

C H A P. XIV.

ROSENAU—SCHMÖLNITZ AND ITS MINES—IGLO—LEUTCHAU,
AND MISFORTUNE THERE—COUNTY-MEETING—REPRESENTATIONS AGAINST DIMINISHING THE LIBERTY OF THE PRESS, ETC.

ROSENAU is a small, but pretty well built town, and the seat of a bishop. Formerly it had in the neighbouring hills some very considerable mines: some of these are now no longer worked. I have in my collection a few specimens of cinnabar, said to be from hence, of the most lively red; but the cinnabar mines are no longer worked. The mines of antimony are very rich; they yield annually about 2000 cwt. which is sold for $10\frac{1}{2}$ guldens (about a guinea) the hundred weight. The ore is of two sorts, a steel grained *, and a striped †. The inn here was pretty good.

I only spent half a day at Rosenu, and then continued my journey to Schmölnitz. Just without the town there is an old castle in

* *Sibium vulgare*. Syft. Nat.

Var. *a*. *Textura subtilissime granulata*.

† Var. *γ*. *Textura radiata, Radiis parallelis splendentibus* $\frac{1}{3}$ pollicis latitudine æquantibus.

ruins: this is seated upon a calcareous rock, which is quite disjoined from the great calcareous chain, and connected with the schistus. On leaving this I ascended for two or three hours by a winding road, and entered a mountainous country: argillaceous and micaeous schistus seemed to be the materials of these mountains. As I ascended, oaks and beeches, the trees I had always hitherto found forming the woods, disappeared; and as soon as I had passed the top, the fir supplied their place, and these were the first I had seen in Hungary. They gave the country a quite different aspect; the hills put on now a dreary and wild appearance, and some dark clouds coming on, increased the contrast of the northern and southern side of the mountain. These fir woods have not yet been divided into regular falls; but this is to be done soon, and into falls of seventy years. They are a good deal frequented by bears.

Schmölnitz is an old irregular ill built town, and the public house wretched. The town is situated in a narrow valley, and in the hills on each side, which are of argillaceous schistus, are the copper mines which formerly gave existence to this town, and now support it. The copper ore, which is the *Cuprum fulvum*, is not only dug, but it is smelted here, and made into copper boilers and similar common utensils. The remains of an amalgamation apparatus are here, but the ores containing silver are now sent to Neusohl.—The copper gained by cementation amounts annually to twelve or fifteen hundred hundred weight. Most of the water in the mines is impregnated with copper vitriol,

vitriol, which is conducted into old galleries to be further impregnated: about a hundred and sixty pounds of iron is consumed in forming one hundred pounds of copper. Seven shillings per cwt. are paid for new iron, and five shillings for old.

I went into a mine of iron Pyrites in a state of decomposition; our lamps going out through the badness of the air, we had a sufficient hint not to proceed very far; but the heat even here was great, 23 degrees above 0 of Reaumur.—Though I find no note of it in my Journal, and the thing is almost obliterated from my memory, yet I cannot pass over in total silence, that in this schistus I observed in one place a very large thick vein of an imperfect kind of granit, which would be called by some regenerated granit: it seemed intimately connected, and in some places interwoven with the schistus.—I staid at Schmölnitz two days, and am indebted to Mr. Drevenjak for his hospitality: hospitality in such a town as this, and with such an inn, is humanity and charity.

On leaving Schmölnitz I made the best of my way towards the Carpathian Alps. My road was still amongst *Argillaceous Schistus*, *Hörnblende Schistus*, and Ferber's *Horn-schieffer*, till I came near Iglo. Here I met again with the unstratified compact lime-stone, and likewise a coarse-grained sand-stone: this has some impressions of vegetables. I was entertained with some fine wild scenery in this day's journey: the view of the plain in which Iglo and several other towns and villages are situated, is very fine.

Iglo is one of the principal of the sixteen towns of Zips: it consists chiefly of one fine broad and regular built street: it has mines belonging to it, but they are at some distance from the town. I only staid here half a day, and early next morning travelled on to Leutschau, through a flat corn country.

Leutschau the county town of Zips, is tolerably well built, and contains between four and five thousand inhabitants. I should immediately have continued my journey, but here I was to meet with Mr. Horvaths, the deputy lieutenant of the county, whose estate lies at the foot of the Alps, who was to give me the requisite information on the best means of seeing them to advantage: he unfortunately was not at home.—*En attendant* I took a walk about the environs of the town; I saw nothing but sand-stone strata, with some indications of coal. Baron Gordon, the post-master, has a considerable collection of instruments for natural philosophy: he has observed for many years the state of the barometer, which gives the height of Leutschau at 25 inches $11\frac{1}{2}$ lines French measure.

When dinner time came my landlord begged I would permit two other strangers to dine with me: to this I readily consented, and the conversation immediately began upon thieves; and upon a band of thieves in the Carpathian Alps, who laid the whole country under contribution, and who had had the boldness to invite themselves to dinner at some of the seats of the neighbouring nobility. I knew,

as the story was interesting by the numbers and boldness of the robbers, that some deductions must be made, as from most entertaining stories; but I did not think, though this was the case, that there was not a single word of truth in the relation, and that the whole had arisen from a few young men, from the other side of these alps, having fled into these recesses to avoid being sent for soldiers.

The next day the town magistrates sent for my passport, which I immediately gave them. The magistrates of Caschau had done the same; and when they returned it me, they very politely sent me an offer of their services, if I stood in need of them. But these fellows, soon after, sent me an order to come before them at the town-hall, which summons I obeyed. Here I found several *anthropomorphous* animals, whiskered and unwhiskered (*barbata & imberbia*), which could not certainly belong to that noble species of animal *Homo sapiens* Lin. as will shortly appear. They were, however, sitting round a large table, and endeavoured to imitate men transacting weighty public business; they muttered something amongst themselves, looked grave, knit their brows, wrinkled their foreheads, and shook their heads and stroked their whiskers; then one of them growled to the following purport: "We are our most gracious sovereign the king his imperial and apostolic majesty's magistrates of Leutschau, and to him we owe our lives and fortunes; as wise and judicious servants of the crown it becomes us to watch over the safety of the public intrusted to *our* care; *we* have therefore in *our*

wisdom

wisdom called you, Robert Townson, who give yourself out for an English traveller, before us, entertaining suspicions of your being a French Jacobin emissary: we have condescended to inspect your passport, which indeed asserts that you are an English gentleman on a tour through Hungary, but this passport we have declared to be a forged one, and you must be a Jacobin emissary; for it would indeed be a thing truly surprising, and as yet unheard of, that an English minister should give an Englishman a passport in French." I was going to explain, but was stopped. "Moreover we know, and you acknowledge, that you speak French; and it is clear to us all that you have a French physiognomy; and those long Hungarian breeches which you wear, do they not indicate that you wish to pass for something which you are not? and why so?—No no, we shall keep your passport, and you must remain here till we have orders from Bude." In vain I told them that the French was quite the diplomatic language, and that if they were suffered to approach the court of their own sovereign, they would there hear the French universally spoken, and that I had found almost every well-bred Hungarian nobleman speak it. I told them, they were of all people the most incompetent to judge by my person, whether I was a Frenchman or an Englishman, as it must be very difficult for them to see either the one or the other in this remote corner of the world; and that I wore the Hungarian breeches partly for the conveniency of travelling, and partly as a compliment to the people amongst whom I travelled, whom I highly esteemed; that I detested the

French

French principles, I was sure, not less than they did, and respected their sovereign as much. I soon found they were too ignorant to be reasoned with, and that they knew almost as little of civilized manners as Tartars; and I left them.

The deputy lieutenant fortunately for me was now returned; and, according to Hungarian hospitality, he would not suffer me to remain at the inn, which was very indifferent, not to say bad; and sent his servants to bring my baggage from thence to his own house. These officious magistrates, notwithstanding the superiority of my friend's rank and fortune, had the impudence to send their officers and tear them out of their hands, and carry them to the town-house. Now I began to think myself in a woful plight, not in regard to my person, but to my property, for I supposed they had voted me a Jacobin, that they might with impunity seize upon my baggage; and the idea struck me that they might have heard of the excellency of English workmanship, and as they were most of them taylor, shoemakers, &c. &c. they might possess the patriotic wish of perfecting their arts by following as models the articles they found amongst my baggage. But the zeal of the deputy lieutenant made them soon give them up again: yet they had the obstinacy not to do this till he had promised to be surety for me. The passport they still kept, and sent it to Bude, from whence I received it some time after, acknowledged as a proper passport. I learned the names of some of these fellows, and they shall be handed down to posterity with my new species of

plants and insects—Kohlman, Gerstorfer, Haas, Weifs, Eichner, Pridmanky, Prahary, Ketskes, &c. I know Kohlman was a taylor: I therefore have placed him at the head, supposing him naturally to have been the man of the greatest weight in this august assembly, and to have been its president; and I ought to have styled him *ILLUSTRISSIMUS INCLYTUS ET INVICTUS KOHLMAN, SARTOR.*

The next day there was a meeting of the county; the nobility were ashamed that a stranger should have received such treatment in their country, and one who had so many letters of introduction to them. They begged me to attribute it only to the great ignorance of the individuals who were engaged in it, and I received many civilities and invitations from them.

A similar misfortune befell professor Haquet of Lemberg in Galicia, a very zealous naturalist, a short time before; but I believe this was on the other side of the alps, and it was attended with more disagreeable circumstances, probably from there not being any nobleman in the neighbourhood, to whom he could apply for protection. This gentleman was upon a tour similar to mine, when some ignorant officious inferior magistrate took it into his head that he was a spy, or something of this kind, and insisted on seeing his *pass*; this Mr. Haquet produced, and put in his hands: the judge, or whatever else he might be called, said he could not read French. Mr. Haquet told him it

was

was in Latin. Now the judge was obliged to understand it, or pretend to understand it. When he came to "*ubique locorum*," he exclaimed he was now sure he was right in his conjectures, for he knew all Galicia, and was certain there was not a *town* in the whole province of this name. He ordered the professor therefore into custody, and a guard of four soldiers was set upon him; and in the morning he was sent twenty miles off to some superior officer or magistrate. But how was he guarded? By an old invalid with a rusty musket; whilst the professor and his servant had both rifle-barrel guns with them, and could at their ease have dispatched him; which they certainly would have done, had they been what the magistrate conjectured them to be. But as the professor knew the superior magistrate would immediately give him satisfaction, he suffered his convoy to live, and himself to be brought to his destination, where he was instantly honourably acquitted, and the officious magistrate punished; but whether this was done by a copious bastinading or horse-whipping, or by cutting off his ears, I did not learn. I forgot to mention, in relating my adventure, one fact which will make our misfortunes more similar. The Leutschau magistrates gave orders to the keepers of the town gates, not to suffer me to leave the town; when its walls were in such a state of dilapidation, that I could have gone off in state, without passing through them. They sent to the innkeeper at whose house I had been, to know whether I had had secret conferences with the town's-people, &c. &c. and threatened the poor man with punishment for not letting them

know that he had harboured such a dangerous man in his house. In travelling through Germany on my return from Hungary, I was several times incommoded, if on foot, on entering the towns of some of the little German princes, by the guards and keepers at the gates; and generally blustering and a little abuse gave me a more easy entrance than entreaty, or calmly reasoning with them. The suspicion of my being a Frenchman was the reason of this likewise. There is not perhaps a greater misfortune incidental to governments, than the necessity they are under of employing low ill-educated men in their service. This it is which renders the police of a country so difficult, and custom-houses, &c. &c. so disgusting.

I attended the county meeting. The business was transacted in the Latin language; nothing very important was agitated, though often, besides the county business (for it has the care of the police of the county, and, when it forms itself into a court of justice, tries civil and criminal causes), affairs of great weight are here canvassed; for the orders of the sovereign, though they may concern the whole kingdom, come before it, being sent to the county magistrates to be enforced; and though it can by no means put a *veto* upon the royal mandates, yet it greatly impedes despotism by its spirited remonstrances and delays. Joseph the Second found this. From them it was he received the very bold remonstrances on his unconstitutional proceedings; and now that the court of Vienna, alarmed at the prevalence of dangerous opinions, is endeavouring to diminish the liberty of the press, these

are not less active in maintaining this most valuable privilege. The annexed spirited remonstrances of the counties of Abaujvar and Bihar* will fully demonstrate this, and at the same time shew their political

* I.

KASCHAU, 12 Aug. 1793.

Serenissime regie hæreditarie Princeps, &c. &c. &c.

IN illa Resolutione, quæ per hoc Dicasterium, quoad tollendas *privatas* et privilegio non gaudentes Typographias, jurisdictionibus regni, sub 25 Jun. a. c. de jussu regis circulariter intimata est, complura continentur, quæ non solum cum legibus conciliari nequeunt, adeoque novam in *Nobis* excitant attentionem, sed ipsam etiam *Constitutionis* nostræ *basin* et *essentiam* ferire videntur. In hoc enim Intimato,

I. Id, quod semper ad legislativam potestatem pertinuisse, leges clarissime docent, *juris regalis* esse prætenditur. Jura regis, in constitutione regni definita, nobis quidem sacra sunt, et esse debent: verum ut ea ultra limites suos, lege descriptos, extendantur, jurave illa, quæ Status regni, potestate legislativa cum rege gaudentes, communia esse voluere, coarctentur, admittere, citra generalem in Comitibus regni manifestandam Nationis voluntatem, non possumus. Jam vero jus de editione *impressioneque librorum* statuendi, inde ab eo tempore, quo typorum in legibus primum mentio fit, penes *Status* et *Ordines Regni* fuisse indubium est; et per ipsos etiam ab hoc consilio citatos legum articulos, quippe xxivtum A. 1553 et xlvum A. 1599, clare demonstratur. Sed vero nec pervidere possumus, quonam pacto et sine leges hæc in præfato Intimato, exempli monstrandique juris regii gratia, adduci potuerint, cum eæ disertis verbis contrarium doceant.

II. In eodem Intimato ordinatur, ut “ prædicto Mandato contravenientes actione fiscali conveniantur.” Hæc pœnam arbitrariam statui in aperto est. Neque enim casus ille interdicti *veteris calendarii*, pro quo per legislativam potestatem 1000 florenorum mulcta in specie dictata fuit, isthic applicari, et exemplo servire ullatenus potest; etiamsi interpretationem legum soli Regi non competere, in penultimis quoque Comitibus declaratum haud esset. Ast, quod plus,

III. Nec in toto juris nostri corpore usquam vel vestigium reperire est, quod unquam Typographiam *sine privilegio* possidere, privatorum cuiquam interdictum fuisset. Quidquid autem lege non vetatur, id in qualibet bene constituta civitate licere ac liberum esse, nostrum cuique perspectum est. Imo, nonnullas ejusmodi Typographias, citra ullum privilegium erectas, hodie in patria nostra existere et florere, relatum habemus.

Quod

political consequence. They are of more real importance than the Diets of many countries.

The

Quod porro elusionem censuræ attinet, de hac sequentia adferre constituimus.

Primum: omnes ii, qui rem typographicam commerciumque literarium tantisper norunt, ejusdem sunt sententiæ, abusui typorum similibus mediis nequaquam consuli. Libri enim vel perniciosissimi, in privilegiatis non minus quam privatis typographiis, occulte excudi possunt, et omnem cujuscunque vigilantiam effugiunt. Ut adeo non tam eo adnitendum esse censeatur publicæ auctoritati, ut ipsam librorum impressionem antevertere velit (quod alioquin, teste longissima temporum et populorum experientia, nunquam obtinebit), quam ut clam impressorum, si publicæ tranquillitati omnino periculosi forent, distractionem propagationemque modis congruis impedire, et malefanos eorundem autores cognoscere, ac dictatæ talibus per legem pœnæ subicere possit.

Dein: infinitis, iisque quotidianis exemplis, probatum est, eo plura, vehementiorique calamo conscripta, ubique locorum in lucem prodire opera anonyma, quo librorum censura rigida magis est et indiscreta. Hinc fit, ut non pauci scriptorum, celato nomine, tales tamque acerbos sæpe in lucem protrudant exasperati animi sui foetus, quales certe, si iisdem aperta, etiam si fortasse liberiori fronte, in publicum prodire licuisset, nunquam fuissent edituri. Non id quidem bene: sed quia homines sunt, humana faciunt debilitate; cujus utique legislatorum nunquam oblivisci, sed eidem sapientibus mediis occurrere, oportet. In causas, in originem morbi, inquirere opus est, ne medela non bene allata, ipso evadat morbo funestior.

Denique, quod in hocce Intimato silentio præterire non possumus, est novum illud periculum, quod *libertati preli* imminere videmus. Hæc nobis (prout jam sub 10 Jun. a. c. uberius remonstravimus) summopere cordi est. Hanc nos, cum *nobiliori longeque maxima* Nationis nostræ parte, uti et tota, qua late patet, cultiori Europa, velut civilis et politicæ libertatis *palladium* veneramur. Et quantopere eadem in regno hoc, penes innatam etiam Constitutioni nostræ publicitatem, necessaria sit, id ipsum novo ac manifesto esse debet argumento; quod, licet Status et Ordines jam ante integrum fere triennium, annuente Rege, *Deputationem* regnicolarem, systema generalium principiorum nationalis educationis et *libertatis preli* elaboraturam, denominaverint, tamen hodie, et quidem sub ipsum adhuc xviii^{vi} sæculi exitum! nostra etiam *defensione* egere videatur. Quæ quidem longe facillima foret; sed hoc Dicasterium ea opus non habet. Optime eidem nota sunt omnia illa, quæ hanc in rem adferri possent. Sane si quis reipsa ignoraret, si quis nosse cuperet, quid arti typographicæ, quid libertati preli debeat genus humanum; eum non nisi circumspicere oporteret, et quid nationes hodiernæ

The county magistracy consists of a count or lord lieutenant, a deputy lieutenant, who has sometimes an adjunct; a notary, a receiver

diernæ fuerint olim, quid nunc sint, videre ac judicare. Si *Anglia* adhuc libertate sua gloriari potest; si *Dania* cum *Suecia* reviviscit, et ad summam civilem beatitatem admirandis imitandisque gressibus properat; si *Germania* veneranda philosophiæ aliarumque scientiarum ac omnigenarum artium mater effecta est, et præprimis SAXONIA inter tantas utrinque procellas alma pace fruitur et floret; si *Septentrionalis America Status* jam nunc vivum quoddam felicitatis civilis exemplar et speculum præbent; si denique *Orientalis* vicini nostri adhucdum in tristi, hominibusque adeo indigna, barbarie gemunt, et maximorum perfectæ civitatis commodorum expertes sub vilissimo despotismo prostrati jacent: *illi* suam fortunam salutari huic humanæ mentis et industriæ invento ejusque usui prudenti ac libero, *hi* contra infelicitatem suam ejusdem defectui, adscribendam habent.

Non immerito igitur Nos sollicitudinem nostram nuper huic Consilio remonstravimus: non immerito nunc quoque ob intentatum tanto bono periculum anxii sumus. Dignabatur quidem idem Dicasterium sub 2 præt. mensis Jul. nos de eo securos reddere velle, quod *activitas Censorum congruis limitibus circumscripta sit*, nullumque libertati preli per eos inferri possit periculum. At nos inde ab eo etiam tempore de novis eorundem arbitrariæ manipulationis exemplis edocti sumus. Non sine refensu vidimus nuperrime, ipsam etiam Universitatis hujus circularem de erigendo *nationali theatro* determinationem, in *Novis Ungricis* mancam et per Censorem obtruncatam, in publicum prodiisse. Non sine refensu vidimus et hodie in conspectum nostrum produci originales ipsius Budensis Librorum Revisoris literas, quibus idem disertis verbis fatetur, se orationem unius ex præstantissimis patriæ nostræ civibus et literatis, “ob unum alterumve episodion, quo in *patriam laudesque* JOSEFI Imperatoris digreditur orator,” Suxæ Majestati submisisse. Quasi in laudes patriæ et principis excurrere piaculum foret!

Ex his igitur pervidere dignabitur hoc Dicasterium, quantopere necessarium sit, ut hominibus his, quibus cura revidendorum librorum, adeoque (prout jam nuper diximus) ipsa *clavis cultura Nationis*, concredita est, magis etiam invigiletur; et quantopere denique intersit reipublicæ, ut efficacissimum isthoc communis felicitatis adminiculum intactum fervetur, ac omni quo fieri potest meliori modo custodiatur.

In reliquo Benignitati, &c. &c. &c.

Ex generali Congregatione nostra, Cassoviæ

d. 12 Aug. 1793 celebrata.

UNIVERSITAS COMITATUS ABAUJVARIENSIS.

II. E ge-

ceiver or treasurer, a fiscal, the judges and deputy judges of the nobles, the sworn assessors and the commissaries. Except the lord lieutenant,

II.

E generali Congregatione nostra in oppido Diószegh
d. 30 Septembr. 1793 celebrata.

Serenissime Regie, &c. &c. &c.

DIVERSA inde ab aliquo tempore ad Nos pertigerunt *Celsitudinis Vestrae Regie* et *Consilii Locumtenentialis Regii* intimata, quæ libertatem preli feriunt: signantur dd. 19 Febr. a. c. 9 Mart. 12 Apr. æque a. c. quibus *Historia Universalis* auctore Abbate Millot edita, et in linguam Ungricam transverfa, *Dissertatio* item de *Regiæ Potestatis in Ungria Limitibus*, et alia de *Comitiis Regni Ungriæ*, deque *Organisatione* eorundem, ad classem *prohibitorum* relatæ esse significantur.

Pertigit porro nunc recenter aliud etiam, sub d. 25 Jun. a. c. circa tollendas *privatas* et privilegia haud provisas typographias, circulariter expeditum Intimatum.

Quæ omnia cum ad restringendam *preli libertatem* tendant, in proponendis eatenus nostris reflexionibus conjungenda esse censuimus.

Quantum itaque Resolutiones illas attinet, quibus *Dissertationes* superius provocatæ, de *Regiæ* scilicet *Potestatis Limitibus*, atque de *Comitiis Regni Ungriæ* tractantes, interdicuntur; non ea est intentio nostra, ut opiniones et principia in his libris pertractata defendamus, vel auctores eorum excusatum ire velimus, quum tenor librorum horum nobis incognitus sit, et nec principia in his assumpta examinare velimus. Verum id nos præcipue attentos reddit, quod in his libris, prout ex titulo operis collimare possumus, materiæ ad regnicolares Deputationes relegatæ pertractentur, de quibus *Artic. lxviii* A. 1791 disponit, ut eatenus *sensa sua* etiam *privati* Regnicolæ exprimere valeant; et quod de potestate legislativa, de objectis statum regni publicum concernentibus, differentes libelli prohibeantur; quasi de his objectis scribere periculosum et piaculum esset, quum tamen *adnitendum potius eo fore censeamus*, ut, *per libros pro et contra scribendos*, *Regnicole jus publicum* et constitutionem regni adæquate elucubratam habeant.

Solicitos præterea reddidit nos hæc prohibitio etiam ideo, ne sequela similium prohibitionum *Votorum Diætalium* restrictio sit. Quodsi enim de his in *Comitiis* libere loqui licet: non pervidemus, qua ratione possit quis prohiberi, ne *sensa sua scripto* etiam publica reddere possit? aut si *scribere* quis inhiberi possit, quare etiam loqui inhiberi nequeat?

lieutenant, who is appointed by the sovereign, when his post is not hereditary; they are all elected every three years by the county.

The

nequeat? Atque adeo, quum, per Resolutiones superius provocatas, scripta de *Potestate Regis* et de *Comitiis Regni* prohibita fuerint: veremur, ne libertas etiam votorum, dum in Comitiis objecta hæc agitata fuerint, eadem ratione impediatur.

Præcipuam vero Regnicolarum attentionem meretur, quod, quum per has Resolutiones quædam circa libertatem preli statuuntur, Conclusa Diætalia præoccupari certum sit, et per manifestationem mentis regis libertas votorum in affuturis Comitiis, si non penitus impeditur, ad minus in plena libertate non relinquitur.

Postquam objectum libertatis preli, per articulum lxvii. 1791, ad futura regni Comitia relegatum est; de hujus restrictione eo minus potuisset quidquam intermedio tempore statui, quod per similes Resolutiones in obversum Articuli xii. 1791 Resolutionibus regeremur: et etiam si quidpiam ordinari posset, non in restrictionem sed in libertatem preli deberet ordinari; quia lex de libertate, non autem restrictione, loquitur. Nam etiam si certum sit, malitiosos quosdam libertate preli abuti: sed prout medicina, sanitati hominum proficua, ideo quod quis ea abuti potest, rejici, ususque ejus prohiberi non debet; ita neque libertatem preli, propterea quod quis ea abutatur, in obversum legis restringere oportet; verum malitiosi hi auctores, perniciosorumque librorum impressores, in personis debent puniri, et quidem in *via juris*, et per *ordinarios regni judices*. Nam Censores librorum legibus regni prorsus incogniti sunt, activitasque eorum in legibus radicari nullatenus potest. Atque adeo ipsa *Celsitudo Vestra Regia*, et Consilium Locumtenentiale, perspicere dignabuntur, quod Censores legalem activitatem non habeant, aliquem civium ex scriptis ejusdem judicandi, et pro pernicioso cive declarandi. Et certe, etiam si Censura locum habere deberet, illius tamen activitas non ad *opinionum* censuram extendi, sed unice ad morum et publicæ tranquillitatis conservationem restringi debeat; quia opinionum libertas, cum libertate conscientie, et votorum libertate, indissolubili nexu junctæ sunt, salvaque fundamentali nostra in libero hoc regno prærogativa, nullis limitibus circumscribi potest.

CALUMNIATORES nationis nostræ nos *barbaros* esse publicarunt, et hodie dum clamant. Si arbitraria modernorum Censorum activitas ultro quoque admittetur; veremur ne horum culpa merito pro talibus reputemur. Nam annon defectum culturæ redolet librorum etiam philosophicorum censura, librorum qui in ditionibus Suxæ Majestatis aliis publice et libere venduntur? *Certe dolere debet sortem sanæ philosophiæ eruditus*

The meeting, I think, only lasted one forenoon, and was succeeded, as such things generally are, by a very good dinner.

The next day I continued my journey northward. Just before I set out, I had received a letter from Dr. F—, to inform me that he had resolved to accompany me in my excursions in the alps, *coute*
qui

orbis, quando, versionem operis philosophici MENDELSONII, sub titulo PHÆDON, per Censuram UNGRICAM revideri, et censura subjici, imo castigari etiam et truncari, audit! Nostra quidem opinione, relata ad opera philosophica, historica, et religionaria, Censores non sane correctionis et prohibitionis, sed *refutationis*, constituendi forent; et his *injungendum* esse judicamus, ut *falsas scriptorum opiniones* (si tamen pro censura submitti debent) indicare, simul tamen in adjiciendis notis refutare teneantur.

Quod aliam Regis de Typographiis *absque privilegio* haud admittendis editam Resolutionem concernit, hæc, ut candide fateamur, non minus præjudiciofa fore videtur. Nam tenore ejus, dispositio circa Typographias *juris regalis* esse prætenditur, et contra eos, qui privatam Typographiam fervare, vel in his libros edere præsumserint, arbitraria per solum Regem, inconsultis Statibus Regni, pœna statuitur.

Jam vero nobis quidem ignota est lex illa, quæ jus circa admittendas vel non admittendas Typographias potestati regis tribueret; et nullatenus pervidere possumus, quo pacto leges, in Intimato hujus Dicasterii citatæ, ad demonstrandum jus regium applicari queant; quum hic non nisi de prohibitione *veteris Calendarii*, communi Legitativæ, id est Statuum et Ordinum Regni, ac Regiæ Potestatis consensu determinata agatur. Et non modo nullum in legibus regni vestigium apparet quod jus de Typographiis aliquid statuendi ad jus regium pertinuerit; quin potius Art. xxivtus 1553 clare ostendit, quod *Rex ad Status Regni recurrerit, et ab iis petierit, promiscuæ librorum impressioni limites poni, et quod Status Regni in exercita preli libertate permanferint.*

Secundum quod attinet ordinationem, nempe illam, ut mandato huic regio contravenientes *actione fisci* conveniantur, dum per resolutionem hanc pœna arbitraria, inconsultis Statibus Regni, statuatur: per hoc præjudicium legibus inferri evidens est. Certe per hujusmodi resolutiones, earum et hujus Dicasterii auctoritas compromittantur. Nam si res ad casum veniret, nulla lege existente: non possumus perspicere, qua ratione

qui coute, and to desire me to hasten my setting out. Half way, that is a few hours after, I met the determined doctor coming back, as he had now resolved to give up the tour. I have often in France met with such geniuses, and have often had a good *partie* or excursion spoiled by them. I continued my journey to Kesmark. I saw nothing but sand-stone strata all the way.

possit aliquis Nobilium legitime convinci, seu ideo quod privatam Typographiam habuerit, et illa usus sit; seu ideo quod libros per Censores prohibitos emerit, legerit, vel vendiderit. Ipsa enim natura *regni liberi* exigit, ut ea, quæ diserta lege non prohibentur, libera sint.

Hæ sunt nostræ reflexiones, quas ex studio, quo erga conservationem legum ducimur, depromsimus, et quas eo cum petito *Celsitudini* V. R. et Consilio Locumtenentiali remonstramus, ut eas Regi substernere exoperarique dignetur, ne *usus preli*, lege pro libero declaratus, per Resolutiones Regias quacunque ratione restringatur.

Cæterum Benignitati altisque Gratiis devoti persistimus,

Celsitudinis Vestræ Regiæ,

Et Exc. Consilii Locumtenentialis, &c. &c.

Humillimi servi,

E generali, &c.

UNIVERSITAS COMITATUS BIHARIENSIS.