaglia, for instance. This person and his ancestors had held a property, derived from the church, ever since the year 1387. A captain of marines made a report of this circumstance; a Venetian law forbade the alienation of church property, and the property was declared to be forfeited to the church.

Upon such a principle, all those church lands, lying in every part of this kingdom, which had been seized by Harry the eighth, and parcelled out among innumerable persons, would be at this day equally insecure. It had been objected to his hon. friend that the charges he had brought forward were not of a sufficiently specific nature. This did appear a singular objection, for certainly he had never heard charges more minute or fuller of particulars. In what did these consist? There was the case, in the first place, of Martinengo. He did not believe that such a thing was ever heard of in this country as a man's being brought to trial upon such a charge. But the hon. gentleman considered the punishment as not a severe one. What! twelve years' imprisonment no severe punishment to a man 66 years of age? The hon. gentleman contended that it was necessary to invest the lord high commissioner with absolute power for the protection of and benefit of the people. Would the House [1146](#) endure such a doctrine? Were they disposed to think that in order to have a people protected, it was necessary to strip them of all rights, of all constitutional security, of all legal defence? It was also a cause of general complaint, that all places and offices were shut up against the natives, and were disposed of amongst young men from England, who were ignorant of the dispositions of the people, and the language of the country. He had been informed, that a number of Sicilians had been placed in the islands, for what reason or through what interest he knew not. If ministers meant to preserve the peace and to promote the interests of the Ionians, the first step they should take would be, to give the people an authority and influence over their own affairs. He wished to have something like the British constitution adopted in these islands and that the government should cease to be that of one man, whose will appeared to be the supreme law.

[§ Mr. Evans](#)

said, he would defy any man to say what the crime of Martinengo was from the manner in which the charge against him had been stated. With respect to the powers given to a colonel of marines over the houses of religious worship, he considered it unjust, impolitic, and calculated to excite the jealousy and discontent of the people. The power of sir T. Maitland over the islands was too great for any man to be entrusted with it was not defined, it was not limited. Every friend to the Ionians should vote for inquiry, because in that case the causes of discontent might be ascertained. Nay, every friend of sir T. Maitland ought to call for investigation; because, without investigation, it would be impossible for him to escape censure.

[§ Mr. J. P. Grant](#)

said, he was confident the conduct of sir T. Maitland required explanation only; but as the motion went to impute misconduct to him, he could not support it. The constitution upon which he acted had been laid upon the table of the House, and had not called for any comment. Whether it was wise to leave the Venetian laws for the government of

these islands was one thing, but it was another to blame sir T. M. for having acted under them. In the case of Martinengo, it was no part of sir Thomas's duty to reform the law. The laws in existence were those of Venice. The property confiscated was applied to building churches. Persons whose property [1147](#) was confiscated had a right to complain; but the ministers of religion: and the people had no right to complain. He was Satisfied, that the more sir T. Mainland's conduct was inquired into, the better it would appear.

[§ Mr. Brougham](#)

said, he did not mean to make any charge against sir T. Maitland. His conduct was not the subject in question: but he had seen enough of the Ionian isles, to convince him that the subjects of that country lived under a dispensation of law, which, he thanked God, no other part of the empire lived under. With respect to the case of Martinengo, he would only beg the attention of the House to the kind of law which was administered in those islands. Of the charge brought; against him, it would be impossible for the most acute man in that House to conjecture, from the manner in which it was stated in the document before him; it stated that the prisoner, in the name of the senate, was charged with crimes and offences against the state, as principal; actor in the same. Crimes and offences against the state might mean every thing or nothing. He contended, that on the face of the indictment there was no charge made against the accused, against which he could be prepared to defend himself. It might be very well that the lord chief commissioner should be invested with the power of the doge of Venice; and, by way of making the thing more palatable to the people and more respectable in the eyes of the British parliament, it might be well to have added to that the powers of the inquisitors of Venice: but, at all events, it was but right that the existence of such things should be known to that House in order that it might redress them.

[§ Sir R. Wilson](#)

said, that though he saw no ground for impeaching sir T. Maitland's conduct, he should vote for an inquiry into the system. If he were sir Thomas, he would be the first to call for an inquiry. It would be better for the inhabitants to be under an arbitrary government, than under one organised like the present.

[§ Mr. Money](#)

thought the friends of sir T. Maitland had reason to complain that the most trifling circumstances connected with his conduct had been magnified into Crimes. Much good might result from a revision of the laws; but sir T. Maitland had acted only as the agent of those laws.

The Marquis of Londonderry

rose to—a few remarks in answer to the [1148](#) course of argument taken by the hon. and learned gentleman, who certainly had narrowed the question, as no part of his argument went to criminate the gallant officer. It was impossible to disguise the fact of the hon. member for Aberdeen having brought forward charges which must be considered important; but it was impossible to place before the House more justification of sir T. Maitland than his hon. friend had afforded. He denied that the Ionian islands were to be considered as a colony of this country. He would admit that this country had undertaken a superintending care over them, which ought not to be withdrawn, but parliament ought to exercise that power with great caution and circumspection, as to any interference with the internal government. Before parliament resolved to visit these islands with a commission; they ought to be satisfied that all the powers in the island had been exerted without effect. It was a mistake to suppose that any thing like our own constitution was conferred upon the Ionian islands, or would be a benefit to them. But the system was only in operation for two or three years, and it was a little too early to think of subverting it. At this moment, sir T. Maitland had come home, in company with other competent persons, with a view to the improvement of the criminal process of the island. He could also state, that the great evil, the purchase of justice in the island, was removed; and he thought the House should reflect long and seriously before they consented to pull to pieces the existing system.

[§ Mr. Lennard](#)

considered the situation of the inhabitants of the Ionian islands peculiarly unfortunate. They were entitled to a free constitution by the treaty of Paris; but nothing had been resorted to but the mockery of a constitution.

[§ Sir I. Coffin](#)

said, he had known sir T. Maitland 35 years, and a more able and gallant officer did not exist.

[§ Mr. Hume](#)

observed, in reply, that he must, notwithstanding all he had heard, still consider sir T. Maitland as culpable in a high degree, inasmuch as he had had the power of preventing the occurrence of those unfortunate scenes which had taken place in the islands. It had been mentioned, that during the course of sir T. Maitland's public services this was the first time that any complaint or reflection had been made against him. That he denied; and it was well known to the hon. [1149](#) secretary, that many complaints had been made against him for arbitrary acts in different parts of the world, which he (Mr. H.) regretted had been passed over by the Colonial office in the manner they had done. And very lately when his conduct was brought before the bar of the public, it had received that reproof which, in his recollection, no commanding officer had ever received—it was the case of an officer in the Ionian islands, who had obtained a

verdict against sir T. Maitland, his commanding officer, under the charge of having "unlawfully, wrongfully, and maliciously contrived to injure, oppress and grieve him." In the conscientious discharge of his duty, he had brought these facts before the House, and was willing to prove at the bar what he had advanced. The fact was, that ministers did not seem to know the truth. The best way of ascertaining it would be, to send out a commissioner to inquire into the circumstances he had mentioned: and if the conduct of the lord high commissioner was such as had been described, no fear could, be entertained as to the results of such an inquiry. The noble lord had not contradicted anyone of the points which he had brought forward; and he put it to the House, whether they would suffer the Ionian islands to go on from one act of rebellion to another, without an inquiry into the existing abuses. He protested for himself and those who would support his motion for inquiry, against being considered a party to such proceedings. In conclusion, he assured the House, that he had not introduced this question from any party motives, but solely with the view that justice might be done where it was so loudly called for.

§ The House then divided:—Ayes, 27; Noes, 97.

List of the
Minority.

Bury, lord	Monck, J. B.
Buxton, F.	Moore, P.
Davies, col.	Newport, sir J.
Denman, T.	Palmer, C. F.
Evans, T.	Rice, S.
Folkestone, lord	Robinson, sir G.
Grattan, J.	Rumbold, E.
Guise, sir W.	Russell, lord J.
Gurney, H.	Smith, John
Harbord, hon. E.	Tennyson, C.
Hobhouse, J. C.	Whitbread, S. C.
Lennard, T. B.	TELLERS.
Maberly, J.	Hume, J.
Maxwell, M.	Bennet, hon. H. G.
Milbank, J.	

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