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## THE IRISH NATION.

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The PUBLISHERS regret that, owing to the long-continued strike in the printing trade, a serious illness of the author, and other causes beyond their control, the issue of the present volume has been unavoidably delayed. They have, however, pleasure in announcing that the manuscript of nearly the whole of the last volume is already in their hands, and they fully trust that it will be ready for publication before the close of the present year.

The PUBLISHERS, have however, much pleasure in announcing that, at the request of numerous Subscribers, they have made arrangements to give LIVES OF EMINENT AND CELEBRATED LIVING IRISHMEN, and thus, in the concluding volume, to enhance the interest and value of this Standard National Work. The new feature introduced, it is anticipated, will meet with universal approval.

*July 31, 1873.*



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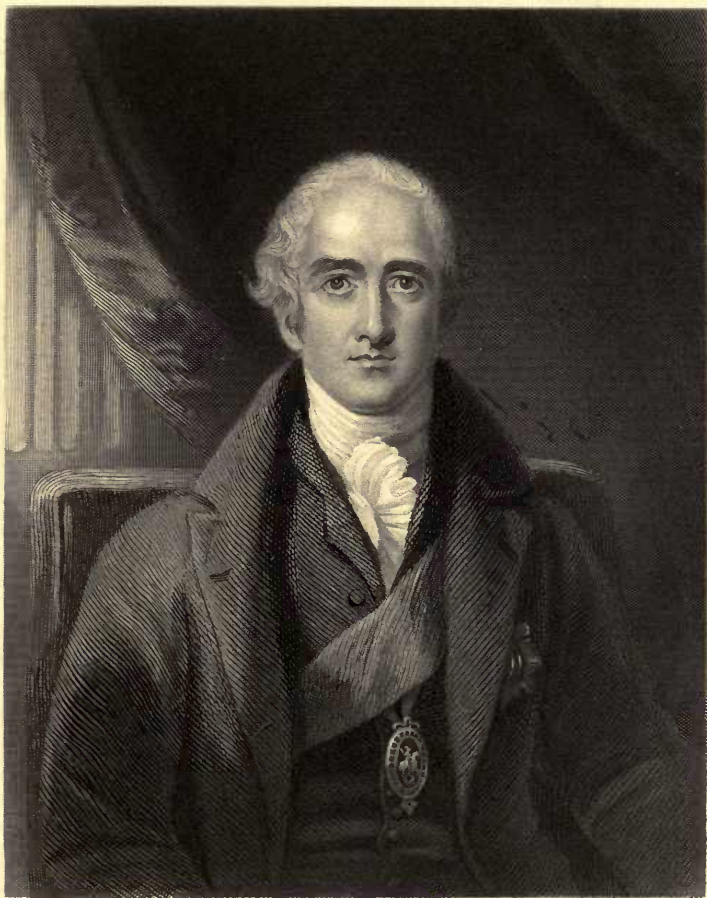




*W. Minton*

*Engraved by R. Young from a painting by Sir Thomas Lawrence.*



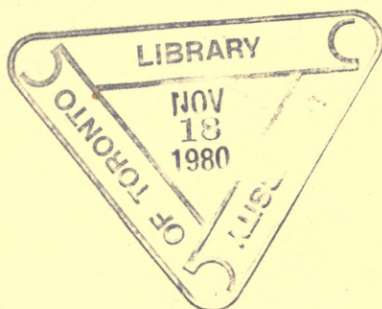


T. Lawrence sculp.

W. H. P. del.

Wellesley

ARTHUR WELLESLEY



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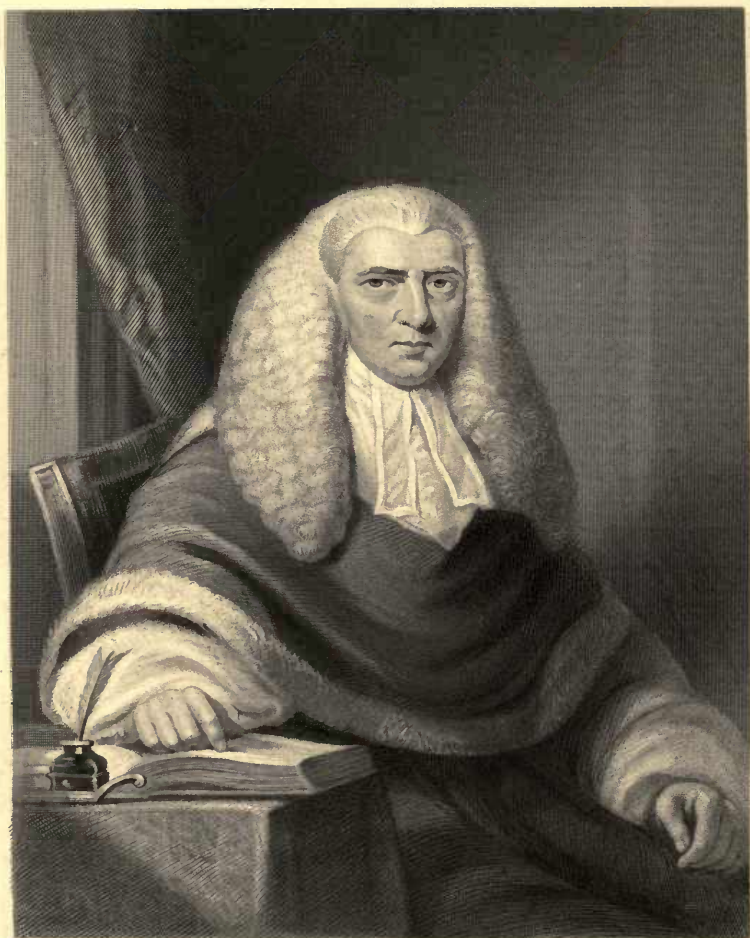
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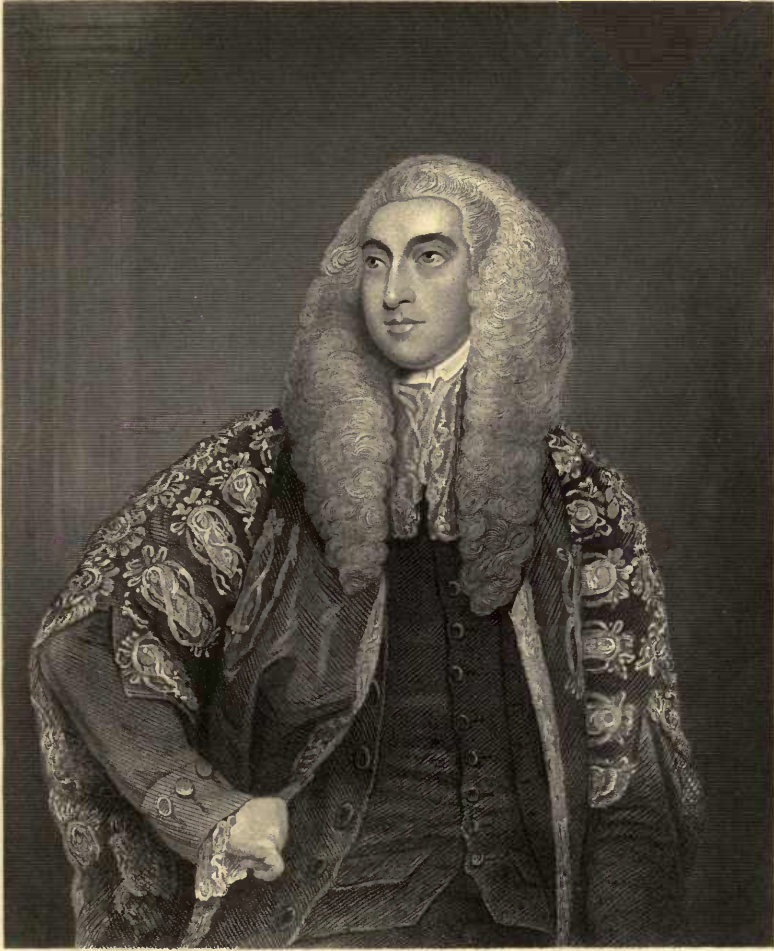


From a Painting in Trinity College, Dublin.

Hall

VISCOUNT KILWARDEN

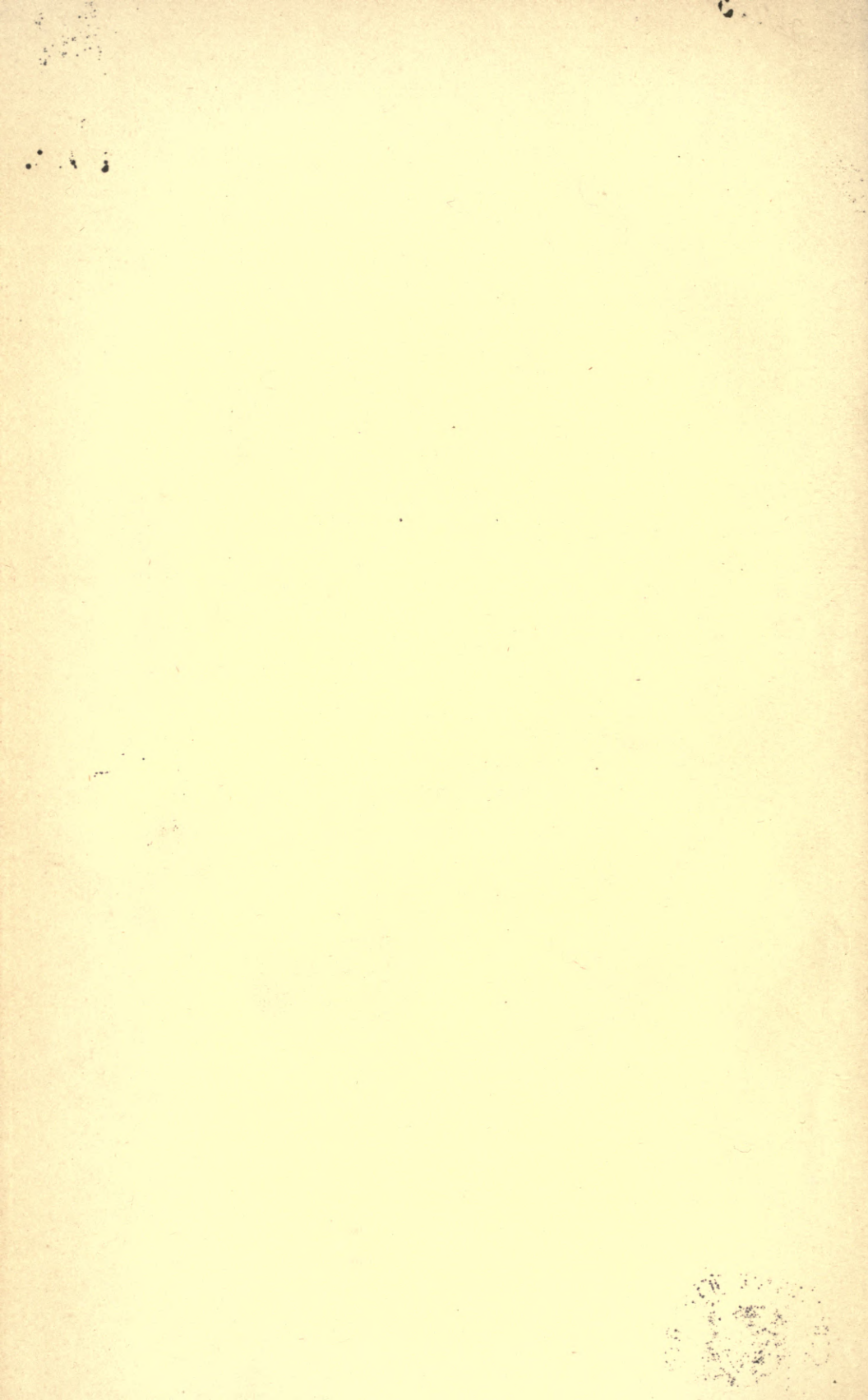
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Le Comte

LORD FITZGIBBON







received a good education, and having obtained the qualifications essential for the practice of physic, he returned to Ireland, and commenced practice with great success in Dublin. Being a member of the Church of Rome, and possessed of an active temper and considerable talents, he soon began to take a prominent part in the political agitation of his time, and thus became acquainted with the leading members, who, under the pretext of seeking Catholic emancipation and parliamentary reform, were working round their party, with great art and success, to deeper views. Dr MacNevin is mentioned, by his daughter,\* to have been first initiated into the arcana of the United Irishmen by Arthur O'Connor and Lord Edward Fitzgerald, by whose expressed desire he became a member; after which, his activity and zeal were exhibited on several occasions.

The events which soon after followed, and which led to the long imprisonment and expatriation of Dr MacNevin, have been sufficiently detailed in the preceding memoirs. After his liberation, the doctor travelled for a time: he subsequently went to France, and entered, with the rank of captain, into the French service—with the hope (as his daughter infers from his conversations on the subject,) of serving in some expedition against Ireland. This prospect having soon wholly disappeared, he resigned his commission, and sailed for New York, where he once more entered, with the best success, upon his profession. In 1810, he married; after which he spent a long and prosperous life. He appears to have been a man of the kindest nature, capable of the warmest attachments, and deriving from them the uninterrupted felicity of his long life. He died, respected by his adopted countrymen, and lamented by his friends and family, in 1841. Besides several political pamphlets, he published a "Ramble through Switzerland," "Pieces of Irish History," an edition of "Brandes's Chemistry," an "Exposition of the Atomic Theory," and other works.

THOMAS ADDIS EMMET.

BORN A.D. 1764.—DIED A.D. 1827.

DOCTOR EMMET was a physician of great practice, and high repute, in Dublin. He held for several years the place of state physician. He was thus, by station, brought more directly into the acquaintance and conversation of the most eminent public men of the day. With much to recommend him to the regard of his large and eminent circle of intercourse, there is ample reason to believe that the doctor was rather a clever and active-minded, than a wise man. Were we to form an opinion from the various notices of him which occur incidentally, and from the history of his children, we should say that he was a man of singular and eccentric habits of mind, with a considerable portion of flighty enthusiasm and cracked talent. As politics in Ireland were sure to absorb any superfluous activity of mind, the doctor was very earnest and wrong-headed in politics. In a time when revolutionary notions were mixed up with even the most temperate views of the popular

\* Memoir in Madden's United Irishmen, vol. iii.

party, he left all far behind in the wildness of his schemes, and the almost crazed zeal with which he took every occasion to enforce them. He had three sons, all young men of the most brilliant parts, who, each in his own way, inherited something of the unlucky craze which neutralised the understanding of their father. And to the fault of nature, education did not fail to add its part. A fanatical idolatry of country was the devotion of their infant years. The Emmets grew up in the spirit of martyrdom, to a cause which they were prepared to adopt as the cause of their country. With the spirit of knights-errant, we must allow that they were endowed with the noble virtues of ancient chivalry—they were humane and honourable, as they were brave and devoted. As each of the brothers is entitled to some share of our notice, we shall give here a short account, in order, of the two elder, before entering upon our narrative of the history of the younger and more celebrated brother.

Temple Emmet, the elder, was considered, by those who knew him, a prodigy of attainment. His memory was astonishing, and his command of language strange and peculiar. He is said to have begun his profession of the law with the full and precise knowledge that is usually the attainment of a laborious life. But if we are to form an opinion of his intellect from the account which remains of his style, judgment and the discursive faculty do not seem to have had much place. His language was not merely extravagantly figurative, but actually cast in the mould of verse; and even as poetry, it appeared inflated. He, nevertheless, soon attained practice, but died early, having had more business than had ever before been acquired by so young a man.

The next brother, Thomas Addis Emmet, is better known. Of the three, he would appear to have had the most manageable combination of faculties. He also was called to the bar, and rose to early eminence. He was, like his brothers, early schooled to ultra-liberalism in politics; and though he did not join the United Irish conspiracy till 1796, he yet endeavoured in all things to serve its ends in his professional capacity. One occasion is mentioned, on which he acted in a manner remarkably characteristic of his family. Some persons were prosecuted for the administration of an unlawful oath. At a certain stage of the proceedings in court, Mr Emmet, having risen to speak to a point of law, took the opportunity to say that he did not consider the oath unlawful; and, to the astonishment of the court and all persons present, he added, "My lords, here, in the presence of this legal court, this crowded auditory, in the presence of the Being that sees, and witnesses, and directs this judicial tribunal—here, my lords, I myself, in the presence of God, declare, I take the oath." It is mentioned that another barrister—well known as one of those United Irishmen who were expatriated by the agreement with government—a Mr William Sampson, at nearly the same time, performed the same feat on a similar occasion, and with the same impunity.

Mr Emmet soon after joined the conspiracy, and was one of those who compromised for life, on the occasion already adverted to. We have before offered some comments on the evidence which he gave on that occasion.

In 1791, he married a Miss Patton, the daughter of a presbyterian

clergyman, by whom he had several children. This lady was permitted to remain with him during a considerable part of the long interval in which he was confined in Fort George, and had a child there.

After the liberation of Mr Emmet, his thoughts naturally turned to America. He crossed the Atlantic, and landed at New-York. After some doubts as to the selection of a profession, he chose to recommence life in the profession with which he had already made acquaintance in Ireland. He selected the state of Ohio, and was admitted to the bar at Alexandria; but presently yielded to the advice of General Clinton, then governor of New York, to remove there. A great obstacle, arising from the regulations of the bar, stood in the way; but by the influence of his friends, and the consent of the benchers, it was removed; and he was permitted to practise without the preliminary probation of six years, which would have been a serious deduction from a life of which forty years had been already spent.

We very much regret that we cannot go into the interesting details of Mr Emmet's most honourable and distinguished career at the New-York bar. It is a portion of American biography; and though we admit that it reflects honour on the country of his birth, yet it would lead us too far from our course.

He rose to the rank of attorney-general, and, in reputation, stood at the very head of his profession, both as an orator and a lawyer. One of his critics compares him to Erskine, and places him above Curran, and adds, "I might safely challenge the whole list of Irish orators for the superior of Thomas Addis Emmet." We quote this as clearly fixing one thing—the unquestionable character of Emmet. As to the comparison, we may observe by the way, without questioning Mr Emmet's superiority, that the critic displays an imperfect acquaintance with the Irish bar; at which Curran, with all his undoubted eloquence, was far from standing first; and at which Erskine would have met more than his match.

Early in the year 1827, while addressing a jury with all his wonted eloquence, Mr Emmet was seized with an apoplectic fit and carried home, where he died, in the 63d year of his age. Every mark of respect due to his great eminence was observed. His funeral was attended by the members of his profession.

Mr Emmet was as well known, and as much revered, for the worth and amiability of his private character and deportment, among his friends, as he was honoured and respected by the public for his talents and public virtues. His learning was various; his knowledge of his professional science, profound; and the industry by which these attainments had been gained, not less remarkable than the brilliant talents employed in their use.

A public monument was raised in the court where he was seized with his last illness, and inscribed with an honourable and true tribute to his memory, from the country of his adoption.



## ROBERT EMMET.

BORN A.D. 1778.—DIED A.D. 1803.

ROBERT was the youngest son of the Doctor Emmet mentioned in the previous memoir. His education and early habits were the fitting preparation for the brief and unfortunate career which forms a part of the history of his country.

He entered Trinity College, Dublin, at the usual age, and gained great distinction in the College Historical Society. He was one of those who, in Lord Clare's visitation, was expelled from the University. He has been described, by one who was not likely to be in this respect mistaken, to have possessed surpassing eloquence. But all that is known of the incidents of his life may serve to illustrate how little of essential connection there is between eloquence and a sound understanding; his opinions on political subjects being those of a visionary and fanatic. We must endeavour to state, as briefly as possible, the event of which he is the hero.

The legislative union between this country and England had been effected, and the consequences were looked forward to, by sober men of either party, with different anticipations; but there was prevalent among the more moderate men, and the better classes, an anxious hope for the benefits which its advocates had abundantly promised. These hopes were to receive the first of many blows from the desperate project of a few deluded men, a remnant of which had, unfortunately for this country, escaped from the hands of justice in 1798. Among these men there remained a firm belief that they would still be enabled to effect their mad and wild projects: they brooded in Paris over dreams of revenge, which their fancy delineated with a fine and shadowy pencil as the back-ground of that political regeneration which was yet to come from France, then beginning to spread her principles, and their results over Europe. There Mr Robert Emmet, after paying a visit to his brother at Fort George, went nominally to travel; his treasonable intercourse with the French Government soon became known: but he found a secure and appropriate asylum from the stern control of the English ascendancy, and the constraint of British laws; and, in the society of a chosen circle of citizens and sages, the *élite* of the Jacobins and the United Irishmen, drew the lore of French philosophy and Irish patriotism. These men were at least resolved that their beloved country should not settle down prematurely into an ignominious acquiescence in the new order of things, or subside into the dulness of peace and prosperity. To rescue her from this inglorious end, and restore her to her normal state of intestine disorder, was the favourite hope for which alone these men lived. They kept up a correspondence with their friends at home, and watched with anxious vigilance everything that stirred the popular spirit.

For a moment their hopes had been excited by the report of Colonel Despard's meditated conspiracy to assassinate the king; and before this design failed, they had met, and entered upon a resolution to send

over to London to obtain accounts of the actual progress of affairs, and to give such aid as might be required. One of those who were not under any prohibition, accordingly visited London, and entered into communication with Despard. This emissary, having been so far successful, proceeded on to Dublin, and succeeded, without much trouble, in raking together the embers of the rebellion of ninety-eight. There was enough of this to be met in every quarter; but, mixed with the patriot's fire, there had sunk deep a cold and deadening experience. The generation then existing had received a lesson on the consequences of civil war, which damped their eagerness with a little cool discretion; and this, which was to show itself signally when matters were more advanced, gave signs, even at the outset, not very satisfactory to a gentleman yet fresh from the Parisian school, and breathing freedom. Nevertheless, he did not despair, but entered on a vigorous course of preparation; brought together secret meetings, and spent considerable sums in the collecting and making of arms. This gentleman, whose name was Dowdal, is said to have been carried by his disclosures into many indiscretions, and now and then dropped his information in mixed company. The Government had obtained a clue to Despard's conspiracy; and it is more than probable that the correspondence of Dowdal thus fell into the hands of the authorities. His own associates, trained to caution, and fearing his indiscretions, began to avoid him; and he was himself, by some means, so alarmed, that he concealed himself for a time. Despard was arrested, and his conspiracy frustrated; but Dowdal had given so much encouragement to his friends in Paris, that Robert Emmet and others were already on their way to Ireland.

Emmet arrived some time in the end of November. and took up his abode at Rathfarnham, where he lived with Dowdal in entire seclusion. Hamilton, one of the principal persons now concerned, was sent to Paris for Russel, the well-known friend of Wolfe Tone, and one of the original planners and movers in the old conspiracy. The whole party were soon together, carrying on their secret meetings in Thomas Street, and making all provisions and arrangements for the execution of their treasonable ends.

At these meetings Emmet was usually in the chair. They did not confine their discussions to the immediate purpose of the meditated outbreak, but entered into the consideration of forms of government consistent with their notions of freedom; and plans were proposed, amounting to the complete dissolution of the social state.

While they were thus proceeding in these isolated deliberations, accounts were received from correspondents in the north that appeared to indicate some revival there of the smouldering fires of the former conspiracy. To avail themselves of this auspicious promise, Mr Russel was despatched in that direction. That we may not have to write a memoir of this gentleman, we shall for a while accompany his movements.

After a circuitous journey, Russel arrived in Belfast, where he was well known as the active associate of Tone; and, immediately after, a meeting was brought together to hear from his lips an account of the hopes, means, and progress of the new conspiracy. He, on his



part, as his breast was the seat of a more earnest and sincere zeal, had the anxious part of endeavouring to feel the pulse of their patriotism, and to infuse into lukewarm breasts the ardour of conspiracy. Though he found many ready enough to enter warmly into the views which he unfolded, it presently became unpleasantly apparent that the majority were unprepared to hear of any prospect of *immediate* action; their sentiments were as disaffected as he could desire; and they showed many sparks of convivial indignation, such as finds a safe and salubrious vent over the punch-bowl. But it was too plain that their expectation and their wishes had not risen above the natural impulse of the vulgar—to hear speeches, hold meetings, utter complaints, and enjoy the comfort and self-importance of conspiracy.

His views were, however, assented to; and when the more daring agreed on immediate organisation, no one had the face to show his fears by dissent; and thus it was that Russel was for some time the dupe of his own activity and enthusiasm. One meeting got rid of its vacillation by appointing another; and several were held in succession, in different places, and by different persons.

Having set the flame in motion, Russel hastened to make his reports in Dublin; and having obtained instruction for concerted movements, he returned to his post. The plans in town had been conducted to the verge of explosion; and Russel returned to urge immediate action. He brought accounts of formidable preparations, of sure-laid projects, and seeming success. We have to observe generally, on these enunciations, that they evidently infused more of surprise and consternation than of military ardour. The meetings began more and more to derive their whole excitement from the circulation of the glass, and their real object was neglected. Russel promised mountains, after the approved prescription of conspirators. He did more, recollecting the maxim of Horace, to appeal to the evidence of seeing—*oculis fidelibus*—he carried about a military coat, made and ornamented after the true revolutionary cut of the Parisian school; and when he found his oratory ineffectual, or when at times he had succeeded in exciting a transient glow—the hectic of a fear-damped patriotism—he put on the coat, and endeavoured to rouse their virtue and confidence by a stalking show of military pomp. But the coat had mostly an effect different from his intention—it seemed to offer a nearer view of appalling realities, and evidently excited a wish to escape. In a word, it is nearly evident that his valour only roused the spirit of northern discretion; and the coat, gorgeous with gold and green, came upon the jolly meetings as an evil auspice, that shook, like Milton's comet, from its horrid skirts "pestilence and war," and not only sobered the stoutest, but paralysed even the circulation of the social jorum.

Like most deeply infatuated men, Russel, though he could not help feeling the reaction on his own confidence of these discouraging incidents, neglected to reason on them strictly, but thought to escape from the suspense of one abortive stage of progress, by trying the next and more decided. His courage took refuge in the path of desperation. It appears only accountable by some such impulse, that, in despite of the manifest indications of reluctance, which were the only result of all his exertions, he endeavoured to resort to the expedient of

violent and open action. Notwithstanding the dry evasions, the reserve, and the frequent panics of his friends, and the decidedly avowed unwillingness of the peasantry, he proposed an attack on the barracks in Belfast. His opinion, supported by his colleague Hamilton, and by a few bold persons of an inferior description, was passively assented to by the meeting in which it was proposed, because they shrunk from expressing reluctance; but with a secret intention on the part of each individual to keep himself clear of all danger. This was the latent peril. Russel and his companions were too brave, and too little sagacious, to comprehend this state of things, until they were personally committed beyond retreating. In the interval, their eyes were unpleasantly and slowly opened by a succession of painful disappointments. The meetings for the purpose of the enterprise above mentioned, can only be understood by comparing them to a crowd of grown men humouring the follies of children. They came together, talked of the crops, and looked grave at the mention of action—proposed to wait a little—took fright, and skulked away, leaving the general alone. The persons who were employed to convey intelligence, and sound the people, returned accounts that they generally expressed reluctance to be shot at and hanged, and would not rise until they saw decided prospects of success. These persons, in their heedless zeal, distributed seditious papers indiscriminately, and soon rendered secrecy out of the question. The violent alarm thus spread over the country operated as an added check, both to the peasantry and to all leading men who might otherwise have aided with their counsel and influence. The agitators presently also had the mortification to learn that one of their chief friends had abandoned them.

But they had one trust—they depended upon the success of Robert Emmet in Dublin, and reckoned with confidence on the results. For themselves there was no safety but in the field; and they strenuously urged those who could be prevailed upon to listen, to consent to rise when the account of Emmet's success should arrive. This promise none of their friends refused, for all considered it a safe one; and a general understanding spread to this effect. The two colleagues separated, and met with various incidents; but one event was common to both—they were informed of the tidings of Emmet's failure, and were under the necessity of concealing themselves, but in vain. We shall presently recur to the remaining incidents of their career.

We now return to the master-mind of the movement. Emmet's zeal, energy, and talent, had infused spirit into his immediate accomplices in the metropolis. He collected materials, and organised a system of not inadequate preparation, and arranged schemes of attack and simultaneous movement, which, had they been successful, must undoubtedly have caused much calamity, though it cannot considerably be affirmed that they would have ensured the prosperous issue of his undertaking. A house was taken in Patrick Street, No. 26, where a manufacture of arms and various combustibles was kept busily at work. Pikes to fold like the handles of a parasol, for concealment, and abundance of long pikes, were forged; rockets and grenades were made; hollow beams were filled with every missile of destruction, with gunpowder to give them murderous effect. With these, guns and blunder-



busses were stored, with other implements, for the various purposes of assault or obstruction. Among the several cross circumstances which frustrated these formidable preparations, the first was a frightful accident. In bearing materials from the furnace to the table, for the preparation of the rockets, the droppings of some explosive substance had been suffered to fall and concrete on the floor. A spark from the workman's pipe fell on this, and a tremendous explosion of the whole store of inflammable ingredients shook the house, and destroyed the floor on which they stood. One man was killed, most of those present frightfully injured, and great alarm communicated to the whole neighbourhood. Most unfortunately, the real occasion of the mischief was not suspected, though the police of the city (not then very efficient) crowded to the scene, and found scattered in confusion the plain-speaking evidences of some secret treason.

The effect of this disaster was, a great increase of vigilance in the indefatigable mind of Emmet. He now took up his abode wholly at the *depôt*, where he watched the progress of the work, relieving himself by study, and taking rest, as nature required, upon a mattress on the floor. A few sentences, from a paper written at this time, and found in the room, not only convey with the most impressive truth the character of the writer's mind, but throw no feeble gleam of exposure on the conduct of his plans. "I have little time to look to the thousand difficulties which stand between me and the completion of my wishes. That those difficulties will disappear, I have an ardent, and, I trust, rational hope. But, if it is not to be the case, I thank God for having gifted me with a sanguine disposition. To that disposition I run from reflection; and if my hopes are without foundation—if a precipice is opened under my feet, from which duty will not suffer me to run back,—I am grateful for that sanguine disposition which leads me to the brink, and throws me down, while my eyes are still raised to those visions of happiness which my fancy has formed in the air." How strongly the inexpressible enthusiasm of the fanatic is drawn in this language! how still more strikingly the rashness and precipitancy of spirit that hurries to ruin, and will not damp its energy, or fret its impatience, by the deliberations and precautions that are essential to the success that depends on minute and complex details! Such a man might be efficient on the edge of battle, and lead the torrent of a rushing charge; but Emmet was engaged in a nice and delicately-framed system of arrangements, dependent on the most circumspect attention to the conditions of time and place. Such a project was easy enough to plan; and Emmet, so far, was no way deficient in contrivance; but, in his calculations, many elements were omitted. Like all ardent projectors, he could not allow for casualty,—he could not forecast the accumulation, however small, of errors, fears, and vices which must have part in such a tissue of minds and instrumentalities. Emmet has left an authentic detail of his whole arrangements, written with a view to vindicate himself from the reproach of an abortive plan. We can here only use it for a brief summary; but it is impossible to give that document\* an attentive perusal without feeling the want in its author of practical common-sense.

\* It is published in the Appendix to the Life of Curran by his son.

The three principal points selected for attack were the Pigeon-house, the Castle, and the artillery barracks at Island-bridge. An arrangement for the surprise of Cork Street barracks was also planned. Certain points from which effective resistance was to be apprehended were also to be occupied. These were chiefly the old custom-house, Mary Street barracks, and the corner house of Capel Street, opening on Ormond quay. For all these points strong bodies of men were severally allotted,—generally from two to five hundred. Houses were secured by hire or otherwise, and magazines of the most formidable description designed. In some streets strong lines of defence were planned, either by chains and cross-beams, or by overturning the neighbouring stands of hackney coaches. A line of streets (being the issues from Beresford Street) was to be thus occupied, to compel the king's troops to move towards the castle in the line on which the rebel forces were to be concentrated for their reception. As the army might still take different directions at Merchant's quay, there were preparations for assault in different turnings. All these arrangements were to be mainly of the same description—cross chains, and beams loaded with explosive ingredients; bodies of men in the houses, with fire-arms and grenades, and in the streets with pikes.

When the time drew nigh, the materials were found wanting, partly from the blunders of subordinate agents, and partly from want of money. In consequence of this, Emmet gave up all the points of his plan but the castle, and the lines of defence.

For the attack of the castle, the men were to assemble at the dépôt in Patrick Street. A house near the gate was to be obtained. The first step was to consist in the entrance of two job coaches, loaded with armed men, who were to step out and seize the guards. Should this stratagem fail, persons were to be ready, in the next house, to come down by a scaling-ladder from a window over the guard-house; and a fire was to be at the same moment opened on the gate from three opposite windows. An arrangement was made, in the expected event, to send off the Lord-Lieutenant and government officers, with the bulk of the artillery, to the commanding officer in Wicklow, where the tragedy of Wexford Bridge might have been re-acted on a magnificent scale, in case it should be found necessary to retreat. It is, however, not essential to particularise the events that were intended;—the actual result will clearly show what might have been expected from success.

Three rockets were to denote the commencement of an attack; a rocket with stars, to announce victory; a silent one, repulse.

But the beams were left,—some unloaded, some without wheels; the fusees were unfinished; the jointed pikes blown up; and other omissions and misfortunes rendered every detail imperfect. The appointed bodies of men did not come in. Some parties came too soon, and went off in time to save themselves and others. In short, nothing was ready, and all was in utter confusion; and as the counties were supposed to be ready for simultaneous action, the day could not be postponed. "Had I another week, had I a thousand pounds, had I a thousand men, I would have feared nothing," was the significant apology of Emmet. To this unfortunate madman it is but justice to



add, that, when the moment approached, and he saw that failure must be the inevitable result, he made such efforts as he could to prevent the rising.

But numbers of Kildare men had actually come into town; and though Emmet had the courage to rush upon a sea of bloody contingencies, he possessed neither the sense nor firmness to arrest the impulse altogether. He made an effort far less efficient than he seems to have assumed it to be to prevent the rising of the counties; yet, while he states this fact in his apology, and endeavours to vindicate his conduct, it does not appear that it crossed his thoughts how rash and criminal, on every account, was his next and last step. Having actually relinquished the objects of his enterprise, and exerted himself to arrest its progress, it seems strange and unaccountable to find him leading out a small and desperate band to waste their violence on peaceful men. He could not, under the circumstances, dream of any effective success consistently with any pretension to be qualified for command, nor with any knowledge of the rabble at his heels, could he have failed to see what was to follow. Any drummer-boy could have predicted the following incidents; but the sanguine temper, so truly drawn by his own hand, worked to the last; and this is Emmet's true apology. He then had upon his mind an impulse and an impression, not much differing from the illusion of monomania, that *somehow or other*, all would go well.

On the appointed day, numerous small bodies of men had come in and collected at the assigned points of mustering. These were, for the most part, dispersed by reports which were long attributed to cowardice or treachery, but which, by Emmet's own account, may be inferred to have been set in motion by himself. The money, required for some indispensable necessities, had not been obtained until five in the evening; and by the absence of the store-keeper at that critical moment, as well as from the want of arrangement, the whole materials and equipments lay in inextricable confusion.

About nine in the evening, when, by the plan, 2000 men should have been armed and at their posts, about 200 only came together; and a few more scattered bands, at different lurking corners, waited securely to see what turn the matter would take. The appointed signal was given. A rocket was seen to ascend from Mass Lane, and a disorderly and unarmed mob rushed together to the dépôt. There, guns and pikes were liberally dispensed to all who came; and there can be little doubt that many of the mere city rabble, whom the noise drew together, were tempted to take the weapons thus lavishly given away.

Among the tumultuous and confused uproar of people, scrambling for pike and gun, Emmet stood conspicuous in an attire not quite unsuitable to the occasion—the green and gold of revolutionary France. Stafford, Quigly, and Dowdal, his staff-officers, were similarly attired.

The arming was soon completed, when Emmet drew his sword and gave the word, "Come on, boys!" and marched off at the head of a small party of not quite a hundred men. The last division of his followers, to the number of 400, were to join him in Thomas Street.

In Thomas Street, Emmet was destined to learn a lesson in the laws of insurrectionary war which the history of a few previous years

should have amply taught him. The rabble, whom he conducted, soon showed the only purpose for which they were fit. A carriage driving through the street was instantly surrounded, stopped, and torn open, and a cry went through the crowd that they had taken the Lord Kilwarden. It was answered with shouts for vengeance from every tongue. His lordship, whose character had been made popular by justice and the most signal humanity, thought that the sound of his name would have been a safeguard among the people. He was, alas! mistaken—he had miscalculated the temper of the rabble, and the passions of human nature in their direst phase; or, more truly, he was in total ignorance of the true nature of the infuriated disarray that crowded round. He was not kept long in suspense. Torn from his carriage, he was pierced with thirty pikes. He is said to have been pressed by the blood-thirsty avidity of the crowd against a door, and, while writhing with numerous wounds, to have cried out in his agony for a merciful and deadly thrust to end his tortures. The patriotic apologists for this and such deeds have attempted to extenuate its atrocity by a story which has no true application here. The point of it is, to transfer the blame from the crowd to the vindictive recollections of one man. But the whole circumstances, however told, repel such a solution, and render it unnecessary. It is rather beyond the charity of history to vindicate the fame of the perpetrators of a foul murder. The animosity of one man can neither explain nor extenuate the scene. The unfortunate Lord Kilwarden was accompanied by his daughter, and his nephew, the Rev. Mr Wolfe. The daughter attempted to intercede for her father, and offered money. The ignorance as well as the brutality of the crowd were displayed in the reply: they "were looking for liberty, not for plunder." She was pulled from the carriage, and ordered to take herself out of the way. Mr Wolfe thought to escape, but he was followed and put to death with pike-thrusts.

The time lost, and the notice attracted by these exploits, made it hopeless that they should succeed in an attempt to surprise the castle. To this main object of their meeting they were urged by their leaders; but the unfortunate Emmet must, at this painful and degrading moment, deeply and agonisingly have been awakened from his romance of patriotism to a true sense of the position into which he had so blindly rushed. His lofty dream of a band of patriots had terminated in a paltry rout of cut-throats—most probably the lowest dregs of the town—following the same old instinct of all such social insurrections, from the rising of Jack Cade to his own. The horrible exploit they had committed seemed to have roused their fury and self-confidence beyond the control of leaders. From killing the Chief-Justice, they naturally proceeded to break the prisons. They took the reins in their own hands, and marched off to the Marshalsea prison. Here they surrounded and slaughtered a corporal; but the guard, consisting of about eight soldiers, turned out in their own defence, and the rabble, with a cowardice worthy of the deed from which they came still reeking, gave way and retreated, leaving several rebels dead upon the street. After proceeding some distance, and an insignificant fray with the watch and some constables, they came into contact with a picquet of about fifty soldiers who were detached to meet them towards Thomas Street. On seeing



the military, the word was given to the pikemen to charge. The soldiers were ordered to fire; and, at the first volley, the rebels turned and fled with precipitation. This put an end to the affair: every one, leaders and men, turned to seek each his own safety as he might.

The leaders, Emmet and his friends, with a few more of their officers, took their road towards the Wicklow hills. At an early hour in the morning, they entered a farmer's house in Tallaght. They were in the highest spirits, and exhibited a levity of character little consistent with the disappointments of the night, or the horrors which had been perpetrated in their names, or even with the slaughter and capture of their wretched adherents. They played with their calamities with the heroism of *Sans Culottes*—not inaptly assumed the character of French generals—spoke gibberish to their entertainer—and evidently were happy at the risk they had escaped. How far the more ardent temper of Emmet was sustained by the same spirit, we have not the means to judge; we regret this, because we think that no moral trait should be lost of a story which ought to be so deeply instructive to Irishmen.

In the meantime, the depôt in Patrick Street was found by the waste of arms and ammunition which lay strewed before the house since the previous evening, when they had been tossed out of the stores to the mixed crowd. There were found 8,000 pikes, with upwards of 36,000 ball-cartridges, rockets, grenades, scaling-ladders, and all other such implements of attack and defence. Emmet's papers were discovered, among which was a proclamation to the citizens, announcing freedom, and the end of British oppression. Preparations enough were also found to give a brilliant and imposing exterior to success. Green flags and uniforms were found in such abundance as the scanty finances of the conspirators, and the prudence of tailors, would afford.

It was now the remaining object of those who cared for Emmet, either from private regard, or the hopes of "another day," that he should escape from the kingdom. Emmet's fate was crossed by another ungovernable impulse, which his wayward and ardent temper had received in the course of the preceding incidents. During his retirement at Rathfarnham, he had found free access to the home and hospitality of Curran, and contracted a strong and reciprocated attachment with his daughter, Miss Sarah Curran. Such a proceeding, it must be admitted, was inconsistent with discretion and honour. It was clandestine, and under circumstances which should, on the part of Emmet, have suspended the prosecution even of an open and avowed affection. But it is the excuse of the lady, that she was young; of Emmet, that he was too sanguine to be considerate. She only saw the splendid mind, ennobled by aspirations, of the value of which she had no just conception; he looked forward only to success, which would repair the fault of a momentary deception. They stood, in the thoughtlessness of their young and inexperienced breasts, over an abyss of woes;—for her, broken-hearted agony, and a life of sorrow; for him, remorse and a violent end, unredeemed by any circumstance to adorn his memory.

While his friends were at work to secure his retreat, he could not resist the impulse to seek a last farewell. For this he returned to

lodgings which he had for some time previously occupied, in Harold's Cross. There, in August, he was taken by Major Sirr. Thus, a prisoner, his fate was fixed. There were in his case no alleviating circumstances. The rebellion, which he had made such exertions to excite, did not, like the former, grow out of any train of long accumulating causes—it was no operation of the madness of the time—it was the effort of a few individuals to renew and prolong the crimes and sufferings of a people exhausted and subdued in civil war. Its very failure was due to the apathy and prudence, the fear, and rueful experience of the country. The leaders, few and unsupported, were as children striving to keep up a play, when their seniors have grown tired of it. But it was a game for lives. There was no plea for Emmet but the deep spirit of Quixotism, which was interwoven with the bright and powerful qualities of his head and heart. He was a man who would have stood calm on the last fragment of Ireland, in the wreck of a dissolving world—whose passions and virtues did in nowise belong to the region of low-born realities in which he was lost. For him there was no redeeming angel in the furnace:\* his fate must be lamented, but it cannot be condemned.

On the particulars of his trial and death it is not necessary to dwell. His defence of himself is spoken of as a model of eloquence unsurpassed. It is impossible not to quote the concluding passage from the short speech he pronounced upon being found guilty:—"I have but one request to make, at my departure from this world—it is the charity of its silence. Let no man write my epitaph; for as no man, who knows my motives, dare now to vindicate them, let not prejudice or ignorance asperse them. Let them rest in obscurity and peace! Let my memory be left in oblivion, and my tomb remain uninscribed, until other times, and other men, can do justice to my character; when my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written. I have done." There is a tradition, which is of doubtful truth, of a singular proof of indifference to the terrors of the scaffold† But there are some deeply affecting circumstances, which can only be recited and heard with pain, and on which we should not wish to dwell, but that a kind of justice forbids the omission of anything that can relieve the narration of so unfortunate a career. In the last hours of his life, Emmet evinced a high indifference to self, and an earnest and fervent care for the object of his latest affections, such as would have graced a nobler end. Nor is the anxious effort he made in that fearful moment, for the vindication of an imaginary honour, less indicative of a noble strain of character.

\* The reader may recollect the affecting lines of Mr Moore:—

"Thou hast called me thine angel in moments of bliss;  
Still thine angel I'll be, in the horrors of this;  
Through the furnace unshrinking, thy steps to pursue,  
And shield thee, and save thee, or perish there too."

† When his head was severed from the body, the blood is said to have flowed from it freely, shewing that it had not with impulse of fear retreated to the heart. The face was placid with a sublime expression as the executioner paraded it before the people as the head of a traitor. It is said that the dogs lapped up his blood. When they were noticed and driven away, some people hastily dipped their handkerchiefs in it to preserve them as relics of Emmet.



When Robert Emmet was committed to prison, he called aside the jailer, and gave him all the money he had about his person, and entrusted him with a letter for Miss Curran, requesting its safe delivery. The jailer, as his duty prescribed, gave it to the attorney-general. Emmet ascertained the circumstance, and he immediately sent to the authorities to offer, that, if they sent the letter according to its address, he would plead guilty, and go to execution without a word; that otherwise, he would address the people. Of course, such a compromise could not be accepted.

Of the fate of Emmet's accomplices, it remains to say a word. Russel might, according to every account, have escaped. On learning the arrest of Emmet, he came to town, in the hope of rescuing him by some means. It is said that to the last moment Emmet thought the rescue of which he had received an intimation, might still take place. Russel was arrested by the active vigilance of Major Sirr. On his trial, he displayed the firmness and enthusiasm of his character. He vindicated his designs on a ground somewhat distinct from the principles of Emmet and other persons similarly engaged. He appears to have been strongly impressed with some fanatic notions, derived from his own interpretations of the Apocalypse, and to have looked forward to the event of revolution as part of the plan of Providence. He requested, on his trial, three days for the completion of a work on the subject. He was condemned and executed in Downpatrick. The same fate was shared by Drake and Currey, two of his accomplices. The rest were afterwards pardoned.

As we have frequently had occasion to make mention of Mr Russel, it may be worth mentioning, that he was the son of a respectable gentleman, an officer in the army, and afterwards master of the Royal Hospital at Kilmainham. He was himself early in the army, and served at Bunker's-hill. After the American war, he was placed upon half-pay, and became the friend and colleague of Tone. His leisure was for a time occupied in theological studies, for which his previous education had not prepared him. With a sanguine and gloomy turn of mind, he became a fanatic. Without judgment, knowledge, or any talent but that of language—a fluency the more prompt, because unconstrained by reason,—he naturally found his level in the councils of the ignorant enthusiasts who then gave their main impulse to the popular passions.

There was, among the persons whose names or deeds demand no separate memorial, engaged in these disturbances, a man of the name of Dwyer, who, at the head of a small but desperate gang of outlaws, had remained in arms, in the county of Wicklow, from the previous rebellion. This person was supposed to possess an entire influence over the peasantry in that country: and overtures were made to him by the party of Emmet. He is said to have replied, that "he would not commit his brave men on the faith or good conduct of the rabble of Dublin: if, however, they could gain any advantage, or that he should see the green flag flying over the castle, he would be at hand to aid them.

## ARTHUR WOLFE, LORD VISCOUNT KILWARDEN.

BORN A.D. 1739.—DIED A.D. 1803.

ARTHUR WOLFE was the eldest son of Mr John Wolfe of Forenaghts, in the county of Kildare. He received his education in the university of Dublin; and having been called to the bar, soon rose to eminence in his profession. In 1787 he was appointed solicitor-general—attorney-general in 1789. As first law-officer of the crown in Ireland, he was not less distinguished for his ability than for the humanity which obtained for him a well-merited and honourable popularity, won without any compromise of right or justice, and by no prostration of his abilities to the vices and follies of the multitude. Of this, many incidental proofs are recorded. In 1798, he was raised to the dignity of chief justice of the King's Bench; and, in the same year, created Lord Kilwarden of Newlands, in the county Dublin. In 1800, he was advanced to the peerage, as viscount Kilwarden of Kilwarden. In the next year, he was appointed vice-chancellor of the university of Dublin. The memory of Lord Kilwarden obtains its chief claim on our historical recollection by the event and the circumstances of his death, reflecting the highest honour on him, as it would dishonour—if they were not below the level of dishonour itself—on the wretched miscreants by whom he was murdered.

His lordship had been, since the former rebellion, known to entertain lively fears of assassination. When attorney-general, the mildest discharge of his duty had raised enmities against his person, which the duties of chief judge in a criminal court were not likely to diminish; and so much alive were his apprehensions, that, up to the last year of his life, from ninety-eight, he had continued to pass his nights in town, from the fear of some attack beyond its limits. His country-house was about four miles from Dublin, on the side from which the rebels were crowding in, on the 23d of July, 1803, from Kildare; and towards evening the family were terrified by a succession of alarming rumours. Either the accustomed fear returned to Lord Kilwarden's mind, or, as some have supposed, he was to attend a privy council; but he set out at a late hour of the evening for town, in a post-chaise, with his daughter and nephew, the Rev. Mr Wolfe.

They passed, without interruption or alarm, along the solitary roads towards the Kilmainham side of Dublin. On reaching town, he resolved on entering at the nearest point, from the impression that all danger of interruption would cease on gaining the more populous and public streets: hence, instead of entering by the barracks, he ordered his driver to pass through St James Street and Thomas Street, which were at the moment in the actual occupation of the rebels. It was ten o'clock, and, it is said, more than usually dark, as the carriage entered Thomas Street, about two hours after sunset. The rebels had at the time wholly thrown off all control, and were heated by several casualties, in which they had committed some unprovoked assassinations. The carriage was stopped within twenty yards of the entrance to

Thomas Street, and the party within dragged out. His Lordship's cries for mercy were disregarded; and a violent contention took place among the murderers, for the savage gratification of wounding him. One gentleman who was present was slain, in attempting to save him. His nephew was slain in an effort to escape, as has been conjectured, from his being found twenty yards further on. Miss Wolfe, allowed to escape, made her way to the castle; where she arrived, in a state bordering on frenzy, with the dreadful story.

It was at this time that, the alarm having been fully spread, some small parties of soldiers were collected, and brought forward to check the further movements of those misguided ruffians. They were in consequence suddenly alarmed, and compelled by their terrors to decamp. Some persons who had been terrified witnesses of the scene, among whom was at least one servant of his lordship, ventured to approach the bloody spot. They found him frightfully mangled, but yet breathing, and conveyed him to the nearest watch-house, in which, stretched on such a bed as the place afforded, he lived in pain for half-an-hour. While he lay contending with his mortal agony, and in this lonely and forsaken condition, a person who stood near him, roused to indignation by his pitiable state, exclaimed that he "hoped the assassins would be executed next day!" The truly noble reply of Lord Kilwarden was, "Murder must be punished; but let no man suffer for my death, but on a fair trial, and by the laws of his country"—words which, as Lord Avonmore truly said, "ought to be engraven on his tombstone in letters of gold, and which deserve to be transmitted to posterity as the motto of the family to which he was so great an honour, and so bright an ornament."

DR PATRICK DUIGENAN.

BORN A.D. 1735.—DIED A.D. 1816.

DR PATRICK DUIGENAN is said to have been the son of a peasant of the county of Leitrim. His parents are represented to have belonged to the Roman Church. His conversion, according to the same account, was due to a Protestant clergyman, who kept a school, and had observed his early signs of superior intellectual power. From the school of this gentleman he entered the university of Dublin, where he obtained a scholarship, and, in course of time, a fellowship. He took one of the two lay fellowships allowed by the regulations, and was called to the bar.

When Mr Hutchinson was appointed provost, Duigenan took an active and leading part in the manifestation of that discontent which was the general and just sense of the university on an appointment so inappropriate. Dr Duigenan displayed his strong but coarse satirical powers in a series of squibs and pamphlets; was challenged, and took the field with a loaded blunderbuss; which so astonished and alarmed the opposite party, as to put a quiet end to the encounter.

In 1785 he was appointed king's advocate, and judge of the pre-



rogative court; and in 1790 he was elected member of the Irish parliament.

In parliament he was distinguished for bitter animosity to the Church of his birth. This may be accounted for on grounds of public policy, as his having married a Roman Catholic lady, and kept a Roman chaplain for her in the house, tends to show personal liberality.

There is no doubt that his political conduct, both as a writer and as a speaker, was marked by a disregard of the forms of courtesy preserved by others. He did not wield the keen and polished scalping-knife of Grattan; nor could he, like Curran, sport in glancing discharges of wit. The doctor's mind was not more powerful to apprehend, than it was simple and earnest in the vindication of political opinions.

Dr Duigenan was no orator, but he was the next thing,—a speaker in earnest. He had much learning, sagacity, and experience. His principal effort in the Irish parliament was against Maynooth. He was fierce in his attacks on Grattan, and shared Lord Clare's unpopularity. Other men, less strenuous and less consistent, have had some admissions in their favour; and for others, their friendships have secured at least some partial courtesy. But Dr Duigenan's life and memory consist in a fierce and stout opposition to the popular parties in Ireland; and his name has passed into a by-word of reproach.

One of his most remarkable efforts as a debater was on the occasion of a bill proposed in the Irish parliament by secretary Hobart, February 1793, for the relief of the Roman Catholics. "He adopted that method which is still employed by some politicians, of exhuming all the immoral sentiments of the schoolmen, the Jesuit casuists, and the mediæval councils, and parading them constantly before the parliament and before the country. Against this system Grattan energetically protested. 'No religion,' he said in one of his speeches, 'can stand, if men, without regard to their God, and regard only to controversy, shall rake out of the rubbish of antiquity the obsolete and quaint follies of the sectarians, and affront the majesty of the Almighty with the impudent catalogue of their devices; and it is a strong argument against the proscriptive system that it helps to continue this shocking contest: theologian against theologian, polemic against polemic, until the two madmen defame their common parent, and expose their common religion.'"<sup>\*</sup> Dr Duigenan on this occasion disclaimed any personal hatred to the Roman Catholics, and gave his private relations as a proof. We may mention that the lady he married as a widow was the object of an early unsuccessful attachment. The writer just quoted ill-naturedly suggests that this marriage, instead of proving the Doctor's freedom from prejudice, may, on the other hand, have been the cause of his embittered feelings. The most remarkable feature of Dr Duigenan's career, next to his deadly opposition to the Roman Catholic religion, was his warm advocacy of the Union.

He rose to the stations for which he was, by his talents and attainments, highly qualified. He died in 1816, at which time he was a member of the privy council; judge of the prerogative court; vicar-

<sup>\*</sup> Lecky.



general of Armagh, Meath, and Elphin; king's advocate-general of the high-court of admiralty. He was also professor of civil law in the university.

He was a man of strong intellectual powers, and exceeded by none of the many able men of his day in those practical applications of reason which are called common sense, and which, as the word is generally, though wrongly, taken, deserves a better name. He was not possessed of genius, or of the lesser endowments which are considered as genius. He was not an orator, and had little command of the artifices of persuasion or sophistry, or of the flowers and graces which captivate the hearer's fancy. These endowments he did not possess, or much appreciate. He had a coarse mind, impelled by a sanguine temperament; and treated the arguments of his antagonists with scorn, without being even aware that he wounded their pride, and offended the taste of his hearers. But he was a man of the kindest nature, and we have no right to question his own assertion, that he was not actuated by any personal malevolence in his opposition to the Roman Catholics.

RIGHT HON. GEORGE PONSONBY.

BORN A.D. 1755.—DIED A.D. 1817.

GEORGE PONSONBY belonged to a family that, in Grattan's phrase, had "reigned in Ireland," rivalling in political power and influence the sept of the Beresfords. His father, Sir John Ponsonby, was a son of the first earl of Besborough, and Speaker of the Irish house of Commons; he resigned in 1771 rather than present the servile address to Lord Townshend, complimenting him on his corrupt administration. George, third son of the Speaker, was educated at Cambridge, and called to the Irish bar. Two years after, although very idle and much fonder of fox-hunting and politics than the drudgery of the courts, where he did not often appear, he was called to the inner bar by the Duke of Portland, who also gave him the appointment, worth £1200 a year, of first counsel to the excise. The Marquis of Buckingham, however, superseded him in this office by a member of the rival family, Mr Marcus Beresford, and from this time he went into opposition, and became a hardworking lawyer, in a short time rising into a great practice. It is a proof that he was a really first-rate lawyer that, notwithstanding their bitter opposition in politics, Lord Clare, when he was raised to the woolsack, gave Ponsonby his brief bag. In parliament his admirable speaking shone brightly from the high position he occupied as representative of the Ponsonbys, and he was an able and active ally of the popular party. He was generally a gentle drag on the wheel of his party, more moderate than most of those with whom he acted. When Mr Grattan was about to move his address in 1779, Ponsonby joined with Yelverton and others to dissuade him from such a decided line, and induced him to be satisfied with the ambiguous language of the address itself. Failing to move Grattan from his

resolve, he supported his amendment in its modified form. In 1782 he accepted the post of chancellor of the exchequer under the Whigs, but lost his office in the following year, when the king drove Fox from office, and made Pitt minister in spite of the House of Commons. Mr Ponsonby, from 1783 to the end of the Irish parliament, acted with the opposition.

In 1790, as counsel with Curran, he supported the claims of the Common Council against the Court of Aldermen, and received the thanks of the citizens for his able conduct of their case. In '98 he threw the responsibility of the rebellion on the minister who, by his bad government, had forced the people into a rising; and, in 1799, he was one of the foremost defenders of the constitution against the combined assault of the corruption and the power of Government. His speeches, particularly his attack on Castlereagh, were very effective. After the Union, he was elected member for Wicklow; and, in the Imperial Parliament, not only upheld, but increased the reputation that he had won in that of his country. His powerful connexion in England added to the natural weight of his abilities. In 1806, on the death of Pitt, he joined the new ministry as Lord Chancellor of Ireland. In 1807, he retired on a pension of £4000 a year. He then resumed his place in parliament as member for Tavistock, and was made leader of the opposition on Lord Grey refusing the post. Mr Ponsonby took a leading part on the Roman Catholic question; and in 1808 received the communication from Dr Milner on the subject of the veto, which gave rise to so much controversy. In 1810, he made a most able constitutional speech on the regency; and, had not the split taken place in the party, was to have been one of the principal secretaries of state in Lord Grenville's projected government. In 1813, Mr Ponsonby, jointly with Mr Grattan, brought in the Emancipation Bill that was so near passing, but lost—and the ultimate success of the cause delayed for sixteen years—by the folly of the Roman Catholic Board. The principal clause of the bill being negatived, it was withdrawn by Mr Ponsonby. In 1817 the severe labours of parliamentary life, and the long sittings which he was obliged to attend, as manager of his party, in the heated atmosphere of the House of Commons, and under the constant strain of political excitement and anxiety, broke down a constitution naturally strong. He was an ardent sportsman, and accustomed to constant outdoor occupation; and this sedentary life brought on apoplexy, of which he died in his sixty-second year, leaving an unblemished reputation and a great gap in the ranks of his party. The Roman Catholic cause suffered greatly by his loss. He was not, like Burke or Grattan, a man of genius; and yet, while alive, he occupied a higher position than either, and, in a question of choice, would have been preferred before them. But the great test of desert is in the lasting quality of fame—the really great man is often despised in life, but his name lives; his fame increases, instead of diminishing, as time goes on, and, like a star, it grows brighter in proportion as the past becomes obscure. This may not be said of Mr Ponsonby. He was a distinguished specimen of well-cultivated, well-bred, judiciously-employed cleverness, rendered illustrious by being bound up with the peerage and the landed gentry.



## SIR HERCULES LANGRISHE, BART.

DIED A.D. 1811.

IF we were to distribute our space in strict proportion to the intrinsic merits of the subject, not many of his eminent contemporaries might claim a fuller memoir than Sir Hercules Langrishe. During forty years, he represented the borough of Knocktopher in the Irish parliament, in which he sustained, throughout, a high character among the small knot of talented men with whom he was numbered. The few of his speeches which have survived, though spoiled and mutilated in the imperfect reports of that period, display the mind and powers of an orator of a high rank. He was a Whig in politics, and strove, according to the views entertained by his party, for the improvement and elevation of the country.

It would be a needless repetition to enter upon the numerous questions in which his talent and patriotism were signalised. He was not less respectable as a country gentleman, than distinguished as a public man. Having been for a considerable period resident in the vicinity of which he had been a conspicuous ornament—though long after his time,—we have personally been enabled to observe the recollections of affection and respect which have long outlived their object. His refined and classic wit—his social virtues—the happy and graceful facility of his pen—were remembered and praised by those who could well appreciate the better as well as the more brilliant qualifications of such a man. Some specimens of his poetry have been preserved, and may be seen in Grattan's Life, by his son. They display wit, character, and spirit.

Sir Hercules belonged to a day, and was one of the ornaments of a circle, which, for good or evil—its lustre or its darkness—the world is not likely soon to see again. It would scarcely be possible since Irish society has become a portion of English, and ceased to be a perfect system in itself, that so many persons, brilliantly endowed and so rich in the excellencies which give a charm to private life, should fall so closely into the same circle. The subject of this brief memoir; the late chief-justice Bushe, Grattan, Richard Power, whose mind, the seat of all refinement, obtained for him the appellation of "The Classic;" Sir John Power, whose fortune placed him in the centre of the circle, and whose head and heart adorned his prosperity, and would have dignified any condition; with many talented and worthy persons, not to be named, because their names belong to private life alone—were the individual components of a brilliant society, often brought together by the hospitality of Kilfane. In Kilfane, or at Knocktopher or Flood-hall, were frequently assembled, from every quarter, the grace, wit, poetry, and talent of Ireland, in her proudest day of talented men; and all that can charm and wing the hour—in itself too swift—combined to elevate and adorn the social scene. Happy, if such scenes were not as transitory as rare! and fortunate, if they over whom they breathe the fairest illusions of a world in which all is largely mixed with illusion,



are not lulled into forgetfulness of the realities which surround them and await them!

Sir Hercules was created a baronet in 1777. He was the first who endeavoured to obtain the relaxation of the penal statutes against the Roman Catholics, in 1792 and 1793.

He took a conspicuous part in the debate, in May 1782, on the duke of Portland's address; and in 1783, on Mr Flood's motion for reform. To reform, he was a consistent and steady opponent; and we think upon grounds justly applicable at the time.

Sir Hercules died in 1811.

## SIR PHILIP FRANCIS.

BORN A.D. 1740.—DIED A.D. 1818.

THE circumstance of this celebrated man having been born in Dublin and spending his childhood there, until in his tenth year he was sent to an English school, was all, besides his wit, that connected him with the country of his birth. In his sixteenth year he obtained a clerkship in one of the Government offices, where, by the influence of the elder Pitt, he obtained speedy advancement. In 1772, in consequence of a misunderstanding with Lord Barrington, he threw up the appointment he then held in the War Office, but after a brief interval devoted to travelling on the Continent, he was appointed one of the members of Council in the Government of India. His collisions with the Governor-General, Warren Hastings, whilst holding that position are more matters of history than of biography, and we can only here advert to the result, the duel in which Francis was severely wounded, and the resignation of his seat on the council, which was worth £10,000 a year. Upon his return to England, however, he had ample revenge in the impeachment of Hastings—of which he was the chief promoter—supplying information, and acting, in fact, the part of solicitor to the great case. It was proposed to put him on the committee by which it was to be conducted, but this the justice of the House of Commons refused, owing to his well-known personal enmity to Hastings. On the occasion of this proposal Francis himself made a speech of great power, remarkable for the characteristic combination of refinement, simplicity, energy, and point, which subjected him to the flattering imputation of being the author of "Junius's Letters." The arguments for this may be briefly summed: the similarity of style was too close to be accidental, many phrases, figures, and sentences being identical, or nearly so, in both; the character of Francis coincided with that displayed in the letters, the publication of which corresponded with his presences and absences. The only object of Junius's unqualified praise is Chatham, Francis's early patron, and the object of most unqualified abuse, descending to a level to which the Letters in no other instance sink, is a Mr Chamier, who was the man appointed to succeed him in his post of secretary at the War Office. There was also a minute knowledge of the events which occurred in the War Office, and in the office of Secretary of State, and the chief per-

sons connected with both during the time that Francis was employed in them. To all this, it may be added, that Sir Philip Francis was known to be the most prompt and able pamphleteer and newspaper letter-writer of his day; and that his hand-writing has been since compared with originals of Junius's letters preserved by Woodfall, and the similarity is most undoubted. The only argument on the other hand, is that their authorship was denied by Francis; but as it was undoubtedly denied by the real author, whoever he may have been, and it was quite consistent with the code of anonymous writing to deny it, and the suspicion was one calculated to be most injurious to a man in such a position and moving in high circles, though it might be earnestly coveted by inferior scribes, we cannot give any weight to this argument, except what the anxious deprecation of Francis's denial throws into the affirmative scale.

Sir Philip Francis was among the first projectors of the Reform Association, called the Friends of the People; his own disposition placed him by nature among the enemies of their rulers. It is said that he was once upon the point of being sent out as Governor-General of India, and the appointment would have been a curious experiment. In 1806, he was made a knight of the order of the Bath. The main subject of his parliamentary speeches was India; and in 1814, he retired from public life, disgusted at the little impression which the keenness of tongue and pen could produce against great wrongs. "My spirits are exhausted, and my mind subdued by a long, unthankful, and most invidious application to one pursuit, in which I have never been able to do any good." Such was his own verdict upon his efforts when seeking the repose of private life at the age of seventy-four, after thirty years of public contention. Francis lived four years to enjoy this well-earned repose; he died in 1818.

RICHARD BRINSLEY SHERIDAN.

BORN A.D. 1751.—DIED A.D. 1816.

THE history of the Sheridans would be a history of the social state of their times. Both the grandfather and father of the subject of our memoir were distinguished for their talents and attainments. The latter of the two was eminent as an actor, and married Miss Chamberlain, the writer of the well-known tale of *Nourjahad*, and other popular works.

Of this marriage, Richard Brinsley Sheridan was born in Dublin in 1751. In his seventh year he was sent to Whyte's school in Grafton Street. Here he was only permitted to remain for one year, at the end of which he was, with his brother Charles, removed to Harrow. At that eminent school, Dr Robert Sumner was then master, and Parr an under-master. It is said that these able scholars quickly discovered the early indications of talent in Sheridan, and exerted themselves to improve it. They found in him an aptness to learn, in a great degree neutralised by the idleness of an over-vivacious temper. He was a universal favourite among his school-fellows. He was mischievous and

full of pranks; but this disposition was qualified with so much wit and good humour, that he contrived to conciliate his masters into something very like connivance. The indulgence of his idleness was a great misfortune, as it prevented that steady application to learning which would have made him, with natural gifts of the first order, a great power in the politics of his time, instead of merely floating upon their surface without weight, and therefore without stability. Thus, also, a strong and craving vanity was early nursed, and became too prominently the spring and guide of his conduct, often leading him into degrading associations, and always giving a tinge to his character, which in some way seems to lower his most honourable actions. Anxious for admiration, and no less sedulous to maintain the reputation of a gifted idler, he gradually fell into a habit of secret study; and, by unobserved efforts, he made himself master of the principal authors read in schools. It is important to fix this feature of his character on the reader's mind, as one of the leading clues to much that is peculiar in his after-life. "To seem in all things superior to effort—to preserve the dignity of seeming indifference—to conceal failure, and magnify success,"\* are indeed common dispositions; and with these the heart that has been taught to live on the smiles of the world will become at last identified.

Sheridan continued at Harrow until he had attained his eighteenth year, when he was removed to his father's house in London. His father contributed greatly to his education, and perfected him in grammar and oratory. The removal of his family to Bath seems to have placed his genius in its more appropriate soil. His fine perceptions, and his disposition to satire, found ample food, in a place where the infirmities of human character flourish with their fullest luxuriance, and where, as in all such resorts of invalided fashion, sarcasm and scandal make their favourite abode. Here he studied human life with the eye of a wit, and drew that knowledge of manners, and of human weaknesses and vices, which constitutes his genuine claim to the immortality of literature.

The removal to Bath took place in 1770. His father's connection with the stage brought the family into an immediate intimacy with that of Mr Linley, the celebrated musical composer. With his daughter, herself eminent as a vocalist of the first order, young Sheridan fell in love. Miss Linley was no less celebrated for her talents than for her beauty; and he had numerous rivals. She was the rage of the hour: the young men of the city were fired with admiration; and among Sheridan's rivals were many of his own friends. He courted his mistress, as he studied, in jealous secrecy; and while many preferred their suits, and were rejected, he alone passed without suspicion. No romance is more deeply diversified with crosses and constancy, than the history of Sheridan's courtship. We must here be content to select some incidents, too prominent to be wholly passed without note. Miss Linley had been proposed for by a Mr Long, a gentleman considered to have £200,000. He was accepted by her father; but was privately applied to by herself, with an entreaty that he would withdraw his suit. With a rare generosity, Mr Long not only complied, but took upon himself

\* Dublin University Magazine, April, 1837.



the responsibility of breaking off the match. Mr Linley took legal proceedings, and was indemnified with £3000.

Among the numerous incidents belonging to this portion of our memoir, there was one attended by very serious consequences. Among the admirers of Miss Linley was a Mr Matthews, a married man, who was intimate with her family; and who, presuming on her profession, began to persecute her with attentions which could only be received as insults. Repelled in these odious advances, he had recourse to menace; and she felt herself compelled to disclose the circumstances to her lover. His feelings need not be explained. He immediately proceeded to expostulate with Matthews; but his remonstrances had no effect. Terrified by such ruffianly and degrading importunities, and disgusted with a profession which exposed her to them, Miss Linley came to the resolution of flight. Sheridan, who it may be assumed was her adviser, borrowed the necessary means from his sister, and accompanied her. Her plan was to take refuge in a French convent. Of the achievement of this exploit we only state the main outline. The time was taken, when the family were engaged at a concert; and with a proper female companion, the fugitives made their way to London. There it naturally occurred that the only remedy for the dangers attendant upon such a step was an immediate marriage; and they were married accordingly.

The romance was not to terminate with the wedding. The mortified pride of Matthews could not acquiesce in being so frustrated by a rival whom perhaps he had too readily despised. He satisfied his angry feelings by calumnies and misrepresentations, some of which appeared in the Bath Chronicle. These found their way to Sheridan, who wrote threatening vengeance; and he shortly returned, with that purpose, to London. He found his way at a late hour of the night to the lodging of Matthews, and was for a long time detained at the door, on pretence that the key could not be found. When this artifice failed, he was at length admitted. Matthews met his remonstrances with an altered tone, and endeavoured to appease him. With this view, he had recourse to lies: he told him that the reports of which he complained were circulated by his own brother Charles, in Bath. Sheridan at once went off to Bath, saw his brother, and ascertained the falsehood of the assertion. Both brothers returned to London, and Sheridan immediately challenged Matthews, who showed no very keen appetite for cold steel, and many delays and changes of place took place on this meeting. At last they engaged with swords, in the Castle Tavern, Henrietta Street. They were not long confronted, when Sheridan contrived to strike his antagonist's sword aside, and running in, caught his sword-arm by the wrist. Matthews asked his life, and, after some efforts at evasion, was compelled to retract his calumnious statements in a writing which was inserted in the Bath Chronicle.

Matthews withdrew from the painful notoriety which attended this defeat, and attempted to shroud his wounded reputation in the retirement of his Welsh estate. He was, however, assailed by the condolences of some "damned good-natured friend," who soon convinced him that he might as well meet the sword of his enemy as the tongues of his neighbours. How long, or by what process of persuasion and

mortified rumination, the courage of Matthews was roused from its torpor, we are not enabled to state. His valour was screwed, we presume, "to the sticking point;" and he set off with his friend, once more to seek and brave the trial of cold iron. The parties again met, but with a different result. Unfortunately, Sheridan thought to conclude the affair as on the former occasion, by a *coup de main*, and rushed upon his antagonist, laying himself quite open. He was received on his adversary's point, and severely wounded. The sword coming against one of Sheridan's ribs, was broken; and the parties closed and fell, Matthews being uppermost. On the ground, a most brutal strife followed, at which the seconds appear to have looked on with blameable remissness. Matthews, after several attempts to wound his antagonist with his broken sword, recovered the point, with which he wounded him in the belly. He received a similar wound from Sheridan, whose sword was also broken. His second now called out, "My dear Sheridan, beg your life!" This advice was also repeated by the other second; for this seems to have been the etiquette of such encounters. "No, by G—, I won't!" was the reply. They now resolved to interfere; and the parties were, with their own consent, disarmed, and withdrawn from the scene.

The result was, that a strong suspicion of the fact of their marriage was raised; and Sheridan's father, still hoping to guard against such an event, sent him for a time upon a visit to some friends in Essex. The youthful pair continued to guard their secret, as, both parties being under age, they feared the marriage might be dissolved. Sheridan remained in this afflicting separation, of which the suffering was greatly augmented by the natural jealousy of his temper; and his painful apprehensions were increased by consideration of the peculiarly exposed condition of his wife.

After long and wearying endurance, and some stolen interviews, Mr Linley became convinced of the uselessness of any effort to separate them, and at last consented to their marriage. A second and more formal celebration accordingly took place, in the spring of 1773. The first step taken by Sheridan was, to refuse his consent to an engagement which had been made for his wife as a public singer. They retired to a cottage at East Burnham, from which they removed in winter to London. There Sheridan's wit and reputation for talent were set off by his adventures, and by the accomplishments and pleasing manners of his wife; and they were received into the best society. Sheridan now commenced his brilliant career as a dramatist. In the summer of 1774, he had finished his well-known comedy of "The Rivals," in which he seems to have taken some hints from his recent adventures with Matthews. The first reception of this comedy was not proportioned to the character it afterwards attained, and still bears. It came forth with the errors of inexperience about it, and, among other defects, had that least of all likely to pass the trial of an audience: it took four hours in acting—a test which few, if any, plays ever written would be likely to escape without some show of impatience. It was coldly received; but the prompt sagacity of the author took the hint, and, before the next representation, it was trimmed into more current form and dimension. It was then received with the favour due to its character-

istic power, and took its place as a stockpiece among the most popular plays in the language. Lydia Languish, Mrs Malaprop, and Bob Acres, will be national celebrities while our literature lasts: they have acquired an immortality which the dramatist only can confer upon his creations.

At this period, Sheridan was anxious to make his way into political life. He commenced by writing a reply to Dr Johnson's pamphlet, "Taxation no Tyranny." His indolence, in an effort for which he had naturally no vocation, was perhaps the cause of his not having completed it. The fragments published by his biographer do not display much of the talent required to combat such an antagonist on such a subject. It was with Johnson as a proposer that Sheridan became, not long after, a member of the celebrated Literary Club: he was proposed with the observation that "he who had written the two best comedies of his age, is surely a considerable man." This occurred in 1777.

Although he did not permit Mrs Sheridan to appear on the public stage, yet his circumstances were not such as altogether to dispense with the profitable employment of her singular talents. This was rendered the more necessary by the extravagant habits of life into which he was led by his social tastes and accomplishments. Private concerts were had recourse to, and in some measure assisted to supply the wants of their profuse living. Their house became for a time one of the gay centres of fashion; and if income was obtained from various sources, it went out something faster than it came in. But it was the season of youth, hope, power, high friends, and splendid attractions.

It is indeed a curious, but melancholy consideration, that now, even in the heyday of his life, when the path to fortune and the attractions of the world, in their brightest form and hue, seemed opening before him, and all was enjoyment of the present, and gay hope for the future, the causes of ruin had already sprung up around him, and were slowly, yet surely, preparing a future day of gloom and desertion. There is a strong and feeling contrast between the pecuniary embarrassment which was entangling him, and the festal abandonment of his home, and the brilliant increase of his fame. Those hours which were not engrossed by the serious game of politics, were devoted to mirth and frolic. Besides the social and convivial wit for which he is remembered, he was equally addicted to, and successful in, practical jokes; and of this many curious stories have been preserved by Moore and other biographers. By Moore we are told, that "he delighted in all sorts of dramatic tricks and disguises; and the lively parties with which his country-house was always filled, were kept in momentary expectation of some new device for their mystification or amusement."

"The Duenna" appeared on the 21st of November, 1775, at Covent-garden, and it ran for ninety-five nights. The merits of this celebrated opera are so generally known, that it would be superfluous to offer any criticism upon it. In the same year, Sheridan entered into a treaty with Garrick for Drury Lane theatre. Garrick was about to retire into private life, having realised an ample fortune. They had become acquainted at the table of Reynolds, and were soon, as they should have been, warm friends. Garrick seems to have thought that Sheridan's dramatic genius would give new life and success to the theatre, which



he for some years had found difficult to manage. Ten thousand pounds was to be paid by Sheridan. The sum was advanced by two of his friends, who were secured by mortgages upon his share in the concern. Mr Linley joined to the same amount, and Dr Fordyce to the amount of £15,000. The rest of the estate continued with Garrick's partner.

Sheridan was, as he said, resolved upon success; and he argued that because of this laudable resolution, success must be a consequence. Such a consequence must depend on means and causes, which are too often forgotten in the computation. Yet Sheridan had strong grounds for confidence: he possessed within himself a rich mine of wit and dramatic invention; and had not indolence, the thirst for dissipation, and the ill-regulated ambition which drew him into the field of politics, interfered to relax and counteract the bent of his mind, and divert his talents from their proper aim, we should be inclined to think that his expectations would have been realised. But in addition to these disqualifying tendencies, he was utterly without that commercial prudence, attention, and calculation, without which the most prosperous concerns will come to ruin. He had not a due sense of economy, or any apprehension of the real effects of debt. He spent profusely what he had, and what he had not, and seldom looked beyond the success or the triumph of the hour.

His first effort, the alteration of Vanburgh's comedy of "The Relapse," disappointed his friends, and was a failure; the "School for Scandal," however, appeared in May 1777, and made amends. For years, this distinguished piece eclipsed all other dramatic productions. It still holds its place at the head of the comic drama. Many things have been written or said, tending to diminish this praise. The pains it cost the author have been noticed; its moral has been assailed; and the very authorship questioned. On the latter of these points, we do not consider it necessary to speak; it is simply foolish. On the others we may make a few remarks, as it is on his dramatic achievements alone that the true fame of Sheridan must rest.

To say that any degree of slow and careful elaboration, by which the most consummate excellence of art can be produced, can diminish the praise of success, would display a misconception of what constitutes genius, and it involves a confusion between the ideas of excellence and rapidity, which latter is more frequently an indication and a result of mediocrity. The higher genius sets its aims the more difficult they are to reach, and the more pains does the artist bestow. Here then is evidently shown an inverse ratio between power and rapidity, so far as such inferences are to be allowed. As the standard rises, the labour of art becomes more and more infinite: mediocrity alone, aiming at little, soon arrives at its imagined perfection. If it may, with some speciousness, be replied, that in the actual instance under consideration, the application of this principle is not very precise—as promptness is essential to the merit of wit,—it would not be difficult to show the misconception contained in such an objection: it simply shifts the question from art to conversational power. The power is the same, but differently used: the same talent which can exhilarate and arouse the social circle by the rapid and rich play of point and allusion, contrast and comparison, is capable of the most unbounded elaboration, and is

subject to all the gradations of improvement. The same principle applies to all that can be done by the power of art. The highest aim prescribes the deepest elaboration, and no elaboration can create the power. "A thousand years of labour could not have enabled Hayley to write 'Comus,' or Cumberland the 'School for Scandal.'"<sup>\*</sup> The materials for this comedy seem to have been accumulating in Sheridan's mind from an early period of his life, and to a considerable extent are to be traced to the associations of his sojourn in Bath. The steps of its progress have been traced by Moore in details too long for this work, but curiously, and on a scale of unusual breadth, disclosing the secrets of the midnight lamp.

Much has been said of the defects in the conduct of the story or plot of this, as of Sheridan's other plays. The real interest of the "School for Scandal" is not properly to be sought in the plot, or in the progress of its incidents, but in the truth and happy boldness of the satire. We do not therefore concur in the criticism which has analysed a part of the design which had no existence. The truest and severest picture of the manners and morals of a time needs no aid from the common charm of the circulating library. But it challenges criticism on a different score—the moral perversion displayed in the brothers Charles and Joseph Surface,—in whose characters libertinism is adorned, and virtue degraded, so as to convey a corrupt and thoroughly false impression to the spectator. This cannot indeed be denied by the most practical critic, who is not ready to betray the most sacred duty of his office: and we must not only admit the severe strictures on the misrepresentation which is the signal stain upon this great masterpiece; but strongly, as is our duty, impugn the defence which has been set up for Sheridan, by his admirers. It has been defended by the assertion that there was worse before it, and that a service was done to morals, by the exposure of the hypocritical Joseph Surface, while the irregularities of his brother are set off by the bright example of his natural virtues. Were open profligates commonly persons of exalted worth, and were persons apparently of strictly moral conduct commonly secret villains; were such a transposition of the realities of human nature actually to exist, something might be said in defence of the representation. It would have at least the merit of truth, though it would unhappily be a better argument for vice than it has yet been able to find. But the hypocrite and the libertine are the creations of the dramatist: referred to reality, they are among the accidents of a vicious state of society, and not properly the subject of moral portraiture. In real life they may exist; but they are a morbid specimen, and should not be selected. The truth must be said: there was a state of society, when it was felt to be an object to sneer down religion and decorum, and to invest profligacy with the grace and dignity of virtue. The preposterous transfer was welcome to the gay and the vicious (the friends of the author), and was the honour and glory of the piece. It helped the cause of dissipation, and swelled the triumph of dice, drunkenness, and lewdness, against "grave advice with scrupulous head." Every one knows that the favourite cant of open profligacy is, the charge of "hypocrisy" against those who scandalise it by decency; and the effect of a contrast like

<sup>\*</sup> Dublin University Magazine.

Sheridan's, in favour of vice, must be, so far as it goes, to bring into disrepute all the higher moralities, and to shed a gay charm around the libertine. On the other hand, so far as the representation can be said to apply, it can have no effect whatever: the Joseph of reality still has his secret to himself. The profligate will wear the plume woven for him; but he is not bound to maintain a stock of concealed goodness, for some dramatic *dénouement*: he will be content, with Charles, to have credit for virtues on the score of profligacy and vice.

In 1778, Sheridan had made a further investment in Drury Lane, to the amount of £45,000. He had been reconciled with his father, and on this occasion used his newly acquired power to make him manager. It was hoped that the father's experience might compensate for the imprudence of his son.

Garriek died in January, 1779, and Sheridan attended his funeral as chief mourner. On this occasion he wrote the longest of his poems. Of his poetry, we shall say little in this cursory sketch. According to our estimate, his mind possessed no element of poetry, save rhetoric. As a poet, his best success is the ballad, in which point, sentiment, and a not unlyrical ear, combined in his behalf. This is sufficiently apparent in the songs of "The Duenna."

In the same year "The Critic" appeared, and to some extent maintained the reputation of Sheridan. But the difficulties in which the theatre began to be entangled were beyond the powers of prose or verse. His father was little competent, in his old age, to deal with perplexities which, in a far milder form, had been too much for the vigour of his youth. He resigned; and the plot began to thicken on the road to ruin.

But the gloomy chasm that was to swallow up the brightness of Sheridan's career was for many years to be concealed by other successes. His brilliant powers, all pre-eminently of the social order, had brought him prominently into the highest circles, and made for him friends of the leading Whigs of the time. It had long been the favourite object of his ambition, to try his fortune, and display his powers on the stage of politics. The friendship of Fox decided him.

To pass superfluous detail, he obtained his desire. He was brought into parliament as member for Stafford. A petition complaining of undue election gave him a favourable occasion for the display of his eloquence; but his *début*, owing to nervous excitement, was unsatisfactory. Such an impediment could not long retard powers of such an order; and though he prudently avoided committing himself for a time on great questions, he gradually convinced the house of his value.

The politics of Sheridan were not such as to demand our entering into the history of his time, or the questions which occupied orators and statesmen who then lived. It will suffice to adhere to a strict course of personal history. From the outset of his political life, he is to be seen as the friend and follower of Fox. While he mainly adopted the principles of that great man, and seconded the party movements of which he was the conductor, his own tact, address, and keen common-sense, enabled him to keep clear of many of the disadvantages of a violent popular faction; and he knew how to avail himself of the con-



nections thus obtained, to raise his own position, and win his way to favour. He thus found access to the Prince of Wales, and soon attained, by his wit and address, the confidence and companionship of his pleasures and amusements.

The reader is most probably acquainted with the general state of parties at the time: we have sufficiently described it in Burke's memoir. The country was menaced by the revolutions and disorders of the world beyond the seas, and these were supposed to be represented in the person and party of Fox. With this party the prince was for a time connected. They fought his battles, and swelled his state. His extravagance had led him into difficulties—his associations had involved him in the displeasure of the king, who hoped to break such alliances, and induce his heir to marry, by making it a condition of the payment of his debts. Such a compromise was rejected by the prince; and several years of painful disunion afflicted his father, and promoted the objects of his political friends, by making their talents useful. He was thrown into the arms of as debauched and unprincipled a set of projectors, parasites, and profligates, as ever degraded a court.

For Sheridan, as for Fox, it is to be said, that they were actuated rather by their own tastes and propensities, than by any low motive by which men are likely to seek favour in courts. However the friendship of the prince might appear to promise future political advantages, their own tempers, passions, and pursuits, were all in the same track; and the prince was not one to whom any companion could fail to become attached.

Through the whole of the protracted negotiations which were consequent upon the prince's difficulties, Sheridan was the nearest in his confidence—the partaker of his counsels and of his amusements. In this latter capacity, his spirit of mischievous frolic had ample range; and many stories are told of his exploits of practical humour. If the outbreaks of their gaiety were less equivocal than the nocturnal sallies of prince Hal, and the revelry of the Boar's Head, they were not far short in mischief, and far superior in wit. In that grave play of specious knavery, which mystifies the victim of a jest, Sheridan was unrivalled. Of this, the instances which have been repeated by numerous biographers and collectors of anecdote are numerous, and among the best, of their kind.

The climax of his renown as an orator rose from the impeachment of Warren Hastings. It is needless to estimate the precise value of the praise his celebrated speech obtained: it answered the highest uses of praise to its object. His father died in 1788; and the attendant circumstances, in themselves unimportant, brought into evidence the natural strength of his filial affections. In 1791, he received a severer blow, in the death of his wife. Her health had been shaken by the heavy labours which she undertook, to regulate and keep order in the tangled engagements and perplexed affairs of her husband; in which she manifested the most admirable patience, industry, and talent. A cold, operating on a naturally delicate constitution, seems to have brought on her last illness. She received the most tender and assiduous attention from her husband, who sat up night after night by her death-bed. In 1795, he was again married to Miss Ogle, daughter to the Dean of

Winchester. His party at this time was crumbling away: the views they had espoused had begun to be exposed by facts; and a deep reaction, set in motion by the eloquence of Burke, was confirmed by events. Sober men began to shake off the revolutionary delusions of the day, and to perceive the importance of rallying in defence of institutions. Sheridan was not slow to follow the dictates of reason, and became for a time the object of reproaches to the leaders whose intrigues for place were defeated by his address. In 1798, he brought out "Pizarro"—a well-known adaptation from the German of Kotzebue. In 1804, he obtained the receivership of the duchy of Cornwall, from the Prince of Wales, "as a trifling proof of that friendship his royal highness had felt for him for a long series of years."

In the autumn of 1807, he entered into a treaty with Mr Jones of Dublin, long well-known to the Irish public as the spirited proprietor of Crow Street theatre. It seems to have been a part of the agreement, that Sheridan should write a play within the given time of three years. This agreement was arranged in the form of a bet for 500 guineas, which was agreed on by the parties in presence of Mr Richard Power and Mr Beecher, who joined in the bet.

As we have already intimated, Drury Lane theatre had, from the beginning, been a source of embarrassment and extreme annoyance to its proprietors. The petty squabbles of the company of actors and actresses, the accumulation of debts, the doubtful and controverted rights, and the occasional lawsuits to which they gave rise, became too much even for the natural *insouciance* of Sheridan. This state of things was aggravated by an accident. He was attending a debate, when word came that the theatre was on fire. He left the house, and proceeded to the scene, when he witnessed with surprising calmness the destruction of his whole property.

In 1811, the arrangements for rebuilding the theatre were complete; among these the interests of Sheridan were attended to. He was to receive £20,000, out of which different claims were to be satisfied. It was also a stipulation, that he should have no concern or connection of any kind with the new undertaking. Such a condition strongly indicates the impression which existed as to his utter unfitness for any concern in the conduct of business. In truth, with every kindly, amiable, and generous impulse, he was incapable of bringing home to his mind the urgent sense of duty, of right, or of obligation, or any of the principles which are essential to the whole commerce of life. Such considerations were, in a mind of which *buoyant levity* was the characteristic quality, only known as elements of rhetoric, and the flourishes of sentimental poetry. Moore's observations on the transaction here related, are too important in this point of view to be omitted. Having mentioned that the adjustment of the affairs of the theatre were undertaken by Mr Whitbread, he proceeds; "It would be difficult indeed to find two persons less likely to agree in a transaction of this nature,—the one, in affairs of business, approaching almost as near to the extreme of rigour, as the other to that of laxity. While Sheridan, too, like those painters who endeavour to disguise their ignorance of anatomy by an indistinct and fuzzy outline, had an imposing method of generalising his accompts and statements, which to most eyes (and most of all to his



own,) concealed the negligence and fallacy of the details; Mr Whitbread, on the contrary, with unrelenting accuracy, laid open the minutiae of every transaction, and made evasion as impossible to others, as it was alien and inconceivable to himself." The light, inconsiderate, and volatile frame of Sheridan's temper was as a butterfly impaled upon the needle of the artist—writhing and fluttering to escape to his zephyrs and his flowers. Mr Whitbread did not comprehend the levity and the ingenuity that would load to-morrow with calamity and ruin, to make to-day run smoothly; and this was the life and soul of Sheridan. On Sheridan's part, the collisions which arose in their proceedings were embittered by distress and wounded pride.

Among these annoyances, one alone requires our immediate notice now. He applied for an advance of £2000, for the purpose of securing his election for the borough of Stafford. But as this advance would have been premature, and anticipate the state of his accompts, it was refused. The refusal was perhaps harsh, but it was strictly right, and was peculiarly the result of Sheridan's own conduct. It is one of the cases in which opinion is seldom just, and in which justice is sometimes difficult.

In looking back on the history of men like Sheridan—so light, brilliant, and unfortunate,—we cannot help seeing through the light of these consecrating recollections which follow departed genius. There was nothing in poor Sheridan's character to command either the respect or sympathy of men of strict principle and sober conduct. But it was nevertheless a blow that gave the last sad impulse to his declining career. The dark spirit of ruin, to which he had sold his life, had followed his progress through court, and senate, and stage, with invisible steps, but steady malignity of eye: it now began to tread closer on the heels of the victim, and to claim the fatal price. The known prospect of £20,000 was a dangerous signal to his creditors. The precise detail of the state of his affairs at this time, we have not been able to learn; nor is it further important than the general fact: he was involved beyond his means in debt,—though it is mentioned that there was still some balance remaining over and above the debts, to which he was rendered subject by the arrangements of the committee for the management of Drury Lane.

We must here, in passing, say that we wholly disagree with the comments of some writers who throw the blame upon the neglect of his friends. It was the inevitable result of his own conduct, of the position in which he had placed himself, and of the degrading changes which he had undergone. It is not by darkening the reputations of others that a great man's memory is to be redeemed from censure.

During the closing years of his life, changes had been taking place in Sheridan, consequent upon his habits, which were such as to wear out the very bonds of the nearest relations of life, and which must have rendered him less the object of sympathy, and entirely cancelled the common claims which pass for friendship in the world. It was felt to be past the reach of all effective kindness to raise him from a condition, not more ruinous from its actual amount of evil, than hopeless from the increase of those infirmities which brought it on. He was in head and heart, mind and body, fallen from his height, such as it was—that of a



wit—an ornament in the polished circles, a contributor to the amusements of the gay, and whatever value will be claimed and conceded for his political life. All this was gone. And though it may so appear in the rapid transition of a brief memoir, it was not the change of an hour: he had been long working a downward way. Any one characterised by the tenth part of his folly, and without the brilliant energies which upheld him for an interval of forced elevation, would long before have been consigned to a charitable oblivion. He was felt to be incorrigible in the infatuation which “made him poor,” and would “keep him so to the last.” With a fair allowance for such considerations, it ought to be neither matter of wonder nor blame that his friends had become alienated from one whose ways were become incompatible with respect or with the habits of polished life—that he came only to be tolerated in regard to past claims. “The ancients, we are told,” writes Moore, “by a significant device, inscribed on the wreath they wore at banquets the name of Minerva. Unfortunately, from the festal wreath of Sheridan, this name was now too often effaced.” This is gracefully said, and it became Moore to cast a flower where a harsher hand would fix a sterner mark; but the translation of this poetic language was that Sheridan had sunk into a habitual and confirmed drunkard. In some, caution, in some, their place in society, in some, their great insignificance, might enable them to retain for a time the countenance of their worldly acquaintances, in spite of such a degrading habit. Much is endured, because it must be endured. But poor Sheridan had lived on the admiration of society: he had been cultivated by the *inclinations* and the *sympathies* of men. With all his amiability, and the *prestige* of reputation, he was felt to have become disagreeable and disqualified, as much for the adornment of society as he had always been for its affairs. No kindness could sustain him above the level he had found for himself.

But there is another consideration, before reproach against his great friends can be admitted to be just. It should have been fairly noticed, that the destitute state of his finances could not have been known. He was nominally in the possession of several sources of income. It was only known that he was embarrassed, and that, with the possession of any assignable estate, he would be embarrassed still. The prince had been munificent, and a patent office had apparently secured enough for moderate desires. The numerous anecdotes told by Moore and others, could we here avail ourselves of so detailed a method, would amply attest the justice of these remarks.

Sheridan had one kind and invariable friend, who never deserted him, or lost sight of his interest. It was the Prince-Regent. But his habits of debauchery and indolence, as they disinclined him to appear at court, prevented his presence being sought, and at this neglect, as it was considered, his pride took umbrage. He became pettish; and his friends, who did not look beyond him, naturally resented his imaginary wrongs. Party perverted the circumstances for the purpose of calumny against the Prince-Regent. And thus it was, that when the character and pursuits of poor Sheridan had become such as made it impossible for any person of rank to be his associate, or still less for the prince to seek him out in haunts beyond which he had in a great

measure ceased to exist—when he had fallen into such a condition that he could not be trusted a few hours to his own discretion—when he himself, with some natural consciousness of what he was become, avoided the society of which he had once been the ornament—he drew upon himself the neglect which he courted and resented. When a man loses sight of his own dignity and interest, it is frivolous to demand that he is to be held up by others. Besides, he had himself severed the ties with his political friends. It is with some remorse that we follow the dictates of justice, in endeavouring to transfer a little misplaced censure to the proper scale. We participate in the common prejudice which demands somewhat of tenderness towards the infirmities of men like Sheridan. His hapless decline is indeed a theme to awaken the most painful sympathy. One asks with sorrow and indignation, Was all this talent, spirit, amiability, success, to terminate thus? How brilliant the ascent!—fame, fortune, public admiration, princely favour! How sad the descent!—embarrassment, poverty, degradation, and neglect! The mortifications aggravated by the most brilliant recollections, and embittered by the pride of a spirit still lofty in its ruin.

In 1815, a disorder brought on by continued intemperance became confirmed and incurable. His powers of digestion were gone; but his native strength of constitution prolonged the struggle with disease. He nevertheless rapidly lost strength, and in the spring of 1816 was entirely confined to his bed. It was in this condition that his dying bed was harassed by the demands of creditors. His house was beset by the bailiffs, and he was compelled to seek aid from his friends. Liberal assistance was offered by the prince-regent: it was refused, either to satisfy the pride of Mrs Sheridan's relations, or from a more respectable feeling. His distress was not such as to be admitted without something of shame. And we feel also bound to say, that some of his biographers, in relating his pecuniary transactions, have been so much enchanted by their sense of wit, as to overlook the real and essential character of very equivocal transactions.

But to conclude. Sheridan was arrested in his bed; and after keeping him a few days in terror, the bailiff was only prevented from removing him by Dr Baine, the physician who attended him. The bishop of London happening to learn of his dying state, sent an offer of his attendance, which was gladly accepted. Sheridan joined in the bishop's prayers with fervour, and appeared to have received much comfort. He died without a struggle, July 1816. He was interred in Westminster Abbey.

#### GEORGE TIERNEY.

BORN A.D. 1761.—DIED A.D. 1830.

GEORGE TIERNEY's father was a native of the county or town of Limerick. He became a prize-agent in Gibraltar. There his son was born. He received his education at Cambridge, and is said to have been designed for the legal profession. His course of life was altered by the death of his elder brothers, which made him master of affluence.

He selected the House of Commons for his scene of exertion, and obtained his election for Colchester. In parliament, his distinguished powers of sarcasm and sneer—his prompt shrewdness, and fluent command of a plain colloquial idiom, most adapted for the application of those powers, made him an adversary not much to be desired. He was remarkable for his power of caricaturing the arguments he wished to decry; and, as with most persons ridicule is more effective than reason, he was thus most formidable in the ranks of opposition, for which his mind was pre-eminently adapted.

In 1798, having been accused by Mr Pitt of an opposition to "the bill for stopping seamen's protections, from a wish to impede the service of the country," a challenge and a duel ensued. They met, and fired two cases of pistols on Putney Heath, but with no result.

Tierney took office as treasurer of the navy in Addington's administration—and once more, after the death of Fox. There is, however, little ground for any exception to the general statement, that he was a steady and consistent opponent to all government measures. It would be unfair to assert that he had not a sincere political creed, to which he conscientiously adhered; but there was much in his tone, manner, and public habit, to suggest the idea of vexatious opposition. This is perhaps chiefly suggested by the very artificial character of his manner of statement and reasoning: his points were too commonly shrewd appeals to prejudice and ignorance, too often merely wit. His style was very colloquial and full of withering sarcasms, which fell from his lips with such an appearance of being accidental and unpremeditated, that the effect of a surprise was added to every point. He had also considerable power of travestying the arguments of an opponent.

Tierney again took office under Canning in the capacity of master of the mint. He died suddenly, January, 1830.

## RICHARD, EARL OF DONOUGHMORE.

BORN A.D. 1756.—DIED A.D. 1825.

WE have already had to notice John Hely Hutchison, the father of the first Earl of Donoughmore. This nobleman graduated in the university of Dublin; and became, when of age, a member of the Irish parliament. He attached himself to the whigs, and took a leading part in the great prolonged struggle for Roman Catholic emancipation. With respect to his personal character as a politician, there is all reason to believe that he had in every act the good of Ireland at heart.

In November, 1797, this nobleman was created Viscount Suirdale; and in 1800, Earl of Donoughmore. In July, 1821, he was created Viscount Hutchison, in the peerage of Great Britain. He was a Lieutenant-General in the army. He never married. His death occurred August 25, 1825.



## ROBERT, MARQUIS OF LONDONDERRY (LORD CASTLEREAGH).

BORN A.D. 1769.—DIED A.D. 1822.

THIS eminent nobleman was the son of the first Marquis of Londonderry. He was educated at Armagh, and sent to Cambridge in 1786. He was early remarkable for the grace and suavity of his address; and no less so, for the cool intrepidity often so usefully displayed in his political life.

On attaining majority, he stood for the county of Down, and was elected. He commenced his political career with the popular party.

His *début* in the house, on which occasion he spoke for the right of Ireland to trade with India, in disregard of the chartered rights of the company, was successful. He was then so decided in his democratic leanings, that he presided at a public dinner, where the seditious toast, "Our sovereign lord the people," was drunk. He supported the cause of parliamentary reform, and railed as stoutly against Government as any of his party. But although we have no record by which to follow him in the change which soon occurred in his opinions, we can easily guess how it was probably brought about. At a time when such men as Grattan felt themselves forced to draw to one side out of the swollen and angry current of what had once been progress, but was fast becoming treason, it was most natural that a young politician, who had only barely joined it, should also withdraw from the popular party. No man could be more naturally unfitted to participate in the insane outbreak to which the United Irishmen were leading on the people. It was impossible to imagine the distinguished, calm, unenthusiastic Castlereagh playing the furious schoolboy part of a Lord Edward Fitzgerald or Archibald Hamilton Rowan. The court-sword of Castlereagh's intellect would have been singularly out of place marshalling the pikes and pitchforks of an Irish rebellion.

In 1798, it will be admitted that little doubt could remain as to the real course of events. He then took the office of secretary under Lord Camden. It will be sufficient to say, that having engaged on the side of Government, he gave the whole force of his activity, talent, and address, to save the country, and put down an awful rebellion.

It would be well for Castlereagh's fame had his connection with Ireland ceased with its subjugation, in 1798. The cruelty with which that result was accomplished appertains to a great degree to the reputation of Lord Chancellor Clare, not to Castlereagh, and would have left little stain upon his memory compared with the political villany by which the union was accomplished. The country lay helpless at the feet of a victorious Government: Roman Catholic and Protestant divided by deadly hatred, had lately been cutting each other's throats, and could not be expected for many a year to come, as it happened for the better part of a century, to unite in any cause, however much it might be the cause of both; the protestant population was more resigned than at any previous time it would have been to throwing itself into the

arms of England : the Roman Catholics were reckless, and since they might not have their own freedom, glad of an opportunity of helping to spoliage the English and protestant section of its independence ; the great patriots, guardians of the national rights, had retired from parliament, and the road seemed to lie open and unguarded to a raid upon the constitution of Ireland. In the first attempt, however, unexpected difficulties rose up on the path of the ministry. But Cornwallis, Clare, and Castlereagh were a triumvirate not easily to be discouraged or resisted, and they were directed in their task by the genius and determination of Pitt. The first step was the publication of a pamphlet by Mr Edward Cooke, under secretary of the Civil department, which was published anonymously, and intended to act as a feeler, and prepare public opinion. This came out whilst the land was still smoking with slaughter ; and though it gave rise to violent controversy, was received with less indignation than it would at another time have aroused. Of course public men were soon obliged to take sides on such a question ; and the consequence to the opponents of the measure who were in any way dependent upon the Government was the loss of pensions and places. Sir John Parnell, chancellor of the Exchequer, and Mr Fitzgerald, the prime sergeant, were amongst the first examples of the stringent manner in which the Government meant to deal with the question. At a meeting of the bar, the only influential and independent body in Ireland from which Lord Castlereagh had to dread much difficulty, the discussion and division upon the union showed 166 against, and only 32 in favour. To judge the latter by the positions of honour and emolument they soon afterwards attained to, they must have been a very distinguished minority. Their honours included twenty-three judgeships, and other valuable places. Many important meetings besides this meeting of the bar, declared as vigorous a public sentiment against the suggested measure, but notwithstanding these expressions, the coming event itself soon followed its shadow ; in the address from the throne at the opening of parliament, in January 1799, the legislative union was proposed under the usual softening veil of official language as a measure for " consolidating as far as possible, into one firm and lasting fabric, the strength, the power, and the resources of the British empire." The address was carried in the Lords by a large majority, but the real fight lay in the lower House. There Lord Castlereagh boldly cleared up the ambiguity of the message, and declared that although doubtless the address did not pledge them to the means by which the royal wishes were to be accomplished, it was his intention at an early day to submit a motion to the House on the subject of a legislative union. Ponsonby, Parsons, Barrington, and other foremost men exposed the method of the Government, denounced the time, and endeavoured to bar all weighing of advantages and disadvantages by the *non possumus* argument, parliament could not give up what resided not in itself but in the people. The nation had sent it there, and it could not take from the nation the power of electing and sending another parliament to deliberate in its place ; it could only dissolve itself. Lord Castlereagh, feeling that the debate was going against him, interposed. He spoke with a distinguished frankness of manner which some great statesmen have been able to assume with so much success.



He hoped that personal motives would not turn away members from their public duty of supporting the measure; he urged the end that it would put to the division and turmoil of which Ireland was so weary; and he promised that it would bring English capital to an impoverished land, and create a class of English and Scottish middlemen who would weld together the upper classes and the lower by forming a connecting link, and teaching them to love one another. He was followed by Plunket in a great speech, and in the close of the debate had only a majority of *one*, which was obtained by one of the *noes* pretending falsely that he had accepted a place equivalent to the Chiltern Hundreds—the escheatorship of Munster. Another member is said by Sir Jonah Barrington to have been bought by Lord Castlereagh on that night, under the very eyes of the House. He certainly declared that he was going to vote against the Union, but after some message had been carried by Secretary Cooke between him and Lord Castlereagh, it was understood by the House, from the looks that were exchanged, that a bargain had been struck, and in confirmation of this the member shortly after rose to say that he had spoken without sufficient deliberation, and had altered his mind. It was in this way that the majority of one was achieved, but of course it was looked upon by the public as equivalent to a defeat. Pitt himself, we know, considered a majority of fifty necessary for the ultimate carrying of the measure; but even to sustain the Irish ministers in their places, it was necessary to get a better vote from the House, if possible, as it stood.

A second debate was brought on upon accepting the Address, but the result was a majority of six against the Government. This, in spite of Secretary Cooke's seductions, was probably owing in a great degree to the debate itself, in which the balance of reason and eloquence was considerably upon the side of the Opposition. There was a very bitter passage of arms between Castlereagh and Ponsonby, in which the former put out powers that he had not been known to possess, and was severe to a degree that ministers seldom dare to show themselves. But again the terrible shadow of Plunket fell upon him; this Ajax of debate made a direct onslaught upon the minister whose strength was weakness in such an unequal encounter, and who for the first time was observed to quail. Of course the public joy and congratulations were unbounded; but while the ministers were indignant, and Lord Clare gave the people a lesson not to rejoice too much, by sending out a party of military to fire, without any provocation, and without magistrate or riot act, upon the exulting crowd in one of the main thoroughfares of Dublin, the temporary reverse only gave temper to their resolution, by any means to carry their measure. A plan was devised by Pitt to gain over a small but influential class, the owners of boroughs, by treating their patronage as a marketable commodity, and appraising the value of a borough at £15,000. By this means, besides gaining over some powerful territorial influence, the borough votes were also converted. Either the patron's wishes were conformed to by his nominee, or if the latter was an honourable man, they felt bound to take advantage of the place bill lately passed by accepting a nominal office. The vacancies thus created by those who felt that they could not remain in parliament and vote against their patrons, were filled up



by creatures of the Government, or Englishmen and Scotsmen who had no connection with the country. Mr Cooke, the under-secretary, was diligently at work, under Lord Castlereagh's directions, in sounding right and left, trying the ground, and offering bribes. Lord Cornwallis made a tour amongst the corporations, and gained the valuable signatures of some rebels who were shut up in prison, by offering them their liberty as a reward. The Lord Chancellor did the intimidation; he was the grand inquisitor. A book was kept at the Castle by the arch-conspirator, Lord Castlereagh, who entered all the results. The list of members of the House of Commons, with their prices attached, is historical; it is given by Plowden and Barrington. On the side of the Opposition a fund was raised which reached, we believe, the sum of £100,000, to counterbalance the corruption of the Government. This was not only unworthy of the honesty of the party, but it was the merest folly to hope to be able to bid up to the Government, with its unlimited powers of reward and punishment, its patronage to be bestowed or withdrawn. To work a countermine against such resources was indeed absurd; there were ships for naval officers, regiments for military, judgeships for lawyers, pensions for non-professional men, titles for the ambitious (about forty were given away altogether), and a million and a-half of ready money for the purchase of seats for those who liked a good round sum down on the nail. For the Orangemen there was the security which would be gained for the church and Protestant institutions in Ireland by immersing the Roman Catholic population of Ireland in the general population of the empire, which seemed an easy trick by which to juggle away the ultimately dangerous fact of a Roman majority; for the Roman Catholics there was protection from the Orange section, the prospect of concessions from the greater liberality of an English parliament, and the revenge of depriving the Protestants of their exclusive legislature. So everything worked satisfactorily; and on the meeting of parliament in the (for Ireland) famous year of 1800, Lord Castlereagh gained a majority of forty-two in the battle which inaugurated the session, in which Grattan made his unexpected and startling appearance like a man called out of his grave by his country's extremity. After this there was little change, for all the arts of bribery and seduction had been expended, and men were set in battle array. But few votes changed to the end of the struggle. On the 15th of February the measure of the Union was formally brought forward by Lord Castlereagh in a speech of considerable length, in which he asserted that the majority of the people were in favour of it; and he openly offered compensation to those whose interests were affected. The majority for the Government on this occasion was forty-three. This was, in fact, decisive. The large military forces in occupation of the country were used to prevent even a peaceful expression of opinion. Over the heads of the people of Ireland their constitution was being sold, but they were powerless even to utter a protest. Dublin was strongly garrisoned. Military occupied the streets and approaches to parliament, and Castlereagh threatened, if any strong spirit against the Government members made it impossible for them to consummate their bargain in the capital, to remove parliament to Cork. After the measure had been debated in the English parliament, Lord

Castlereagh introduced a bill for regulating the elections, by which the representation was limited to the number that Ireland was to send to the imperial parliament. And on the next day after the passing of this bill, he brought in the Act of Union, and leave was given for its introduction by a majority increased to sixty. His manner in moving the third reading is thus described by Sir Jonah Barrington:—"Unvaried, tame, cold-blooded—the words seemed frozen as they issued from his lips; and, as if a simple citizen of the world, he seemed to have no sensation on the subject." Of course, when the question was put from the chair by Mr Foster, the speaker, who was one of the most earnest opponents of the measure, there was no question that the 'Ayes' had it. It only remained for Lord Castlereagh to bring in the compensation bill, by which £15,000 was awarded to each patron of a borough for the loss of this source of wealth, and with a not uncharacteristic act, the last Irish parliament terminated its own existence. There is much to be said in extenuation of Lord Castlereagh's manner of carrying the Union. From *his* point of view the end was righteous, and the means sanctioned, if not sanctified, by custom and precedent. Men of the world take their measures of right and wrong from man's judgment, and not from any religious or abstract standpoint; and there can be no doubt that, even in the day in which we write, the guilt of political corruption is not established in the mind of mankind in general: scarcely any one has such fine perceptions as to perceive it so clearly as the guilt and disgrace of dishonesty in private transactions. But in Lord Castlereagh's day Sir Robert Walpole's example was not far removed; and corruption had been the habitual mode of carrying on his Majesty's Government in Ireland from time out of mind.

As a matter of course, Lord Castlereagh became extremely unpopular in Ireland, and a standing mark for abusive language, which, in this instance, sank below even its usual level of decency and propriety. In the county of Down, he was rejected by his former constituents, and compelled to come into parliament on borough interest.

To follow his career in England would demand very considerable detail of English and European politics, which would draw us out of the circle to which we have mostly limited our memoirs, viz., the interests and affairs of the Irish nation. We must therefore confine ourselves to a very brief sketch of Lord Castlereagh's greater career in the imperial councils.

In 1805, he was appointed secretary at war and for the colonies; and, with some interruptions, he retained office till the event of his quarrel with Mr Canning, on which he resigned. In 1812, he succeeded the Marquis of Wellesley as foreign secretary, in which office he continued till his death.

In this position his lordship was maintained by his consummate address and power of management, his unwearied industry and steadiness of purpose, and by the influence which these qualities were adapted to acquire and preserve. His ability was efficiently employed in the maintenance of the war policy; but we cannot say that we consider his abilities were fairly on a level with the great emergencies of the time. He cannot indeed be considered as responsible for the errors, on a great scale,

which protracted, and well-nigh frustrated the objects of the war. It had too much been the established usage, to attempt to govern the movements of foreign campaigns from the cabinet. The consequence was, not only a deficiency in provisions for the war, but the counteraction of the talent and professional experience by which alone war can be well conducted. On several occasions national disgrace and public discouragement were risked and incurred by insufficient and ill-supplied forces, and generals hampered by unskilful orders. We do not believe that the commander whose genius (under Providence) achieved the ultimate triumph of British arms in the Peninsular war, could have directed its operations from his seat in Downing Street. But these misarrangements, which frustrated British valour and military talent, were happily terminated in 1809, when the Marquis of Wellesley succeeded to the war-office.

On the close of the war, Lord Castlereagh went over to the congress as plenipotentiary for England. We cannot enter upon the proceedings of the congress, or of the kings and ministers of whom it was composed; but its results had no slight influence on the fortunes and reputation of the subject of this memoir. While we are ready to vindicate the general principles of policy which were on that occasion publicly recognised by the powers of Europe, we consider it evident enough, that in the train of dispositions and arrangements, the secret views of self-interest were strongly roused, and asserted themselves in keen diplomatic manœuvres to which the genius of the Marquis of Londonderry, or the degree of influence and authority which he could command, were far from being equal. His personal spirit, his honour, and his sincerity in principles ostensibly adopted, were at variance with influences which he did not know how to meet, or how to resist. It is probable that he was too prompt to trust the sincerity of royal intriguers, and their subtle ministers. But, however this may have been, there is every reason for believing that, in the result, his lordship found many strong grounds for dissatisfaction with his own share in the proceedings of the congress. The interests of England were not merely suffered to be the last, but were seemingly neglected; and the lesser powers and communities of Europe were treated with injustice and wrong. The high spirit and political integrity of the marquis were evinced by a dignified protest against some of the most reprehensible acts of the sovereigns. But the sense of the little he had been able to effect in counteracting what he condemned, or effecting what he considered right, fell heavily on his spirits,—overwrought with toil, perplexity, and anxious care. He had, from nearly the commencement of his public life, been exposed to a current of vexations, such as would, in one-tenth of the time, have killed most other men. He was the mark of popular hatred, for his firm opposition to the principles of revolt and change; he was subject to a sense of the mortifying disrespect of the abler men of his own party, who held his lordship's abilities in less esteem than satisfied his pride. His ambition, exposed to frequent checks and mortifications, was much, though secretly irritated. His great self-command, and excellent common-sense, prevented these circumstances and affections from tainting his ordinary manner or conduct; but they made triumph essential, and



defeat or humiliation deadly. In the triumphs of England he had obtained his share, from the cordial excitement of public feeling; but with the return of calm, a cold reaction was to follow, together with the keen-eyed criticism of the ablest opponents, both political and personal. A fearful and protracted reaction was to commence—a long reckoning was to be paid—events were to set in which would disappoint the expectations of the public mind of Europe—what he had done, and failed to do, were to be sifted with a firm hostility. What was wrong would be visited with the castigation of justice, severe in its moderation;—what was right would be assailed with the foul missiles of democratic journalism and oratory. Of this, much may well be assumed to have been present to his lordship's mind, of which the imposing habitual calmness was rather the result of pride than of stoicism.

The consequences became quickly apparent: he was soon observed to have lost much of his wonted placidity of manner, and to be occasionally absorbed, and often irritable. While thus affected, another congress was resolved on by the European powers. The marquis had strongly protested against any further congresses, and had come to very altered views with respect to what had been done, and the course, in justice, to be pursued. But he had entangled himself, it is affirmed, by pledges, and in such a position was once more appointed to represent Great Britain in the game of diplomacy.

A mean spirit and an unprincipled breast could have found no difficulty in the position, not uncommon with great men in the world of politics. The lofty spirit of the marquis sunk under its intolerable pressure. This began more plainly to appear in the arduous session of 1822. It has been mentioned that the king, after having on one occasion given him audience, wrote to Lord Liverpool, expressing his alarm for the marquis, whose incoherent talk suggested fears for his intellect, and urging to have medical advice obtained. The marchioness was at nearly the same time, on the same day perhaps, similarly alarmed by the same appearances; and his lordship's physician was sent for. The family were at the time about to proceed to North Cray, their country residence. Shortly after, they set out. In one or two days after that, by previous agreement with the marquis, Dr Bankhead proceeded to the country, and found him labouring under a heavy nervous attack. On the next day this continued, and indicated derangement by one of its most usual indications, the morbid suspicion of conspiracy. The following morning, his lordship was seen to rush into his dressing-room, whither Dr Bankhead, on being apprised of the circumstance, followed him. He just arrived in time to witness, but late to interrupt, the last fatal deed. The marquis, standing with his back to the doctor, was in the act of cutting his throat. He perceived the doctor coming forward, and called out—"Bankhead, let me fall upon your arm; it is all over!" The carotid artery was cut, as by the skill of an anatomist, with a narrow but deep wound, which must have been guided by deliberate inquiry. "The most expert surgeon, if endeavouring to extinguish human life with the utmost promptitude, could not have effected the object more scientifically."\*

The marquis was exposed to many disadvantages. He was a man of

\* Annual Obituary.

the noblest moral constitution of mind—high-spirited, honourable, and independent. He possessed also considerable talents; but they were far inferior to the positions in which his ostensible and specious advantages placed him. An exterior appearance of the noblest order, both in person and countenance—a graceful address, and much that was the result of real goodness—with official expertness, and considerable powers as a debater—together with the advantages of rank, combined to raise him to an eminence which, under ordinary circumstances, he might have maintained without failure.

But he had to contend with emergencies which demanded powers of the highest order—if indeed, any human powers could come with honour out of the responsibility embraced by his lordship. There was a rising change of public spirit, which was in some measure casting off the ancient conventions of the social state: it appeared, as such changes too often must, in the form of license, insubordination, and the denial of all principles. The onward wave of human progress is, indeed, little governed by human wisdom or goodness: it may be the result of some real defect in the constitution of things; but it usually takes the form of anti-social designs, exactions, and crimes. Hence, in troubled times, a strong control becomes essential to preserve the peace of society and the integrity of its main institutions; while yet a progress is silently and unnoticed working its way, both in the position of things, and the opinions of parties, which afterwards gives force to retrospective enmity, when those who had to struggle with the emergencies of one time are pursued by vindictive recollections in another.

MAJOR GEN. SIR R. R. GILLESPIE, R.C.B.

BORN A.D. 1766.—DIED A.D. 1814.

ROBERT ROLLO GILLESPIE was born at his father's house, in the county of Down, in January 1766. His family was of the first respectability in that county. His father, having no children from two successive marriages, when he again became a widower, married Miss Bailie of Innishangie, in the same county. Of this marriage, the sole fruit was the subject of this memoir. Brought up in great affluence he was rather wild at the dangerous age between boyhood and manhood; he showed no inclination for the bar to which his father destined him, and at last his wish to enter the army prevailed, and a cornetcy in the third horse carbiniers was purchased.

A considerable time occurred before he was placed in the way of distinction by actual service; and in the meantime we have only to mention his marriage, in 1786, with the fourth daughter of Mr Taylor, of Taylor's Grange, in the county of Dublin.

In 1791 he had the misfortune to lose his father. In the same year, he obtained the step of lieutenant in the 20th regiment of light dragoons. He had, with the feelings of a married man and a landed proprietor, been for some time inclining to quit the military life: he now determined to join his regiment in Jamaica.

On the voyage, he had a narrow escape from shipwreck; and, on the



first night of his arrival, was so unfortunate as to sleep in a bed recently occupied by one who had died of the yellow fever. He caught this dreadful disease, and remained for two months in a doubtful struggle between life and death.

On his recovery, he took part in the expedition to St Domingo, and again on the attack on Tiburon, at which he was in command of a troop. Along with a Captain Rowley, Gillespie swam to shore with a message summoning the governor to surrender, and would have been put to death had it not been that the governor wore some masonic insignia, and he made a sign which was recognised and saved his life. He took a distinguished part in the successful attack which followed, and returned to England covered with wounds and honour. Having returned to the West Indies, he took part with great credit in the military operations carried on by several generals, and before the evacuation of St Domingo had risen to the rank of major.

It was about this time that he was attacked at midnight in his quarters by several assassins. He was roused from his sleep by a dreadful cry. Starting up, he seized his sword, and ran down stairs. His servant was severely wounded. On the major's appearance, eight ruffians rushed upon him. He defended himself with skill and presence of mind, and six of his assailants gave proof of his valour with their bodies: the remaining two fled. He received several severe wounds, and lay for some time in a doubtful state, but at last slowly recovered. His fame was, by this exploit, spread far and near; but as it was accompanied by reports of his death, his mother was so affected by the shock, that she fell ill and died.

On his recovery and return to Jamaica in 1799, he was promoted to the lieutenant-colonelcy of the 20th dragoons, and was honourably mentioned in the House of Assembly. He was presented by the Jamaica legislature with a sword of honour, and it was noted that he twice led the storming party in attacks on the enemy's forts.

Having returned to England with his regiment in 1802, the malicious calumnies of a brother officer induced him to demand to be tried by a court-martial; but the utter groundlessness of the charges was so well known in military circles that it was at first refused. The slanders, however, becoming more widely spread, the commander-in-chief at length consented, and the most searching inquiry had the effect of showing not only Colonel Gillespie's freedom from blame, but his conspicuous merit. Having exchanged in 1805 into the 19th light dragoons, then in India, he performed the journey overland, which was then a dangerous feat. In Hamburgh he was saved from being made a prisoner to the French by a friendly hint from Napper-Tandy; falling in with the Austro-Russian army, "an illustrious personage" robbed him of a valuable fowling-piece: and in the Euxine, it was only by his usual dauntless courage that he prevented his ship from making for a pirate's harbour, where the design was to deliver him up a prisoner. On his way to Aleppo, he discovered that an Arab chief was about to murder him for his arms; but the distinguished vagabond being taken suddenly ill, Colonel Gillespie, by some strong medicine he had with him, cured his host and saved his own life. Soon after arriving at Bombay, he was appointed to the command of Arcot, and in this



position he performed another of those feats of personal prowess which made him a sort of modern paladin. A sepoy mutiny took place at Bellore, and it was only by a fortunate accident that Colonel Gillespie was not there at the time, as he had been invited by the commandant. The next morning the news reached him that there had been a massacre of the British, but that a few still held out in a bastion of the fortress. Collecting a troop of dragoons, and followed by some guns, he set out at a gallop, and far outstripping his men, was recognised by a sergeant, who had served with him in the West Indies, riding to the rescue. Bellore was a considerable fortress, and probably when the sepoys beheld the redoubtable colonel riding alone to its capture, their aim was put out by surprise, for he rode safely through their fire, and made his way to the bastion where British colours still were flying. The soldiers drew him up by a chain made of their belts, and putting himself at their head he led a bayonet charge. A tremendous conflict ensued; the numerous force of Sepoys, commanded by native officers, fought with desperation; but the bayonet in those days was the weapon of England, and the handful of British soldiers put them to flight after about a hundred had been killed; then the guns came up and the rout was complete. It was supposed that Tippoo Sahib was privy to the rising, and but for Gillespie's interference the palace would have been attacked. By the relief of Bellore, which General Cradock spoke of in his despatch as a "military wonder," the Carnatic was probably saved, as a general mutiny had been planned in case of success. Colonel Gillespie received the thanks of the Indian Government and the appointment of inspector of cavalry, but by some military intrigue he soon after lost his post. To continue in active service, the colonel exchanged in 1807 to the Royal Irish, and in 1809 to the 25th light dragoons—with the former he distinguished himself in the Punjab, where he commanded the cavalry. In 1811, he accompanied Sir Samuel Auchmuty to Java, which had been taken from the Dutch, and was held by a powerful French force. His military talent principally directed the arrangements, and as usual, his own knightly valour outshone everything else. He commanded the advance: at Batavia he drove back the French columns at the head of his advanced guard: at Welterweeden he helped to rout them from their strong position. But it was in the attack upon the almost impregnable camp of Cornelis that he most distinguished himself. He was entrusted with the principal attack, and took the command of the storming party. The supports were to be brought up by Colonel Gibbs; but having reached the point of assault a little after midnight, Gillespie could hear or see nothing of them. When after surmounting all kinds of obstacles, the advance had come within gunshot of the enemy's videttes, and the darkness began to grow dangerously transparent, and still no supports had come up, after retiring into a concealed position and vainly pausing in expectation, he determined to push on at all hazards. The possession of the password enabled him to pass the first sentinels, and then giving the word "forward," Gillespie dashed forward with his five hundred men; the French picquet was killed or captured, and the occupants of the nearest redoubt had not time to load before the stormers were upon them, and not a man escaped. The blaze of blue lights and rockets now arose,

and the French camp was all alive; but without a moment's loss of time, Gillespie still pressed on through masses that attacked from every direction, and the fire of guns turned upon him, and secured the bridge over the Slokan which was the passage into the enemy's lines. From this he carried a redoubt within the body of the works, and though the French swarmed upon them like bees, his handful of soldiers pressed on still with the bayonet in the face of a tremendous fire, and forced the assailants to give way. Colonel Gibbs came up at last with the supports, but just then a magazine blew up and great numbers on both sides were killed by the explosion. Gillespie was fortunately unhurt, and fighting at the head of his men, took the French general Jauffret prisoner himself, and clearing the redoubts, pushed on to the reserve and park of artillery. In the last stand which the enemy made here, he received a severe contusion and fainted from the blow and the fatigue of his exertions, but quickly recovering, he mounted an artillery horse and headed the pursuit. An attempt was made to rally in considerable force, but Gillespie put himself at the head of the cavalry which, charging in sections, bore down all resistance. In this encounter he slew a colonel of the enemy and took another general prisoner. A thousand French fell in the works, and several thousands in the retreat, while five thousand prisoners were taken. Sir Samuel Auchmuty's despatch concluded with a just tribute to the heart and arm of that glorious victory, ascribing the success to Gillespie's "gallantry, energy, and judgment." He remained in military command of the island, where the conspiracies of the native princes made great circumspection necessary; and in an expedition against the Malays of Sumatra, gained the highest distinction by his admirable generalship and the success to which he carried the expedition. On his return, he found the Sultan of Java in revolt: and as the expeditionary forces had not yet returned, the British were but a handful against a nation. The Dutch fort was worthless, and it was necessary to take the open field. After some negotiations, which the Sultan naturally ascribed to fear, an attack was made upon him in his own stronghold, and the colonel as usual distinguished himself as a stormer. He received a severe wound in this successful attack; and for his gallant service was promoted to the rank of major-general. The commander-in-chief in the general orders passed a long and glowing eulogium upon his career of personal intrepidity, successful generalship and prudent management of affairs. An attempt of the warlike mountain tribes of Nepaul to seize a fertile tract of British territory soon again called him to active service.

An army of 30,000 men, under four commanders, marched to the borders of Nepaul. While the extreme right was directed to march upon the enemy's capital, the division immediately intrusted to major-general Gillespie was directed to march towards the district of the Dhoon, to occupy the valley of Desrah. The two right divisions entirely failed to enter the difficult country on the points to which they marched. General Gillespie made good his way to the Dhoon, where his operations were properly to commence.

The formidable fortress of Kalunga stood in the teeth of his advance, and he had unfortunately weakened his force by detaching a portion of it to reinforce Colonel Ochterlony. The fort of Kalunga stood, by his

own description, "on the summit of an almost inaccessible mountain, and covered with an impenetrable jungle—the only approaches commanded, and stiffly stockaded." He, nevertheless, considering the necessity of the occasion, and perhaps remembering the success of more formidable undertakings, determined to attack this fortress.

The dispositions for a simultaneous attack from different quarters were made with great judgment; and during the night, batteries were erected on advantageous heights. But the signal guns which were to have set the various divisions in motion, were unfortunately not heard by half the forces, and the messengers despatched were intercepted. In the belief, however, that supports were close at hand, Gillespie ordered the assailing column to advance. The attack was perfectly successful, but the other troops not arriving, the column was unable to maintain its position. Feeling the emergency, Gillespie left the batteries with the declaration that he would take the fort or lose his life in the attempt. The troops were cheered when they saw their general place himself in front, with a calm and cheerful courage on his face; while he addressed Captain Kennedy with these words:—"Now, Kennedy, for the honour of the county Down."

The word was given, and the men rushed forward with spirit. But while their heroic leader was cheering them onward with his hat and sword, he received a ball in his heart, and fell lifeless.

Subsequent information leaves no doubt that, but for this fatal event, the assault would have been successful. His fall at once suspended it; and the next in command ordered a retreat.

England was fully sensible of the loss her arms sustained in General Gillespie; and all the honours that could be conferred upon the dead were freely bestowed upon him. The cenotaph, however, neither spreads nor perpetuates its report; and one of the greatest of Irish soldiers, owing to the exciting events occurring at the same period nearer home, and the remoteness and obscurity of the Indian wars, retains no fame proportioned to his desert.

#### SIR WILLIAM CUSACK SMITH, BART.

BORN A.D. 1766.—DIED A.D. 1836.

SIR WILLIAM CUSACK SMITH was the son of Sir Michael, the first baronet, who was a distinguished lawyer, one of the barons of the exchequer, and finally master of the rolls.

Sir William was born 1766; he graduated at Oxford. During his early years, he became acquainted with Burke, who formed a very high opinion of his character and abilities. That these latter were of a high order, there can be no reasonable doubt, as many of his literary compositions remain. They manifest a perfect command of style and considerable ingenuity.

He was called to the bar in 1788. We find many curious and interesting notices of him in the bar history and correspondence of that period. He was very highly esteemed among his contemporaries; but he was easily offended, and subject to depression and fits of sus-



picion. In consequence of this constitution of mind, his intimacies were liable to be sometimes crossed by misunderstandings, which not being founded on any substantial ground, were not easily removed by ordinary means; but his fearless honesty and lofty principles often terminated them in a manner as honourable as they were peculiar. We shall relate one instance. Smith, we should first mention, was remarkably endowed with that high moral sense, that a passing thought unfavourable to the moral character of an acquaintance had the effect of lowering him in his regard to a degree approaching detestation; and so great was his nicety, that it was not at that time easy to avoid offending it. With this chivalric infirmity it may be conceived how easy it was to fall under his disfavour. Such once chanced to be the misfortune of one of the most illustrious of his bar friends, though from what cause has not been stated; but so it was. Bushe, then his junior at the bar, was surprised by a sudden coldness and estrangement of manner, which nothing had occurred to account for. Smith, however, continuing to display towards him a gloomy, cold, and somewhat petulant manner, the two talented and high-spirited young men ceased to have any communication. During the interval, the manner of Smith became more and more gloomy and depressed, when one day they happened on circuit to dine in the same company in Philipstown. Smith left the room immediately after dinner. After sitting for a couple of hours longer, Bushe proceeded to seek his lodging. It was a cold damp stormy night, and quite dark. He had not proceeded many paces from the door, when he felt himself lightly touched on the shoulder, and accosted by a voice which he immediately recognised as that of Smith, saying in a tone peculiarly his own,—“I want to speak to you;” his friend went aside with him, when Smith addressed him,—“This town smites me with the recollection of your kindness to me, and of my unkindness to you; I have to request that you will, without any explanation, suffer me to call you again my friend,—you will be sorry to hear, what I deserve very well, that my conduct to you has injured my health.” Now, the same authentic source from which we have this anecdote, also enables us to say, that the whole of this wrong, which so deeply affected the trembling sense of justice in Smith’s mind, amounted to nothing more than having for a time entertained some notion injurious to his own high estimate of his friend; but which, by closer observation, or maturer reflection, he saw reason to give up. Such was the delicacy of Mr Smith’s honour and conscience, that he felt it to be a crime to wrong a friend even in thought.

Mr Smith’s rise at the bar was proportioned to his high qualifications. So early as 1795, he became king’s counsel. He represented the county of Donegal in the last Irish parliament. When the question of the Union was agitated, he at first took the adverse part, and was among the majority by which this measure was rejected on its first proposal in parliament in the session of 1799. In the interval between this and the introduction of the same measure in the next year, he had been led to a more full review of the question; and having, according to his natural tendency, taken it up on more general and speculative grounds, he came to the opposite conclusion. As there continued for a long time much reproach against those who voted for the Union, and especially

against those who in any way obtained any personal advantage in consequence, or apparently in consequence, of their conduct on that occasion, a few remarks are necessary in justice to baron Smith. He was one of those few men who could have pursued the exact course which he adopted at that time, without affording fair ground for any malignant construction, because the extreme length to which he carried his independence of character—the zeal for principles—the spirit of defiance with which he asserted his views of right, both accounted for his opinions, and for the course by which he acted upon them. Among all who were personally acquainted with him, there was not the smallest doubt as to the perfect sincerity of his motives. His conduct was in this, the same as in numerous lesser instances with which the experience of his bar friends was familiar; and every one knew the spirit with which he rejected all consideration but his own view of a question, so that, indeed, it was felt that he never could be depended upon as a party man. It was known that at any moment he would pause and hesitate on the lightest doubt, and conscientiously turn, if his opinion were to undergo a change. Smith firmly convinced himself on the occasion; and continued through life to argue strenuously in support of the principle of the Union. His appointment as solicitor-general, in 1800, was a step to which he was eminently entitled, and would have been obtained, had he adopted the contrary course of politics. But when, in 1802, he was raised to the bench, and succeeded his father as a baron of the exchequer, the appointment necessarily gave offence to the factions, and through them to the multitude. The fact had little chance to be fairly weighed; nor was it easy to separate the man from the circumstances under which he obtained this latter promotion. The promotion must be allowed to have been the result of service on the Union question; but there was as certainly no bargain. The baron was the only man of talent who espoused the ministerial party, such happening to be the result of his own view of the question. He was too important an ally not to be valued: the rest, rightly viewed, was matter of course.

On obtaining his seat on the bench, baron Smith, still young, and in the most vigorous perfection of his faculties, began to turn his mind to the more profound study of law. For this his mind was eminently qualified. He signalized himself as an able and expert writer on legal questions, on some of which his essays are of considerable interest. As a judge, he cannot be praised above his deserts. He carried to the bench, not only the skill and talent of a lawyer; but the liberal and humane sense and wisdom of a Christian philosopher.

At a late period of his life, the baron took justifiable alarm at the violence of the democratic party in Ireland. The increase of Ribbonism rose for a time to a truly alarming pitch. Murder was uncontrolled; and the law, sufficient in itself, was frustrated by the cowardice or party-spirit of provincial juries. It was under these circumstances that the baron was induced, by his strong constitutional feelings, to adopt a course which soon made him the object of much party animosity. On his circuits, he delivered a series of charges, of which it was the purpose to counteract the fatal influence, then operating on the minds and verdicts of juries. In the execution of this task, strictly within the duty of a judge, baron Smith could scarcely have avoided being more or less

identified with a party. He certainly laid himself open to the attack which was made upon him in parliament, of leaning to one side, and being lenient to delinquencies of the loyal, and severe on the popular party.

The baron's reputation as a judge, and the strong sense of the state of things which existed in Ireland, were in his favour. The government was hostile, but it was an administration without weight, and his friends in the House were earnest and effective, so that the storm rolled harmlessly by; addresses from the grand juries were poured in to the baron, to congratulate and compliment him on the occasion, and he replied to all in short and pithy answers, which attracted great attention by their elegance and style, and by the variety of their language. They were perhaps not less remarkable for the point and freedom with which he reasserted the principle of his charges, and vindicated himself.

Of the personal foibles and infirmities of a mind which it cannot be denied was subject to some eccentricities, it is enough to say that the baron was both respected and esteemed by the high-minded and light-hearted profession, to which he must be admitted to have been an ornament. We have some reason to suspect that his eccentricities became aggravated towards the close of his life, by the natural effects of old age.

#### RICHARD, MARQUIS WELLESLEY.

BORN A.D. 1759.—DIED A.D. 1842.

AMONG the illustrious names which figure in the history of Ireland, few indeed, in all important respects, are more honourable than Wellesley: if great services afford the test of comparison—none. The original paternal name of the family was Colley.\* Walter Colley, or Cowley, was Solicitor-general of Ireland in 1537. From this gentleman the family is traced, for seven descents, to Richard, who, on succeeding to the estates of the Wellesleys of Dangan castle, an Anglo-Saxon family of very ancient standing, settled in Ireland from 1172, adopted the surname and arms of Wellesley.

Garret Wellesley, first earl of Mornington, was justly celebrated for his high musical genius, having composed several glees which were successful in obtaining the prizes and medals given by the glee club. His church music still continues to be played, and to be much admired. This nobleman married a daughter of the first lord Dunganon. The eldest son of this marriage was the marquis Wellesley. He was first sent to Harrow, from which, with several others, he was expelled in consequence of a rebellion in the school, in which he took part. He was then placed at Eton. Here his reputation stands unquestionably fixed by the severest test of comparison, having been preferred by the master to Porson. Such distinctions are not always clear of imputations of favour. In this instance, however, it was as authentic as honourable. Lord Brougham relates the incident to which we would refer—"When Dr Goodall, his contemporary, and afterwards headmaster, was exam-

\*Burke's Peerage.



ined in 1818 before the Education Committee in the House of Commons, respecting the alleged passing over of Porson, in giving promotion to King's College, he at once declared that the celebrated Grecian was not, by any means, at the head of the Etonians of his day; and, on being asked by me (as chairman) to name his superior, he at once said lord Wellesley."

From Eton he entered Christchurch College, Oxford, where he eminently sustained the reputation he had acquired at Eton. A publication long after issued, put the world in possession of his beautiful compositions in Latin verse. We cannot dwell upon the incidents of this period of his life. He came to the age of manhood at a time when youths distinguished for talent, and having the vantage ground of station, were invited into a brilliant field of distinction. It was the day of Grattan, and Curran, and Bushe, and Plunket, in the Irish, and of Pitt, Fox, and Burke, in the British House of Commons. It was also a season of intense political excitement, when great changes were passing through their courses, and greater still beginning to open on the eye of the age. The French Revolution was creating danger and alarm throughout Europe. It was a favourable time for acquiring political experience and for exercising the youthful energies of a man like the elder Wellesley. In 1784 he was returned for Beeralston to the English House of Commons, and in the same year took his seat as Earl of Mornington in the Irish parliament. Into the early stages of his career it is not necessary to enter minutely. It will be enough to state that in 1786 he was appointed a lord of the treasury, and that he continued to hold this post until 1797, when he was chosen to succeed Lord Cornwallis as Governor-General of India. During his parliamentary career he took a considerable part in the debates, and his speeches were distinguished by the fervency of their loyalty and the abhorrence they expressed of the principles of the French Revolution. He enjoyed in consequence the favour and confidence of George the Third, with whom he had much intercourse, and he was created a member of the Privy Council in 1793. On his Indian appointment he was raised to the peerage of England by the title of Baron Wellesley of Wellesley, in the county of Somerset. The time was one when our Indian empire was in the extremity of danger: it had a powerful enemy at hand in the person of Tippoo, sultan of Mysore. His possessions had already been lessened and his power crippled in two disastrous wars with England, in which, notwithstanding a powerful artillery and the assistance of numerous European officers whom he had taken into his pay, he was decisively defeated. But he was firmly possessed with a presentiment in which as a Mahometan he placed the blindest faith, that he was destined to expel from India her infidel conquerors. For six years, from his defeat by Cornwallis, who had besieged him in his capital, he was laying deep his plans for the accomplishment of this design, and, warned by previous reverses, making preparations on a far greater and more complete scale. Although endeavouring to conceal his hostility until the favourable moment, he was completely distrusted by the English government, his vices and duplicity being too well known not to render him suspected. Many circumstances had during this interval been turning in his favour. He had preserved peace and striven to gain friends among the surrounding

rajahs. The war between England and France had given him promise of an infinitely more important ally, and it had strengthened his force of European officers. The Nizam, who was England's chief native ally, had suffered a great diminution of territory and power. A French army was directed to the Isle of France, and the French possessions in India were fully armed. But the greatest circumstance of all those which seemed to favour the plans of Tippoo Sultan, was Bonaparte's expedition to Egypt, by which that country and Syria had been secured as a basis of operations against the British empire of India. Tippoo had received an epistle from the already greatest of European commanders to the following effect:—"Bonaparte to the most magnificent Tippoo Sultan our greatest friend. You have learnt my arrival on the shores of the Red Sea, with a numerous and invincible army, wishing to deliver you from the yoke of the English. I take this opportunity to testify my desire for some news relating to your political situation, by the way of Muscath and Morea. I wish you would send to Suez or to Cairo, an intelligent and confidential person, with whom I might confer. The Most High increase your power, and destroy your enemies." Tippoo, on his part, with the strongest professions of honesty and good faith to the British, was no less earnest to cultivate so promising an alliance with their powerful enemy. In the previous year, he had sent his envoys to the French government in the Mauritius, of whose mission it was the object to levy men for the service of their master. The French governor there had no superfluous troops; but the Sultan's alliance was too important to be disregarded: his objects were identical with those of Bonaparte. A small and disorderly force was raised and embarked in a French frigate for Mangalore, where they arrived in April. A further instance of Tippoo's resolution and subtle policy is also to be noticed, as illustrative of the character of the man, and of the difficulties to be encountered by the British governor-general. The Nizam, or ruler of the Deccan, was understood to be in strict alliance with the English. Tippoo, availing himself of the pacific understanding as yet subsisting, entered into a plot with the French in his own service, to augment the European force of the Nizam, by the addition of large bodies of French soldiery secretly disaffected, and commanded by officers under his own pay; and by raising this body above the Nizam's real force, to undermine him in his own dominion. In prosecution of this design, a large force of Europeans, chiefly French, was incorporated with the army of the Nizam. Another principal step of Tippoo, was his embassy to the powerful Shah of Cabul, the ruler of the Affghan tribes, afterwards so well-known to our Indian armies, and, like himself, a strict Mahometan, and full of animosity against the British. To the Shah he proposed a choice of two plans of co-operation, having a common end in the expulsion of the infidels, and a strong personal inducement in the spoliation, and probably, division of the Deccan, and other territories, in which doubtless Tippoo proposed to himself to secure the lion's share.

His negotiations with the French and other hostile powers had been, as we have said, transpiring; and terror had begun to awaken at Madras, and creep along the Carnatic, in 1797, when lord Wellesley was chosen as one qualified to meet and cope with a season of menacing emergency. It was indeed a position not to be courted, nor accepted

unless by one whose courage was above the power of all that could dishearten and terrify. It was well known how tardy and insufficient were the resources of the British government in India; how trying the emergencies which were suffered to arise, and how severe and invidious was the spirit of inquiry which would be sure to follow and scrutinize whatever might be done under any circumstances. The responsibility which was to be placed between these dangers, was to be additionally burthened by the reluctance, the fear and incapacity of subordinates. But lord Wellesley was armed with vigour, sagacity, decision, promptitude, and firmness. His mind seems to have been framed for some great and imperial emergency—to control the dull, captious, and reluctant subordinate, and defeat the art and treachery of enemies. Having, on his way out, providentially met the Indian despatches at the Cape, he had the means of making himself entirely master of the state of affairs; and then, even at this early period of his office, he framed the plan of proceeding, which he afterwards effectively pursued; a fact ascertained by his despatches from that place.

This promptitude of judgment was qualified by a statesmanlike prudence. He determined to set out by maintaining the principles of justice and fairness so far as they were applicable, and not to be cajoled by pretences where they were not. The actual state of things he thoroughly comprehended; and on his arrival, entered on his course with the uncompromising decision which is always the result of clear apprehension. He had to meet the prejudices and the timidity of persons in office; to make the necessary efforts by negotiation and remonstrance, and to counteract the preparations which were being secretly made for aggression. These difficulties were added to by a fact which he soon discovered, that financial resources at his disposal were not sufficient for an immediate resort to arms. The campaign which he planned, should, he thought, be pushed to its conclusion within the season; and the grounds for this are obvious enough, if it be only considered how powerful a wave of hostility was collecting against England from the northern extreme of Cabul, to the powerful and inveterate Sultan of Mysore. Already the Shah was on his march towards Delhi. Most of the Indian princes, either from fear, ambition, or the influence of secret corruption, were secretly on the watch to declare for Tippoo, whom they, at the same time, feared and detested. The presidency of Madras was unequal to meet the first shock of the Sultan, who could pour down his thousands on the Carnatic coasts, and nearly decide the war before effectual resistance could be made.

Under these circumstances, lord Wellesley entered on a course such as the circumstances required. To repair the dissolved and disorganised defences and army of Madras, and form "so permanent a system of preparation and defence, as, while it tended to restore to the government of Fort St George, with all possible despatch, the power of repelling any act of aggression on the part of Tippoo Sultan, might ultimately enable him (lord Wellesley) to demand both a just indemnification for the expense which the Sultan's violation of the treaty had occasioned to the government of the East India Company, and a reasonable security against the consequences of his recent alliance with the enemy."\* With this view, as the same despatch informs us, in June, 1798, he gave orders

\* Despatches.



for the army to assemble on the coast of Coromandel. These orders appear to have met with every obstacle from the fears of the principal authorities at Madras. But to these the governor opposed the power of his official authority, and put an end to a weak and unwise, but conscientious resistance, by the gentle but peremptory declaration of his will. "If," he wrote in the orders of council, "we thought it proper to enter with you into any discussion of the policy of our late orders, we might refer you to the records of your own government, which furnish more than one example of the fatal consequences of neglecting to keep pace with the forwardness of the enemy's equipments, and of resting the defence of the Carnatic, in such a crisis as the present, on any other security than a state of early and active preparation for war. But being resolved to exclude all such discussions from the correspondence of the two governments, we shall only repeat our confidence in your zealous and speedy execution of those parts of the public service which fall within the direct line of your peculiar duty."

In the meantime, the governor-general applied himself to the counteraction of the scheme, by which Tippoo had actually contrived to obtain a formidable military position in the dominions of the Nizam of the Deccan. An army of 13,000 Europeans, under the pretence of alliance, or of ostensible neutrality, was not to be allowed to remain upon such a vantage ground. Lord Wellesley's measures were taken with admirable dexterity. A treaty was concluded with the Nizam, for a large addition to the English force in his pay. Three thousand British were ordered to the next British station, close to Hyderabad, the Nizam's capital; and on the conclusion of the treaty, they were marched thither, and joined by a large squadron of the native cavalry. Happily, a mutiny had just broken out among the French—the opportunity was promptly seized; they were surrounded, disarmed, and marched off to Calcutta, and shipped thence to France. The effect of this masterly demonstration was immediate, and widely influential: it was felt and understood through India, and conveyed to all her princes a sensation of terror and respect. It likewise operated to restore the courage and confidence of the irresolute and prejudiced councils and officers of the presidencies. The Nizam was thus strengthened against the otherwise certain destruction which menaced him, and the first and strongest approach was strengthened against the enemy.

It is beyond the scope of this memoir to follow out the particulars of the campaign which ensued, and we shall only state the main results. The governor-general, when he had disposed and arranged his resources to the utmost, and taken all those well-devised and comprehensive precautions which his means afforded, or his considerate understanding could suggest, clearly saw that the time to act with decision had arrived. The impatience of Tippoo was at its height, and he was likely to take the initiative, which might lead to disastrous consequences. The British armaments were only to be sustained at an expense, for which the resources at the governor-general's disposal were not more than barely adequate, and all circumstances showed that the moment for overt hostility was at hand. Lord Wellesley, therefore, took the indispensable first step, before he could have recourse to arms. He wrote to Tippoo, and told him that he was aware of his various acts of a

hostile character. He then apprized him of the success of the English arms in the Nile—of the alliance with the Nizam, and the termination of the French influence and force in the Deccan—the presence of an English fleet on the Malabar coast—and such other facts of similar weight, which tended to show that there could be no prospect of French aid either from France or Egypt. Trusting to the effect of these communications, he proposed that the Sultan should receive major Doveton, whom he would send instructed duly for an amicable arrangement. To facilitate the proposed intercourse, the governor then proceeded to Madras and on his arrival received Tippoo's answer—one, it is now needless to say, plainly stamped with the marks of duplicity. On Tippoo's part, the point of moment was the evasion of the proposed mission. This, it must be observed, was a test from which alone no doubt could remain of his intentions. Lord Wellesley instantly wrote a second letter, repeating this proposal, and urging a reply within one day. After three weeks had elapsed, the reply came, that the Sultan was about to go hunting, and would receive major Doveton, if he came "slightly attended." The drift of this evasion was too plain to leave any doubt; but in the interval, lord Wellesley, with a thorough apprehension of the mind and the proceedings of the Sultan, and determined not to let him gain the advantage of delay—his obvious design—had sent on the advanced guard of the British, with directions to proceed into the territory of Mysore; and at the same time took the steps necessary to put in motion, or to place on their guard, the other divisions of the British and his allies.

It was immediately discovered, as lord Wellesley had foreseen, that Tippoo's forces were already assembled, and in preparation for the reception of an enemy. It was plain that, if not invaded, he had been on the start to invade; and it may be inferred that his march was only checked by the approach of the Malabar army under general Stewart. From a hill they were seen forming their encampment at Malavelly between Seedaseer and Seringapatam. Having the advantage of concealed positions, in a very difficult region of hills and forests, they were enabled to gain the advantage of coming unexpectedly on a division of the British, and attacking them simultaneously both in front and rear, before more than the three corps they thus engaged could come up—the remaining corps being intercepted by another body of the Sultan's troops. In this formidable emergency, the troops of the presidency remained till next day; and, completely surrounded, they only defended themselves by the most desperate valour. Their intrinsic superiority sustained them against overwhelming numbers, until general Stewart came to their relief with the flank companies of the 75th and 77th regiments. The engagement was fiercely renewed; and after half an hour, Tippoo's men gave way and fled through the jungle, leaving the British conquerors, but completely exhausted from the fatigue of this severe struggle.

Immediately after this affair, a junction was formed between this division and the main army, notwithstanding the efforts of Tippoo, who endeavoured to prevent it by laying waste the villages and country on their line of march. He did not, however, extend this destructive operation sufficiently for the purpose; and, by a slight deviation, the

British general (Harris) reached the end of his march without interruption. Tippoo was too shrewd not to be aware, that his chance in the field was thus reduced to nothing, and that his trust lay in the strength of his capital, which he knew they would attack, and thought might defy their force. He therefore directed his flight thither with the remains of his beaten army.

In about a week from the battle of Malavelly, the British were encamped before Seringapatam. This was on the 16th of April 1798. On the 30th their batteries were opened: in a few days there was effected a considerable breach. The assault was made in the heat of the day, at the time when least resistance was to be expected. The attack was completely successful; and the town was soon in the possession of the British. Tippoo was found after a long search, lying under heaps of dead, and wounded in five places.

In the meantime, the menaced invasion from the northern Affghanistan power was prevented; and a most imminent danger warded from British India, by the well-directed force which the governor-general had previously sent into the principality of Oudh, with the double view to intercept the Shah, who, according to the suggestion of Tippoo, had marched to Delhi, and of checking the movements of Scindhia, whose hostility was well known.

The fall of Tippoo gave occasion for effecting more completely the system of arrangement, by which alone the security of the eastern empire, and the peace of India, could be placed on a footing of tolerable security. The Indian princes, while they exercised the most grinding despotism over their subjects, were utterly devoid of all sense of honour, faith, and truth; and this, not so much from any peculiar depravity of nature, as from the character of their religion, education, and habits.

Towards this confederacy of tyrants, it was essential to maintain the rules of European policy, only so far as they were applicable. There was no ground in the more general considerations of humanity, why they should be respected or even endured. The fundamental law alone, which secures existing possession, was their equitable protection, and could not be violated without adequate reason. But this, their own falsehood and treachery amply afforded. There was no genuine ground for the questions which a humane but ignorant and inconsiderate Opposition suggested on this occasion. By the results of war, and by their own lawless policy, the dominions of the Indian potentates had been placed at the discretion of the British empire in India. Under the circumstances, there can be no fair doubt that the British empire, now the main part of India, was, in the first place, bound to act on the great primary law of self-protection. It was not to be heard that this great and civilized empire, on which the interests and safety of fifteen millions, as well as the progress of civilization, freedom, and true religion, in Asia depended, was to be risked and betrayed for the advantage of a small number of miserable tyrants of the worst description, that they might be allowed to conspire against each other, to crush the wretched Hindoos, and confederate for the destruction of the British. But on this question, as on many others, false ideas had been engendered by the previous agitation of another question, which, though



essentially distinct in all its bearings, applied to the same subject. The rules of one, and still more the feelings, were applied to the other. It has been the noble distinction of England to lead the way in all the great measures of humanity, and errors of humanity are entitled to respect. But the charges against Warren Hastings and his predecessors involved precisely that violation—for beneficial ends it is true—of rights which, however their force may be settled, had in this latter period either changed their character, or entirely ceased to exist. The power exercised by the British government had become a just, and even a conceded right. The territories appropriated were fairly won in self-defensive war: the princes interfered with were some of them only existing by the protection of the British; and the rest either convicted enemies, or unable to maintain themselves without danger to the empire. And these are all recognised cases of international law in which interposition becomes authorized. We do not believe that any doubts now remain on this class of questions; and those which were entertained, or pretended by party opposition, were even then silenced by the good sense and just feeling of all parties.

The governor-general took advantage, as we have said, of the fall of Tippoo, to carry into effect his plan for the radical correction of the false and vicious system, under which there was neither security for the British empire from the incessant recurrence of the same expensive and calamitous wars, nor for the Rajahs, from the consequences of their own turbulence, craft and weakness. The Mahratta war, which followed the conquest of Mysore, protracted and delayed the more full completion of this new arrangement, by which the Indian Princes were henceforward to place the military department of their establishments under the command and authority of the British government, allotting for the purpose a sufficient portion of their revenues; and retaining only the civil government of their respective provinces.

Of the Mahratta war, it would be impossible to give an account suitable to its importance and interest, within the space which can here be afforded. Five chiefs of provinces had managed, by the usual resources of the East—the weakness of their sovereign, and the facility of rebellion—to raise principalities for themselves in five western provinces of the Deccan, and protected themselves by a mutual league. The vast dominion cemented by this compact amounted to nearly nine hundred square miles. They were among the most warlike and turbulent princes of the East, and the most alert to seize on each occasion of hostility to the British. A population of forty millions, enabled them to maintain armies amounting to four hundred thousand and upwards. As may well be conjectured by the reader, the harmony of such a union of turbulence and intrigue was by no means undisturbed: among these potentates there went on an incessant strife for the supremacy. Their principal object was severally to obtain possession of the authority of the Peishwa, or prince of Poonah, who was the least in point of strength, but who had the advantage of deriving his title by descent from the first founder of their union, whose paramount sovereignty they all pretended to recognise. As the usurpation thus intrigued for would, by the concentration of so large

an empire, be dangerous to the British dominion, it was the policy of the government to prevent such a result, by maintaining the balance of power among them. For this purpose, the course pursued was to add strength to the Peishwa, and to maintain with him a strict alliance. With such views, on the fall of Tippoo, a considerable addition was made to his territory; and he was recognised in every treaty as the sovereign of the Mahratta confederacy. These wise precautions were, however, entirely defeated by the successful efforts of Scindhia (one of the five), who kept the Peishwa in such complete subjection that he not only could not fulfil his engagements to the British, but was even compelled to refuse their favours.

Such was the position of affairs among the Mahrattas, when disturbances arose among them, which it would be foreign from our immediate purpose to relate. A war sprang up between Holkar and Scindhia, the former of whom marched against the Peishwa, who applied for protection to the governor-general. As the result of his fall must in all probability have been soon followed by the ascendancy of Holkar, it was evidently an occasion of the most pressing emergency; and therefore immediate steps were taken, which led to the commencement of that war, which is connected in military history with the fame of one of the able and successful commanders, under whom it was brought to a favourable conclusion, after a glorious and hard-fought campaign. The result of this most brilliant succession of distinguished victories, including those of Assaye, and Lassawarree, won by the younger Wellesley, was that, in February 1804, peace was proclaimed with the Mahratta chiefs, on terms arranged by lord Wellesley. He had been created Marquis of Wellesley in 1799, on the overthrow of Tippoo Sultan. The inhabitants of Calcutta, impressed with a sense of the importance of the new success, voted a subscription for a marble statue of the governor-general, and at home he received the honourable distinction of the order of the Bath, and the thanks of parliament. We must not omit to mention the important assistance the marquis was able to give in wresting Egypt from the French, by despatching a force up the Red Sea, under Sir David Baird, to co-operate with Sir Ralph Abercromby.

Lord Wellesley's successes against the native allies of France were scarcely more deserving of praise than the mild and steady progress of improvement in the civil and constitutional state of the entire country thus secured from the dangers of incessant invasion. The administration of justice, of the internal police, the morals of the people, the interests of knowledge, and still more of education, obtained his attention and unremitting care. Ever singularly regardless of selfish considerations, his whole heart and entire resources were freely devoted to the great purpose of consolidating the empire, and adding to the happiness and welfare of the people. He proved his superiority to the avarice which so generally prevailed amongst the Anglo-Indians of that period, by relinquishing £100,000, his share of the spoils of Tippoo, to the army; and came home unadvanced in anything but honour, and the satisfaction of having done good on an imperial scale.

Though his services did not secure unqualified approbation, they were rated justly by wise and honest men. On coming home, an attempt to impeach him had but the effect of drawing forth universal

testimony to his high deserts. In the commencement of 1806 he returned, when the death of Pitt had the effect of reducing the Tory party to a state of disorganization; and a protracted series of intrigues and abortive negotiations to construct an administration out of the leaders and the *debris* of both parties, continued for several months. The members of Pitt's government applied, with the king's consent, to the marquis Wellesley, who declined to make an attempt of which he saw all the difficulties. In the following session, Sir Philip Francis moved for his impeachment. Sir Philip was desirous to make a grand display on Indian administration, as he was still excited by a hope that he might himself be sent out as governor-general. But there was too strong a feeling in favour of the marquis; and the more respectable members of either party, with the exception, we believe, of Fox, discountenanced a party prosecution so gratuitously vexatious. The marquis held himself aloof in the scramble for place to which his large intellect and refined tastes were repugnant, until 1809. In this year, when the country had been led to increased efforts in the great struggle in which it was then embarked, it was proposed by Canning to bring the marquis into the cabinet as secretary at war, instead of lord Castlereagh, out of which arose a misunderstanding and a duel between those two statesmen.

In the same year, the marquis was by much entreaty induced to go as envoy extraordinary to Spain, where the greatest detriment to the service had occurred from the utter incapacity of Mr Frere. Towards the close of the year he returned, and was appointed foreign secretary in the place of Canning, when lord Liverpool succeeded lord Castlereagh in the war and colonial office. We find him at this time, with great and striking oratorical excellence, vindicating his brother and the conduct of the war, against the powerful faction among the whigs, which were then violent in the opposition; and though Canning and Croker were among the distinguished defenders of the war, there does not appear to have been any speech produced by the occasion deserving of comparison with that of lord Wellesley. Among the whigs, the war had been unpopular from the well-known principles of their party; but their opposition was at this time exasperated by the impatience of a contest which, while it was attended with a heavy expenditure of public money, seemed to promise no decided result. In a word, they did not understand the actual position of affairs in the peninsula, and seemed warranted by the precedents of a quarter of a century, in drawing unfavourable inferences from the tedious movements of a protracted campaign. They did not know the real difficulties which it required time and steady patience as well as first-rate ability to surmount, nor had they any adequate notion of the abilities which were engaged in the task. They did not know, what they might have known—the inadequacy of the means applied, at a time when the utmost liberality should have been exerted to further the crisis of this great struggle. The great commander to whom Europe was indebted for delivery, had to strive against all imaginable odds, a parsimonious supply of the necessities of war, stubborn and wrong-headed interferences, speculation, and remissness of official persons; so that his friends were actually more formidable than the numerous, brave, and well-commanded army against\*



which he was to direct his little force. All this was not rightly understood, until the success of our troops made it apparent. Such indeed is always in some degree the ignorance which exists in an opposition party, and sometimes in both, when the scene of action is remote, or beyond the compass of immediate personal observation.

In 1812, when the restrictions on the Regency were on the point of expiring, and there arose an interval of distraction, uncertainty, and apprehension, among the holders and the expectants of office, the marquis tendered his resignation. The regent requested him to retain his place provisionally, until he should himself be placed at liberty and to this he consented for the time. Into the causes of the marquis's wish to resign, and the intrigues of those who were his personal enemies, it is not necessary to enter. It will be enough to say, that it appears that the result of these circumstances was—contrary to what might have been expected and desired—to establish Mr Percival in place, and confirm the marquis in his determination to resign. On tendering his resignation the second time, he was requested by the prince to state his opinion as to the changes advisable in the plans of administration. The marquis recommended a satisfactory settlement of the claims of the Roman Catholics in Ireland, and a more efficient prosecution of the war. His resignation was then accepted.

In 1822, he succeeded earl Talbot in Ireland, and produced beneficial effects on the agitated temper of the country, by the adoption of a line of conduct in which a liberal and impartial spirit was carried to the utmost extent consistent with fairness or sound policy. The marquis discerned the great changes, in point of number, wealth, and civilization, which seemed to call for and admit a relaxation of political restraints, and gained during the period of his viceroyalty the entire confidence and esteem of a warm-hearted people. The marquis was recalled in 1828, on the accession of the Tories. In 1830, he accepted the appointment of lord steward in the household. In 1833, he came back to the viceroyalty of Ireland, which he resigned in the following year.

On the subsequent political career of marquis Wellesley, it is not necessary to enter further. Lord Wellesley joined the Melbourne administration in 1835, but resigned in the same year. He neither sought for office, nor was willing to accept it, if it was necessary in the slightest degree to compromise his opinions, and he was not always well treated by his party. Lord Brougham relates, "On their (the whigs) accession to power, I have heard him say, he received the first intimation that he was not to return to Ireland from one of the doorkeepers of the House of Lords, whom he overheard, as he passed, telling another of my friends lord Mulgrave's appointment." On retiring from the Melbourne ministry, he was in his seventy-seventh year, and determined to give up the rest of his life to repose. In consequence of some pecuniary difficulties, the East India Company made him a grant of £20,000 in 1837. The marquis died in September 1842, and by his special wish was buried in the vault of Eton College Chapel, where seventy years before he had worshipped as an Eton boy. He was twice married; in 1794 to an opera dancer named Hyacinthe-Gabrielle, only daughter of M. Pierre Roland. By her he had several children, but after a period

of separation she died in 1816. In 1825 he married an American lady, widow of a Mr Patterson.

The pursuits of the last retirement of the marquis are, like the achievements of his public life, fortunately not without their monument. A small volume of Latin poems, dedicated to Lord Brougham, and published in the author's eightieth year, sufficiently prove that he would have been as distinguished in the cultivation of letters as he was in the government of states. It would be difficult to give several of his later poems higher praise than they deserve; the classical and poetical reader will perceive in them the deep vein of uncorrupted fancy and feeling, preserved from the brightest and purest fountain of the youthful affections, which glows through their every line at the advanced age of eighty. They indicate also Christian studies and habits of feeling, which shew that this noble heart was cheered in its latter days by still happier consolations, and led by purer lights and more immortal hopes than the muse of Greece or the literature of Rome.

CHARLES KENDAL BUSHE, CHIEF JUSTICE, QUEEN'S BENCH.

BORN A.D. 1767—DIED A.D. 1843.

THE end of the last century, though far behind the present time in public intelligence and in the advancement of real knowledge, was yet as far beyond it in that loftier cultivation of the heart and reason which constituted the finished gentleman, the accomplished man of letters, or the powerful orator. Not, indeed, that this pre-eminence was generally diffused among the wealthier classes, but while there existed among the lowest ranks a perfect barbarism, and among the rural gentry a rude and uncultivated condition as to habits of life and general attainment, there was among the higher aristocracy, the university, the bar, and the leading parliamentary men, a sedulous cultivation of elegant literature, of the refinements and graces of language, of the popular methods of address, as well as of the exercise of the whole art of forensic eloquence, such as has not since been remotely approached; nor, considering the changes which have taken place in knowledge and manners, is likely to be again attained. In England, our illustrious countryman, Burke, had, with all his unrivalled power, raised his testimony against Indian oppression or domestic improvidence, and warned his country and mankind against the rising storms of French revolution—"Shook the arsenal and fulmin'd over Greece"—followed by the brilliant and celebrated men of either party, whose names are still so familiar. In Ireland, Grattan and his powerful contemporaries were only less famous, because they had a narrower stage, and less elevated parts to play. Emanating from this splendid competition of men of the highest gifts, there were in different circles of society bright expansions of intellectual light, of greater or less compass and spirit according to the local combination and social influence of some one or more central minds; but there was no spot within the country or the kingdom more conspicuous for its high and refined cultivation than the county

of Kilkenny. The county of Flood and of Langrishe, under the influence of a few accomplished families, had become the Attica of Ireland. To this effect the residence of several wealthy proprietors contributed; and family connections added to this illustrious circle the choicest mind of other places. By the intermarriage of his sister with Mr Bushe, of Kilfane, as well as by his early acquaintance with Flood, Grattan became a frequent and intimate associate in the circle of county society which had Kilfane for its centre. Such were the auspices, and such the time and place from which issued Charles Kendal Bushe, a name too honourable to derive illustration or distinction from any title.

The ancestry of the Bushe family may be traced far into the heraldry of England, and is variously connected with that of the most respectable families in their part of Ireland. Of the Irish family, the founder came over as secretary in the time of William III., under the vice-regency of lord Carteret. They acquired, by grant or purchase, large possessions in the county of Kilkenny, and resided in the family mansion of Kilfane; in the past generation, this seat was transferred by sale to the late Sir John Power, baronet, who married Harriet, daughter to Gervase Parker Bushe, of Kilfane. Chief Justice Bushe belonged to the younger branch of the family. In the end of the 17th century, the then Mr Bushe, of Kilfane, married Eleanor, sister to Sir Christopher Wandesford, who was created viscount Wandesford in 1707. By this lady he had (with other children) two sons, Amyas and Arthur; of these the elder inherited Kilfane, and was the immediate ancestor of the Kilfane branch. To Arthur, his father gave Kilmurry, being a small estate separated from the family demesne.

The Reverend Thomas Bushe, eldest son to Arthur Bushe, of Kilmurry, married Katharine Doyle, sister to the late general Sir John Doyle, long governor of Guernsey, and well known as the gallant colonel of the brave 87th. Sir John was also very universally known for his rare command of wit and humour, for the eloquence of his speeches and addresses in the Irish parliament, and afterwards in the India House; and was very much distinguished by the favour of George IV., who was so eminent a judge of character and social talent. Of his peculiar style of humour we can only afford an instance. Once when he had the honour of dining at Carlton house, a gentleman was entertaining the prince and his company with a lively account of some adventures which he had met with on his travels; among other wonders, he gave a lively description of some monstrous bug, on the marvellous properties and exploits of which he dwelt with all the eloquence of Munchausen. "Pray, Sir John," said the prince, addressing the baronet, "have you any such bugs in Ireland?" Sir John replied, "They are quite common, I can assure your highness, we call them humbugs in Ireland." The sister of this worthy baronet, though less widely known, was not less remarkable for her superior understanding, her refined and polished wit and taste, and her knowledge of the literature which was then cultivated by the highest minds. She lived to a very old age, and had the gratification of seeing her gifted son Lord Chief Justice of Ireland. She was still, at that extreme period of her life, very remarkable for her graceful manner, the elegance of her easy play of allusion, and



the youthful brilliancy of her fine eyes. She was equally observable for the fine tone of high and generous feeling, which often reminded us of some dignified matron of the Cornelian race: there was about her person, manner, and style of conversation, much to verify and illustrate the frequent remark, how often the most illustrious men have been indebted to the virtues and talents of their mothers.

Not long, we believe, after his marriage with this lady, Mr Bushe accepted the chaplaincy of Mitchelstown; and having fallen into considerable pecuniary embarrassment, was compelled to alienate Kilmurry for the liquidation of debts which had been chiefly the result of an unfortunate passion for building. Previous to this occurrence, two children, Elizabeth, and afterwards Charles Kendal, the subject of our narrative, were born,—the latter in 1767. He received the name Kendal in honour of a Mr Kendal, who had bequeathed to his father the neighbouring demesne of Mount Juliet, which his father had a short time before let to lord Carrick. After removing to Mitchelstown, Mr Bushe had five other children.

Of the early education of Charles Kendal Bushe, we have no very precise details to offer, and shall not load our pages with those which can amount to no more than generalities. In his fourth year, he was sent to Mr Shackleton's academy at Ballitore, then eminent for its superior system of education, and afterwards illustrious for the men it produced. We have already had to notice it in these pages. From this, he was removed to another very distinguished school, that of Mr Craig in Dublin, the same in which we have already had to trace the early days of Tone. Here, too, several persons conspicuous in after life became united together in that interesting tie of memory, which, from so slight a beginning, had so deep and permanent a hold. From these traditionary recollections, we must pass on to the time of his entrance into Trinity College, Dublin, in 1782, when he was in his fifteenth year. Here he was eminently distinguished, and notwithstanding his extreme youth, was successful in winning premiums both in classics and science. His classical attainments were placed beyond doubt, and nearly beyond the reach of comparison, by the unusual circumstance of a scholarship in 1785, with eight first best marks—a distinction strongly verified by the perfect mastery which he retained to the very last, of the whole of that range of Greek and Roman literature which was then included in the premium course. His contemporaries were among the most remarkable persons of that generation. Plunket, Miller, Graves, and Magee, were among the scholars at the time. Tone, also, then as much distinguished by almost unrivalled wit, and admirable address, had obtained his scholarship in the previous year. To maintain a leading position in a circle which has not been equalled since, and is not likely to be soon rivalled again, the great reputation which Bushe had then acquired, and well maintained, is of itself a test of high distinguishing qualities. The Historical Society brought these brilliant and active spirits together into a competition more free and congenial than the pursuit of academic honours; and here Bushe rose as nearly to his comparative place, relative to these eminent men, as was consistent with the imperfect nature of the test, and the inexperience of those who were to pronounce the awards of fame.

If, however, Bushe had, in the estimation of his college contemporaries, a place in any degree lower in comparison than we must claim for him, it cannot strictly be said that he was underrated; if he was not *first*, he was nearest to it. He possessed by nature the flowing torrent of burning words which all can feel: he was also master of a rare and matchless style of wit, which art never gave; it was that command of the most rapid, varied, and lively combinations of fancy, and of playful allusion, which he had inherited with his mother's blood, and which seemed to sport involuntarily and without consciousness upon his lips. He never was to be caught in premeditated witticisms, or guilty of resurrectionary Joe Miller's in his lightest discourse; he was witty because he could not help it; and as his whole conversation flowed from the kindest feelings of human nature, his wit was as much directed to give pleasure, as that of most wits to give pain. Quite free from the vanity of competition, and admired by all, he never interfered with the pretensions, real or imaginary, of others, or entered into frivolous disputes for the sake of victory.

After leaving college, some years were spent in studies of which the law, which he had selected for his profession, formed but a small part. This is an inference warranted by the known extent and variety of his early and intimate acquaintance with every branch of polite literature, and the skill and information in the reasonings of metaphysical writers, proofs of which remain among his papers. A thorough acquaintance with the best writers in defence of revealed religion, and a very able reply to Hume's attack upon it, were among the fruits of this interval.

He was called to the bar in 1790. We cannot distinctly say to what cause it is to be ascribed that his success was not so rapid as might be expected from the high reputation he had already acquired, and the popular nature of some talents he so strikingly possessed. The case is (seemingly at least), not of infrequent occurrence. Men of first-rate legal attainments, as in the instance of Lord Eldon, have been long unnoticed. But deep legal erudition, and the powers *essential* to the lawyer, are not of a nature to force themselves into notice; nor are those gentlemen who are the dispensers of bar employment, the best qualified to discern the powers and attainments they are in duty bound to look for. It was then, at all events, thus. It is true that in the instance of Bushe these reasons are insufficient; his faculties were too bright to escape the dullest vision. But it was a moment of vast ebullition of all the lower and baser elements of the social state: there was a collision between democratic rage and folly, and administrative misrule. Disaffection on one side; and on the other, low intrigue, and base subornation; while unprincipled or misprincipled acquiescence in popular folly, filled the space between. Bushe could easily have sold himself to the Castle, or bartered his lofty sense of principle for the praise of democratic clubs, and the applause of rabbles. He could early have had the office of a crown prosecutor of those whom he condemned, but loved and pitied; or he could have been the popular advocate of crimes which menaced the dissolution of civil society. There was in his nature a dignity, and an instinct of truth which repelled both. He stood apart, not so much intentionally as from the instinct of a nature at once generous and delicately alive to principle.

In the same year, he was called on to assist in the last meeting of the Historical Society, and made on that occasion a speech long remembered by those who heard it. The society was in itself an institution subject to the college, composed of its students, and within its walls, though not comprised in its corporate constitution. It will best be described as a school of oratory, poetry, and history, of which the first nearly absorbed the whole practice. It met weekly, during the college terms, on Wednesday night, and when the secretary had read a minute of the transactions of the last previous night, some question selected on a former meeting was formally proposed for debate. These questions were mostly of an historical character, and involved some important moral or political principle. We are not aware that the general order and practice of the society at this period was materially different from the latter society revived in the same place not many years after, in which we can recollect to have heard the eloquence of many since known to fame—

Et nos

Consilium dedimus Syllæ, privatus ut altum  
Dormiret.

In the earlier period, it must be allowed, there was an amount of genius not afterwards equalled. But there was in both periods an error in its constitution, inconsistent with permanence. It admitted of the clash of party opposition, and thus necessarily called into existence among rash and heady youths, the same tendencies which carry grown up men into such folly, crime, and violence. In the later society, it is well known to what an extent a spirit of intrigue, turbulence, and insubordination were beginning to appear, though under greater constraints and with less provocation from without. But in the day of Bushe, their debates were far more free; and they were touched with no slight spark of that fire which burned so fiercely in the breast of the Emmets, of Tone, and others, who were then among their distinguished orators, and were soon after too well known to their country. It was in 1790, that the heads of the university, actuated (we believe) by reasons not materially different from those which they again acted upon in 1815, thought it necessary to place the Historical Society under more stringent rules. The effect was in each instance the same: the society met and voted itself out of existence.\* To grace, and give force to this act of self-dissolution, Bushe was invited. It was the custom, at the beginning and end of their sessions, to open and close the meeting by a speech from the chair; the orator on such occasions was always chosen for his ascertained powers, and the public was admitted. It was therefore a distinguished test of character to be thus called to speak to the world the last of these solemn addresses—the last words of the old Historical Society. Many passages of the speech which he then delivered have been printed in different works, and are therefore generally known to those who exercise a taste for oratory. We here give no extract, because it is our design to offer other specimens of far maturer power.

\* This institution has long been revived, but under a far more well-conceived and durable form, in which all its proper ends are secured, and its irregular tendencies excluded



On attaining the age of majority, Bushe's first step was one which, while it indicates the same high and generous nature which will appear in every part of his life, had the unhappy effect of plunging him into difficulties which operated to retard his advancement, and heavily cloud both the peace and the prospects of his earlier years. Unable to bear the pain of witnessing the embarrassments of his father, he made himself liable for the full amount of his debts. Of the actual amount of these, neither father nor son had any distinct knowledge; and Mr. Bushe, having assented to the proposal, immediately found himself involved to the amount of thirty thousand pounds. This heavy incumbrance was unaccompanied by any proportionate means of liquidation; and he soon became so severely pressed by his creditors, that he was compelled to absent himself from Ireland for an interval of two years after his call to the bar. It must be quite unnecessary to say how darkly such a state of circumstances must have clouded his youthful ambition; how like the aspect of ruin it must have appeared. The way was nevertheless opening which was to extricate him, so far at least as to enable him to enter upon the scene of his professional labours and future successes.

Some time before, he had been introduced to Mr. Crampton, then residing in Merrion Square in Dublin. This gentleman was in his family and among his acquaintance considered remarkable for his sound and penetrating judgment in the observation of human character; and it is now a satisfactory test of the justice of this character, that he immediately formed a very high opinion of the merit and qualifications of his new acquaintance, and expressed a confident anticipation of his future distinguishing success at the bar. Mr. Bushe seems, from what we are enabled to infer, very soon after this introduction to have conceived a strong attachment to Mr. Crampton's third daughter. This circumstance must have first been productive of a painful aggravation of his distressing situation, when he found himself compelled to quit, together with his professional prospects, the scene of those hopes and wishes which he was wont to have felt with such peculiar strength.

After an interval, during which he pursued his studies in his Welsh retreat, he returned to Dublin, probably with some definite prospect of an arrangement with his father's creditors, such as might allow the prosecution of his professional interests. His was not the temper of mind to stand contentedly aside and let the world go by: and we cannot now even conjecture to what extent the clouds which thus had thrown a momentary shade upon the outset of his brilliant career, may have begun to sever and let in a more cheering light. We can only now say, that after a couple of years, he returned and entered on his profession. As his marriage had been understood to await this important preliminary, it soon followed, with the full consent and approbation of every side. He had previously made such arrangements as his circumstances admitted, for the settlement of the liabilities to which his high and generous spirit had exposed him. The fortune which he received with his wife, increased by a considerable loan from an attached friend, enabled him to extricate himself from the immediate pressure of embarrassments, by paying off the most urgent of his

father's creditors. He then came to reside for a time in Merrion Square, with his wife's mother.

Such a union might well be regarded as an event too important in the history of his life, not to demand some especial notice. It was indeed the happiest compensation for many evils in his position—for the weary struggle that was yet before him. The venerable and highly respected lady, to whom the subject of our memoir was so deeply indebted for the best portion of his comfort in this world, survived to the most advanced age, the loved and cherished centre of the numerous circles of his descendants and her own; and being personally aware of the extreme dislike she entertained to all allusion to those qualifications which were too much known and valued to be quite private, we feel that there would be something of a violation of the sanctuary of a Christian's profound humility, to say much that our feeling prompts and our subject requires. It may be desirable to notice the circle of connexion into which Mr. Bushe was thus introduced. Mr. Crampton's eldest daughter had been previously married to the Reverend Gilbert Austin, the worthy and amiable rector of Maynooth. Another was afterwards married to Mr. Smyly, a barrister of very considerable eminence. Of Sir Philip Crampton, we shall have to speak elsewhere. Mr. John Crampton, the eldest brother, was also well known in the best society of both countries, and died as eminent for his enlarged and zealous piety, and earnest promotion of the best and highest of causes as a true and faithful servant of Christ, as he had in early life been for his gaiety, and singularly active and powerful frame. Of the Rev. Josiah Crampton, rector of Castle Connel, we have not so directly the means of speaking on our own personal knowledge; but we may here insert a sentence written in after life by Chief Justice Bushe himself. "I return you Joss's inestimable letter, full of all the good realities of a fine downright unsophisticated character, a *droiture* and justness both in thinking and feeling, which affectation could not assume, and fiction could not invent." Such, indeed, was the character of this estimable Christian minister, who never for a moment bent his knee to Mammon, or lost sight of the proper character of his calling, the highest, if rightly understood. He had, in common with most of the members of his family, considerable talents. These few we select from many who formed Mr. Bushe's first and inmost circle on his introduction into professional life. It would be vain to enumerate the many who at that period must have claimed familiarity with one so eminently known for social attractions. These were the most gifted persons of their time and country.

A considerable interval now followed, which does not admit of distinct commemoration, unless by such notices as cannot be said in any way to be connected with the progress of our narrative. We have already taken occasion to state that during this period, he made little professional advance. He continued to walk the courts, if not without a brief, at least without any opportunity of distinction, and to go on circuit, with but occasionally small employment for several years. We can, however, most satisfactorily ascertain one fact: that among his contemporary lawyers, he was held in proper estimation. And we can have no doubt, that the general and evident sense of those best qualified to judge, must have helped to sustain his courage during those trying years, in

which he continued to buffet with and withstand the waves of adversity. His trials were, indeed, rough, and sufficient to overwhelm a spirit of less energy, and less consciousness of power. While he was pressed by the clamour of creditors from without, he was haunted by the menace of straitened means within the home of his tenderest affections—of the wife he loved, and of his increasing family.

His talents were, it is true, known to Government, and, as we shall presently exemplify, brought offers which, under his circumstances, few, indeed, could have rejected. The leaders of the Irish opposition were, in fact, all those who were capable of making any impression by their eloquence on the public. The accession of Mr Bushe would have been cheaply bought by the administration, at any price. Such offers came: they brought with them the feeling of honourable indignation, and the painful sense of the claims of wife and children. But happily for Bushe, his pure and lofty principles were shared in by her whose peace alone could have induced an instant's hesitation, and he invariably repelled every temptation to swerve from the strict line in which his duty appeared to consist.

In the year 1797, he was elected member for the borough of Callan: and it was not long before he found occasion enough to display an eloquence which, though far, indeed, from being appreciated according to its real excellence, yet could not fail at once to place him high in the foremost rank of orators. His speeches then, as ever after, manifested little if anything of those popular ornaments, which were then valued so much beyond their real merits by the people, because they were accommodated to their taste, and cultivated by men of superior understanding on account of their popular effect. There was in Ireland a degree of barbaric taste for effect, which harmonized powerfully with the strong popular passions which then prevailed. And, accordingly, the adornment of trope and figure—the flight of poetic diction, the pointed epigram, the keen retort, and the laboured display of invective—were the study of the orator, and the admiration of his hearers. More solid and higher qualities had indeed their praise; but unless in their highest degree of excellence, they were regarded as second to the more ostentatious flights of ornamental language, for which unfortunately too much deduction is to be made now in estimating even the greatest orators of that period. Among the very foremost in celebrity, it is curious to see how much of their superiority consisted simply in manner, and how much of this was rather the result of elaboration on vicious models than the genuine production of intellectual power; and even when this power must be acknowledged to have existed, fame was won rather by the tawdry embellishment which delighted the vulgar, than by the display of intellectual power, or of detached and comprehensive knowledge. This will be easily observed in the orations of that truly great man Grattan, in his earlier period. Nothing can be less entitled to the praise of eloquence than the *real* arguments and material statements of his best speeches. These are, nevertheless, the real indications of his powerful and comprehensive intellect; but his fame was won by those less durable, though more brilliant efforts, which, admirable in their way, would hardly have been remembered, but from the dry and stern elevations of Titanic intellect which they accompany, but do not blend with.



Contrasted with such a style or styles, was the less ostentatious, but far more masterly one, in which Bushe may be regarded as *facile princeps*. It would be difficult to convey any clear idea of it by mere description: impossible to conceive or to execute, without rare gifts, in rarer combination. And this is not merely true, but even a characteristic truth. It is easy to pursue a chain of reasoning: it is easier still to soar into the well-frequented region of metaphorical cloudwork: the union of wit and gall, which the epigrammatic point combines, though somewhat rarer, is neither quite uncommon, nor remarkably elevated in its claim, though a claimant, perhaps, too formidable to be put off, without due allowance. But Bushe united all—the reason, the clear and lucid statement, the wit of purest water, the dazzling play of fancy, the keen and terrible edge of satire, in his most simple, pure, and classic flow of apt and yet unstudied language. In his narrative, in his argument, in his reply, the clear and unembarrassed method displayed a mind attentive only to what was material; while every sentence was rendered more effective than the most laboured glitter of ordinary rhetoric, by a pure, rich, intrinsic beauty of diction—a light from the unseen source of mind within. This quality, while it told on the simplest mind, was itself a result of the most refined reach of perception and taste. An exquisite adaptation of every word to his purpose—a perfect arrangement of every word in every sentence—of every sentence in every period—produced the fullest effect on the mind and ear that language as an instrument could produce. Nor was this the result of study, or of any elaborate effort for effect—it was the gift of nature: the result of that prompt standard of feeling or tact, which cannot go wrong without violence to itself. It was also, in a great measure, produced by a sound and comprehensive conception of the real relations of things—in its ordinary indications called common sense; but which Bushe possessed in no ordinary degree: a quality which gives their direction and value to every exertion of the mental powers. Such were the material elements of which the most striking combinations may be exemplified in British oratory. At the present period of our narrative, it is likely that his speeches, of which our reports are very imperfect, were by no means equal to those of later times, because it is the property of his style of speaking to improve; the common character of all that comes from reason and observation. Yet, among the first of his speeches which we can discover in the debates of the Irish commons, there is a surprising pre-eminence in all the sounder and more standard qualifications of a great speaker. In the debate on Mr Ponsonby's motion to repeal an act for the suppression of disturbances, in 1797, the speech of Bushe is very remarkable for its clear superiority over the other speeches of the same night, in the apprehension and application of the real principles of the question of debate, as well as from the unswerving connectedness with which he followed out the course of his argument, and the entire absence of those declamatory expansions which always more or less show a feebleness of grasp, and a narrowness of range. We should also, observe a curious fact—the newspaper reports of the speech from which we shall presently extract, are far more full in matter, and finished in style, than any other speeches reported on the same debate. This cannot be ac-

counted for by assuming the well-known practice of preparing speeches before-hand, and obtaining their insertion ; because one of the remarkable characters of this speech is that it is not merely an opposition speech, but that Bushe, on this occasion, with a masterly tact, seizes on the arguments of the two principal speakers on the opposite side, upon the combination of which he frames his answer. It would be foreign from our design to enter upon the merits of the question that night before the house ; but it may be proper to observe that Bushe's part in the debate shows very forcibly the peculiar character so strongly to be traced in every part of his life, that clear and tenacious apprehension of principle, which never allowed him to be a political partisan. Having commenced, by some comments on Mr Fletcher's speech, Mr Fletcher rose to explain his language ; when he sat down, Mr Bushe proceeded :—"Sir, I did not wilfully misrepresent the honourable gentleman, and if I misconceived him, I am sorry for it. But, Sir, if I had not a strong feeling, and a serious conviction on this night's question, if I was obliged to argue in the mercenary and unfeeling character of an advocate, I could not wish for stronger positions on which to ground my opposition to the repeal of the Insurrection Act, than those which have been laid down by the honourable mover, and the honourable and learned gentleman, (Mr Fletcher). The first of these gentlemen has laid down as an undeniable principle, in which I altogether concur with him, that *the duty of statesmen and legislators is to administer public affairs according to the peculiar circumstances of particular times* ; and the other honourable gentleman, with that strength of language which he so eminently possesses, has described the present times to be *new, strange, portentous, and formidable*. After such admissions from such high authority, I should go out of my way if I argued whether the Insurrection Act was strictly agreeable to the spirit of the constitution or not ; for conceding for a moment that it was not so, I learn from the first of these positions that the legislature is completely justified in enacting and continuing this measure of coercion, as it has been called, provided the necessity existed for it ; and I learn from the other learned gentleman that the necessity does exist for it, and that the present times are strange, portentous, and formidable. But, Sir, I did not expect that the honourable gentleman who drew this striking picture of the novelty and danger of the present times should call with so much triumph, and so much doubt, for the proof of his own proposition. *Individual murders* (as he lightly called them) have been committed, says he ; but where is the evidence of that public danger which necessitates coercion ? where are the documents ? when was the inquiry ? I really do not know what evidence the honourable gentleman can require of any fact beyond the evidence of a man's own senses, and the deductions of his own understanding. To my senses, and to my understanding, the demonstration is complete ; and if the honourable gentleman has the same organs and the same intellects as other men, I know nothing left for him to doubt of, but the testimony of his own experience. The past and passing history of the country evinces beyond controversy, the truth of his assertion, that the times are portentous and formidable, at the same time that they contradict his inference by affirming his position, and refute his conclusion that the danger does

not create the necessity. It is upon this high and paramount species of evidence that a high court of legislature grounds its proceedings, and I am sure that the honourable gentleman does not wish to narrow us into a court of *Nisi Prius*, and to produce witnesses on the table by *subpœna ad testificandum* to demonstrate the deductions of every man's reason, and the observations of every man's experience: to go beyond such evidence and call for documents, appears to me the height of scepticism, and seems to revive the ingenious folly of that fanciful philosophy which asserted that all which *is, is not*, and proved the non-existence of matter by the evidence of our senses."

From this extract, it may be seen with what adroitness and force, and yet with what simplicity, and how much admirable method, the speaker has seized upon and shaped his argument from the statements of the adverse speakers. The following brief extract from the same speech will exemplify more than one quality of high value to the orator. After dwelling strongly on the proofs that there existed real dangers in the actual state of the country, he gives, in the following passage, a sensible illustration, which must have strongly impressed his hearers. "I pass by the inferior trials of the Defenders, though pregnant with proof in support of this fact, and I recall his recollection to that evidence which has driven the unfortunate Mr Rowan into exile and disgrace; to that evidence which produced the tragedy of Mr Jackson; and to that by which, and by the lenity of government, an unhappy gentleman now wastes upon the desert air of an American plantation, the brightest talents that I ever knew a man to be gifted with. Who that is acquainted with the fate and melancholy history of this gentleman, can doubt the deliberate plan which was well laid, and nearly executed, of invading this country by a French army, dis severing it from Great Britain, and establishing a democracy? I am sorry such a fact is so decidedly proved, and I am sorry it is proved in such a manner, for I never shall speak, or ever think of the unhappy gentleman to whom I allude, with acrimony or severity. I knew him from early infancy as the friend of my youth, and companion of my studies; and while I bear testimony to the greatness of his abilities, I shall also say of him, that he had a heart which nothing but the accursed spirit of perverted politics could mislead or deprave; and I shall ever lament his fate with compassion for his errors, admiration for his talents, and abhorrence for his political opinions."

We cannot here, as on former occasions, enter into the history of a time which has been already noticed in these pages, for the purpose of showing that Bushe was as clearly right as he was eloquent and effective. The justice of his exposition would indeed claim no praise, were it not for the fact that other men of high political reputation, who like him were inclined to popular politics, spoke and acted in defiance of the plain facts of the time, as well as the clear principles of the question.

At this period of his history we are enabled to trace him through the Leinster circuit, by several letters which are before us, and from which it does not appear that his professional employment was increasing to any considerable amount. But we find in his family correspondence the overflow of mental activity, and of those deep and fervent affections which through life continued to be the ornament and delight of the inner



circle of his home. We can also, in the same easy and unstudied effusions, discern, in its purest and simplest form, the same rich and graceful flow of fancy and feeling which characterized his conversation in the world, or his public displays of forensic eloquence. In his correspondence, these qualities are set off by a deeper glow of heart, which, restrained in public, or among strangers, by fastidious tact, or not called forth by the occasion, could not be conceived by those who only met him in company. It would, indeed, be an omission of one of the most distinguishing features of his mind, not to observe upon the aspect of character thus shown. His letters possessed a charm, never, in any instance we can recall to mind, exemplified in any approaching degree. In these, an unconscious facility of comparison and contrast, and a flow of just and pregnant observation, are enlivened and ornamented by the graceful gaiety which stamps them with the character of perfect ease, and throws a charm of repose over the periods which, from any ordinary pen, would bear the impression of labour. The impression we desire here, in the absence of examples, to convey, is, that the style of these compositions is not merely unlaboured, but that it carries in itself the internal evidence of ease.\*

Occasionally we find intimations of a retainer, but nothing for some years occurred to enable him to prove his powers as an advocate. The first occasion which really brought him into fair professional notice, was one which frequently occurs in the history of the bar. We have not at this moment in our possession any report of the trial at which it took place, nor is it indeed material; the fact is generally notorious. A cause of some importance, in which he happened to be retained, came on for hearing at a moment when the senior counsel was otherwise engaged. Bushe was next in rotation, and as his duty required, urged the necessity of delay. To this the judge would not consent, and impatiently asked if the junior was prepared to go on. Happily, the answer was affirmative, and he was peremptorily desired to proceed. It was soon felt that his client was no loser by the change; he showed a thorough command of the case, and his exertions were crowned with success. It was at once felt that a new and distinguished claimant to the honours and practice of the bar had established his place; and from this day, briefs poured in freely. Bushe was soon as involved in an overflow of practice, as he had till then been immersed in anxieties arising from the weight of hereditary debt.

It was some time in 1799, when he had become largely engaged in professional business, and had also attained a very high parliamentary

\* It may with apparent justice, be objected, that some specimen at least of the epistolary powers which we have described, ought not to have been withheld from the public. We have, however, to plead the limits which we were bound to keep. To such compositions as the letters in our possession, all specimens would be an injustice, and they must, when made public, be given in their integrity. We must express our deep regret that while the fame and name of Bushe were still recent and echoing, a full and separate memoir was not written and published. The time, however, has not yet gone by for it, and we could point to one of the chief justice's grandsons, already the biographer of Lord Plunket, who is amply qualified to do equal justice to his other grandfather. The writer of the present memoir was withheld from the task by the wish of one of Mr Bushe's sons to undertake it himself.

reputation, that Bushe received a visit at his house in Baggot Street, from two gentlemen officially connected with government, both most probably commissioned to treat for his services; one of whom, professing the most anxious friendship, apprized him of the very high consideration in which his character and abilities were held by lord Cornwallis; and told him that there were several situations vacant, that of the Rolls, of Attorney, and of Solicitor-general, to any of which he was considered eligible, and that he had but to choose and express his wishes. Bushe acknowledged that it would be most desirable for him to obtain any of these promotions; but that, looking at the political measures actually contemplated by the administration, he felt that some sacrifice of opinion, and of what he regarded as his public duty, must be looked for in return. That otherwise, if the lord lieutenant actually considered it fit and right on grounds of public service or private regard to promote him, he would do so; but that he himself would not sacrifice his independence by seeking any favour, or take office under the trammel of obligations. We state this incident explicitly here, because it is one of the utmost importance in the estimate of his character. In the memoir of lord Castlereagh, we give a brief statement of those arts of bribery and corruption by which the measure of the Union was carried in 1800. The mere purchase of a vote was not inconsiderable; but that of a man like Bushe was the highest; and not only promotion but still prospective elevation to rank and place would have been within the sure prospect of venal talent. But he, who, as we have just seen, had the rare manliness to spurn the clamour of mere nationality, and to resist the impositions of popular enthusiasm and prejudice, while he still held the steady line of unswerving patriotism, has equally shown his firmness and incorruptible integrity by trampling on the temptations of ambition and the flatteries of power. The case is not the same as that of some other great men who took the same part: there were few indeed of these who had not so committed themselves with the rebel party, or who were not so wholly united in spirit and principle to the popular party, that it was not in their power to recede, without an infamous abandonment of their very identity as public men; to such persons, the highest elevation could afford no shelter for their pride. That such were the motives of those great men we do not insinuate; we merely mark a difference of position. We mean that such motives, were there not higher, must have restrained them. But Mr Bushe stood wholly unfettered by such ties; he stood not more clear of Castle influence than elevated by his independence of character above the exactions of popular caprice; as he disregarded the cant of patriotism, so he repelled the splendid corruption of power. Had he been for the Union, he could, with less reproach than most others, have taken the part of a government which made such an effort to secure him. But in common with many others, he entertained opinions hostile to that measure. In claiming for Bushe, in common with his eminent compatriots, the high praise of independence and integrity on that memorable occasion, we are excluding the doubtful question of policy. They were men of the highest intellectual powers—they were fine scholars, eloquent orators, and able lawyers; but it no more follows that they were or could have

been profound statesmen than skilful painters. To have comprehended the whole, and still more, the remote consequences of a measure like the Union, at that period, demanded a political education in a school different from the arena of lawlessness, antisocial opinion, and administrative corruption, then existing in Ireland. Lawyers, no doubt, may be assumed to have the most just insight into the principles of the legal constitution of the nation; beyond this, and this is little indeed, their very knowledge may be observed to carry with it a remarkable inaptitude for the full comprehension of the much larger questions which depend on the relation of the laws and institutions of the country to its social and economical condition. There is between positive institutions and the great law of social progress, a species of contrary action which we have already pointed out; and this contrariety will mostly be found marked in the intellects of great lawyers as compared with those of great statesmen; not from any real difference of intellectual stature, but from difference of mental habits. The objections to the Union then put forward by Bushe, Plunket, Saurin, Grattan, and Magee, were not merely specious, but just, so far as they could go; and what is more, we think their truth to be more evident than that of the reasons on the opposite side. But the former lay upon the surface; they were obvious first and immediate consequences, which were palpable to the dull eye of popular sense. The same may be said of most of the arguments for the measure; but in fact the question in its remoter and ultimate bearings was then and perhaps is still an open one. The inevitable progress towards an intense and irresistible centralization could not have been foreseen, and is yet but partially understood. It could not be foreseen by human foresight, that a state of things might possibly arise in which a parliament in Dublin would be absurd as one parliament at Westminster, and another at Blackwall.

But setting such considerations aside, and referring to the discussion on the night of January 21, 1800, we have no hesitation in assigning the highest merit to the admirable speech made on that night by Bushe. It was not, like those of Grattan and some other eminent men—a speech to be represented fairly by extracts. The staple of his eloquence did not consist in wrought up passages; he did not deal much in those elaborate parallels and contrasts which are the popular instruments of speech, but in a more refined and consummate play of mind, which, as it grew out of his line of argument, diffused its even light and grace as well as its effect and impressive power over the whole. The subject of that night did not in a great measure admit of the peculiar graces of his style, but it pre-eminently brought forth some of his graver and profounder qualities. Too earnest and too clear to indulge in the rhetorician's lighter play, his power was shown by his close and unrelaxing grasp of the previous speakers to whom he rose to reply. In consequence of this, his speech exhibits a peculiar play of what might not inappropriately be called logical wit, by which, while he follows out a masterly statement of his own views, he seems to dally and sport with the inconsistencies of his opponents. Looking to most of his rivals (if we may so term them), a dry statement of fact and argument is now and then wound up by a few sentences of great effect. Bushe's statements, as simple in expres-



sion and as true in sense, were never dry, but always adorned with a phraseology of which the point, propriety, and terse arrangement, conceal the idiomatic simplicity; more truly, indeed, answering to the *simplex munditiis* of the Roman poet than most results of art we can recall to mind. These considerations are essential to any specific view of his parliamentary efforts. In his bar speeches we shall need no such qualification. In these, a wider play was afforded to his unrivalled powers of advocacy, his playful fancy, his keen and fine satire, the dexterity of suggestion, and the power of narration, in which it is at least doubtful if he has ever been equalled. But of this hereafter, our business is now with his speech on the Union.

As specimens of eloquence, we might take any passage of this speech, and may therefore first select one with reference to a consideration already explained in this memoir; that is, the vindication of his consistency against a species of accusation which has often been preferred against him, as well as other eminent men, by quoting their speeches made on this occasion. They who would draw any such unfair inferences from such matter, will do well to read attentively the *whole* of Bushe's speech against the Union, and see to what principles he refers, and on what ground he argues. If they will not practically allow for the great real changes which the state of a question may undergo, they may find, in statements such as the following, reasons for a charge different from inconsistency:—"But this is not all, the government of the country has appealed from the decision of parliament, and to whom have they appealed? Not to the constituent body constitutionally recognised; not to the electors of the kingdom; nor the freeholders; but to the people individually; abusing that most monstrous proposition of reform and innovation—I mean of universal suffrage—and canvassing the rabble of the kingdom against the constitution of the country. A government wielding the whole influence of the crown at the head of every department—the army, the church, and the revenue, exercises all its authority to procure individual signatures as a counterbalance to the opinion of the representatives of the people in parliament assembled." This reproach involves both a feeling and a principle which is wholly at variance with the entire mind of those who have thought proper to quote Mr. Bushe for their own support, or who have set him against himself. He in reality never entertained those views which are now held by the popular party in Ireland. As public questions then stood, the distribution of opinion and principle was wholly different, and to those who take the trouble to think strictly, such comparisons are soon found devoid of meaning.

The following passage offers more of the orator, but is also full of historic interest. "I should be glad to know, Sir, if this amendment be unnecessary, of what use have been the campaigns and perambulations of his excellency the lord-lieutenant since the last session of parliament? Why has his excellency subjected himself to the fatigue of so many marches and countermarches? Why did he think it necessary to write down the constitution of Ireland in a correspondence, through his military secretary, with the seneschal of every close borough, with whose patron he had previously communicated, and with every parish priest who was sufficiently complaisant to induce his

flock to sign manifestoes against the parliament of this country, if, after all, the crown is to meet the parliament, blinking and skulking from the premeditated determination of extinguishing it for ever."\*

As we have said, it is one of the highest praises of the speeches of Bushe, that they are not to be adequately represented by extracts, as for the most part they consist in a single and uniform tissue of reasoning and statement, flowing from a deep and vital grasp that seldom relaxed enough for the small ambitious art of compounding sentences. The speech from which the foregoing extracts are given—by no means for any rhetorical peculiarity—is throughout distinguishable for the power of applying constitutional principle, or for the prompt dexterity with which weak points are seized, or by which seeming advantages on the opposite side are converted into points of attack. But we have still a lengthened task before us, and must retain scope for specimens of maturer art and power, in the bar speeches of this illustrious advocate.

After the Union, Bushe, in common with other eminent men of the day, entertained strong apprehensions for the future respectability and prosperity of his own profession in this country, and had nearly made up his mind to try his fortune at the English bar. Such a change must have placed him under many serious disadvantages; but we can safely say that his qualifications were not of a nature to be lost in the crowd. It so happened that the measure which he had so ably resisted, was favourable in its immediate consequences to himself. He was not, as was the case with many, an opponent to the administration either from party connection, or from any popular feeling; he had never been led to commit himself to any line of party conduct. Having taken for his rule of conduct solely the sense and spirit of a constitutional lawyer, he had met all such questions as had claimed his attention as a member of parliament, simply on their legal and constitutional merits. He had supported the lawful authority of the government against extreme opposition, to which he never had lent his sanction. He had not less strenuously joined in the vindication of such popular rights as met with the assent of his own independent reason. To what extent in this lofty course he may have been misled, or the contrary, it is no part of our present duty to say; it was the part of a noble and generous mind, that could never be won or daunted, though it might, with all that is human, err. But to him its result was, that the immediate effect of the Union left no important difference between him and the government. And as his reputation had then attained a high level, the discernment of Pitt, which had early marked him out for promotion, was not slow to seize the earliest occasion which offered; and in 1803, on the dissolution of the Grenville administration, he was raised to the rank of Solicitor-general.

\* The point of this language depends on the manner in which the question was brought before the house. The measure of the Union had been rejected in the former session, and the minister thought it necessary to keep back the discussion till he was prepared with what was not inaptly called a "packed parliament;" all mention of it was therefore omitted in the king's speech. To resist this design, the question was on this occasion brought forward by the opposition, in their motion of amendment on the address.

In this first step, which may be said to have secured his prospects, some able and eloquent writers, themselves possessing popular views, have discerned difficulties, and others found matter for censure, with neither of which we agree. Against the assumptions of both, we have already in some measure guarded, in shaping our former statements; but as these statements are express, and have been often repeated, we must here add a little special comment. We have, in the foregoing paragraph, described the independent character of his political conduct; but though he did not in the slightest degree sail in the wake of popular leaders, or still less by the breath of popular opinion, yet as for a long time his own views held him in the same course with the Irish opposition, in some great and leading questions of policy, he had thus actually gained a popularity which he never sought, and obtained also the reputation of holding the same general views of those with whom he had acted. From this arose some very natural, and therefore excusable errors; for a character was imputed to him by the undistinguishing heat of popular opinion, and by this character he was judged. Lesser points of opposition were soon forgotten, and his real views of principle were not yet known but to intimates; and in this country, in which all courses of action were on the popular side extreme, and on the government side assumed to be so; when all was, in the parlance of popular oratory, resolved into a vital contest between despotism and patriotic resistance, there existed no sober predicamental line to which to refer the rights of both. Hence arose mistakes which never have been cleared up, because the facts have never been looked at without some bias to either side. It has been thought that, by this promotion, Bushe was placed in a somewhat false position, in which he was compelled to support a line of policy on the part of the Attorney-general, which was contrary to his own opinions; and, consequently, that he must have been led to trim his notions to meet the requisitions of his personal interest. Somewhat more delicate language has of course been used; but to repel such insinuations, it is necessary to be explicit. We entirely, and in the most unqualified manner, deny that any change in any real principle of action or opinion, is to be detected in the whole of Mr. Bushe's conduct, from first to last. Some changes his mind underwent, in common with the best and ablest thinkers—the state of questions changed—the action of laws changed—the entire texture of parties changed—the relations of claims, relative position, and social processes between parties and nations have changed and been changing; and even in the interval of time between the parliamentary and official engagements of Bushe, there occurred incidents of no slight nature, well adapted to impress thinking men with strong doubts of the soundness of their views, who till then had been the organs or the leaders of popular feeling in Ireland. But indeed, even this consideration ought to be unnecessary—as the ardour of youth subsides, and sober experience begins to give its indispensable aid to the right understanding of public questions, much change of conduct (did such appear) might be looked for in any one acting sincerely from principle.

There ought surely to be no doubt as to the interpretation which Bushe must have put on the revolutionary principles of the United



Irishmen. Emmett's rebellion finds no sanction in any of his speeches or conduct. Bushe resisted the Union because he thought that measure fraught with ills—and his view stands recorded with all his reasons; but the same sense which led him to resist the popular members in 1797, in the debate on the insurrection act, operated to convince him in 1803, and succeeding years, of the duty and the necessity of supporting the laws and government, and the peace of the country, against lawless factions. Those indeed who best knew him, and who were most competent to form an opinion of him, are aware that if such a fault can be said to exist, it was his fault to cherish the very shadow of a principle, with a stern and uncompromising tenacity, in all matters in which conduct was involved. They who knew him superficially, could not so well detect this habit, in him peculiar from its amount; as in ordinary conversation it was wholly concealed by its singular freedom from the pedantry of dogmatizing in social intercourse.

With respect to the actual merits of the line of policy which was then administered by the law advisers of the crown, we cannot speak in the present memoir. Though friendly to the objects of his fellow countrymen of the Roman church, Bushe is not to be therefore assumed as favourable to the course then pursued for the attainment of their objects. In connection with his able colleague in office, Saurin, he considered it quite fit for them to look for a disengagement from every constitutional restraint; but it is not enough considered, that he looked on their proceedings with a lawyer's eye. The means were illegal; they bore also too close an analogy, both in form and in the language used, to the similar proceedings of an unfortunate period, of which he was himself a living witness. Some distinctions there did exist, but these were then scarcely palpable. We only make these remarks to express our general dissent from some comments, which have dropped from other writers, on the position in which office must have placed him. He loved the people, but cared little for popular praise or blame; his respect for truth and right left no room for such an infirmity. And we must further remark, that the bland and graceful suavity of his manner has been also a means of leading casual observers into a notion, not only in itself fallacious, but likely to contribute to the false impression here discussed. We cannot recall to mind any instance of a man more direct and single-minded in the principles of his conduct, or in the feeling and spirit which governed its uniform and unswerving course. Like all persons who love to reciprocate good will, and who shrink from stain, he could feel injurious comments; but it was only when they followed him into his retirement—when the fight was over. In action, he defied comment, and spurned apprehension, and had no hesitations but those from which fools alone are free.

The first remarkable occasion which brought Mr. Bushe forward in his official character, rose out of the trials in 1811, of which we must offer a brief account, for the purpose of rendering intelligible some extracts with which we shall follow it. In August, 1811, several persons of respectability were arrested in Dublin, on a charge of attending a parish meeting to elect representatives of the Irish Roman Catholic body, "for the purpose or under the pretence" of preparing petitions to parliament, contrary to the provisions of the Act 33 Geo.

III., commonly called the Convention Act. In the following November, they were brought to trial in the King's Bench. The occasion was one of great public interest, and the court was crowded by all parties. It ought to be observed, that it was purely the trial of a question as to the power and interpretation of the law, as the Attorney-general had no intention of carrying the proceedings to a penal result, but simply sought to vindicate the law of the land as it stood. In the course of a long and obstinately contested trial, many points of dispute, as usual, arose. The main point was, of course, that of the express violation of the law—"the election or appointment of assemblies purporting to represent the people, or any description or number of people of the realm, under pretence of preparing or presenting petitions." On this act, there were two prosecutions in the same year, both occupying the same grounds. For as the jury brought in a verdict of not guilty in the first instance, grounded expressly on the insufficiency of the evidence, the offence was repeated, and it became a direct and open question between the law and the convention of delegates. Each time the reply on the part of the crown fell to the Solicitor-general, and we have two speeches of admirable wit and power, to supply us with specimens of his manner. Our examples are really what we term them—not elaborate flights, or keen flashes such as come few and far between, but specimens of a flowing and spontaneous style, remarkable for its aptitude to the purpose of the moment.

The following is a sample of its elegance and point, half concealed by its terse propriety. It exhibits also much of the dexterity of which he was a master, in throwing an aspect of absurd contradiction over the defence of the adverse counsel. An elaborate and prolix examination of the witnesses, for the purpose of breaking down the *proof* of the facts, was followed by a most powerful speech by Mr. Burrowes, which assumes their reality, and defends their legality and justice. After pointing out the plain fact, that if the allegations of the indictment were false, the defendant could contradict them by producing numerous persons who were actually present in court, Mr Bushe goes on—"You are called upon rashly to disbelieve what they will not controvert; to impute, by your verdict, perjury to those witnesses for the crown; and to declare on your oaths that you do not believe that which they will not deny. Gentlemen, I am at a loss, in discharging this duty, to discover what I am to reply to: one counsel asserts his client's innocence, in point of fact—the other glories in his crime in point of law;—nay, the one-half of each counsel's speech is an answer to the other; they alternately rail against the witnesses, and declaim in favour of the offence. What has been their conduct as to Mr. Huddleston the remaining witness? What has been left unsaid, or unattempted, in his cross-examination? Two hours of precious and irrecoverable time have been consumed in attempting to discredit a witness who has only proved the proceedings of the aggregate meeting of the 9th of July, at which lord Fingal presided. No suborned miscreant, who had attempted to swear away an innocent man's life, was ever treated with more asperity. No advocate, retained for a felon at the *Old Bailey*, ever plunged more desperately through a cross-examination, trembling for the wretch whose only defence was

the hope of confounding his prosecutor, or supporting his *alibi*. The man's feelings were agonized—he was stretched on a rack and tortured—his private life anatomized—his most secret sentiments scrutinized—he was called on to swear to his religious opinions; and, even in this court, public disgust was clamorously excited, by exhibiting him as a recreant from the religion of his ancestors—his birth, his connexions, his country, his faith, his morals, his circumstances, all ransacked—all exposed. He was asked, was he not a deist—was he not an atheist—had he not been a Catholic—was he not a Protestant—had he not been an officer?" . . . . . After adverting to the avowed purpose that all this questioning was to shake the witness's credit, "Gentlemen, why so shake his credit! It required not the storm of Mr Goold's eloquence to subvert it—a breath from lord Fingal would have dissipated it. That noble personage sat under your box at the moment, and sits there now." We add here another striking and most characteristic description of the cross-examination of another of the witnesses:—"You, gentlemen, must judge for yourselves as to the effects of his cross-examination, and if you are able to form any opinion of it, your heads and mine must be made of very different materials. My learned friend, Mr. Burne, must not suppose me to insinuate that his discharge of his duty was unnecessary or prolix; he must permit me, however, to say that it was somewhat prolonged. No one discharges his professional duty with more ability or effect than he does; but he will remember (I am sure I shall never forget it) that he examined John Shepherd for three hours and a-half, 'by Shrewsbury clock':—there are limits to the human faculties, and I must confess that, at last, mine were so exhausted by this process, that I was unable to carry away a definite idea, or even a distinct sentence: the victim on the table at last swam before my eyes, and some confused, buzzing sound, like a catch-word, in the examination notes, drafts, copies, informations, rang discordantly in my dizzy head, and tingled in my ears. Gentlemen, if such were the effects produced upon a mere suffering auditor, what must have been the sensations of the witness himself? and, let me ask you, if the man had fallen into contradictions and inconsistencies, who could have been surprised at it? who has sufficient confidence in his own memory or nerves, in his own strength of body or mind, to suppose that he could come out from such an ordeal more than alive? let me put it to the candour of my learned and ingenious friend, Mr. Burne—how does he suppose that he would have endured such a *peine forte et dure* himself? let him imagine himself nailed to that chair, and that chair fastened to that table, and another Mr. Burne—if another could be procured—sitting down in regular assault before him, and for three hours and a-half battering and beleaguering him like a besieged town—let me ask him how he thinks he would feel about the time that his adversary became tired of the attack! really, gentlemen, nothing is so unfair as to judge rashly of a man's credit who has been exposed to such a trial."

The dexterity here displayed it is easy to appreciate: nor is it necessary to call the attention of the reader to the propriety, and point of the diction. It will be at once felt how much of dignified intellectual composure every sentence suggests, so that his very manner is made to





tell. All this, we think, is at once conveyed. But no extracts can convey the fact, that this is not a selection of a peculiarly happy passage from the ordinary flow of a more common style; that we have selected it without regard to style, merely looking for a passage capable of being so detached without losing its point. But when all this is said, a more important criticism remains. The Solicitor's speeches seldom convey an impression of the apparently profound character which so often gives a kind of imposing effect of power to those of many of his great competitors, who seem to be moving in deep waters, often where their opponent appears to glide upon the surface: and this has misled inadvertent criticism. But let it be observed, that the apparently simple and easy common-sense reply never fails to drag up, from their erudite depth, the arguments of his adversary, and to show their entire fallacy. His extraordinary simplicity, and the elementary tact of his perceptions, deceive the reader, who thinks too lightly of the art so well concealed, and too respectfully of the effort involved in a darkness of its own creation. To an artful appeal of Mr. Burrowes to the public feeling of the jury, the Solicitor replies, "He has called upon you for a *healing* verdict, and has told you that the last verdict was *most healing*. Gentlemen, I shall never hear, without reprobation, such a call upon a jury: I trust that no such dreadful precedent may be established, as the finding of popular and political verdicts. If the public mind requires to be healed, I trust that the consciences of jurors may never be bruised into a nostrum for the purpose; that jurors may never turn state empirics, and fancy that they are prescribing for the distempered commonwealth; that they are politicians, and not jurors; and that they are at liberty to perjure themselves for the good of their country. No verdict can be righteous which is not founded upon the evidence, and the public weal can never be advanced by frustrating the administration of justice. In the name of God, if you disbelieve the evidence you have heard, nay, if you reasonably doubt it, acquit Mr. Kirwan—if you do not, fabricate not doubts for yourselves, which no fair mind or sound head can sanction, merely to achieve what you may think a public good. Take the law from the court, and for fact consult your understandings and your consciences, but compromise not your oaths, and trifle not with your solemn duty."

We repeat, that it is our desire to have it understood that our extracts are fair specimens of the ordinary style of this illustrious man. He, too, like every orator, rose into occasional flights of a more ambitious style; but these we have not quoted; they will be met in other repositories.

We shall avoid inconvenient repetition, by postponing another great cause, in which the Solicitor earned high distinction, until the next memoir, in which we shall offer some notice of the "*King v. Waller O'Grady*." Nor can we enter upon the details of the case of lord Trimbleston, in which his statement was one of most consummate skill and power, displaying indeed all the various resources of his mind in a most eminent degree. On that occasion, the Solicitor's wit, address, judgment, and that profound knowledge of mankind which is the advocate's chart and compass in threading the tortuous ways of

fraud and secret guilt, are admirably exemplified; and we would recommend the trial, and above all, the speech, to those whose ambition it is to rise in the same department of professional life. It would be some injustice to omit this opportunity to introduce the remarks of Lord Brougham, for which this great cause gave the occasion—"His (Bushe's) merit as a speaker was of the highest description. His power of narration has not, perhaps, been equalled. If any one would see this in the greatest perfection, he has only to read the inimitable speech in the Trimbleston cause: the narrative of Livy himself does not surpass that great effort. Perfect simplicity, but united with elegance—a lucid arrangement, and unbroken connection of all the facts—the constant introduction of the most picturesque expressions, but never as ornaments—these, the great qualities of narration, accomplish its great end and purpose—they place the story and the scene before the hearer, or the reader, as if he witnessed the reality. It is unnecessary to add, that the temperate and chaste, and even the subdued tone of the whole, is unvaried and unbroken; but such praise belongs to every part of this great speaker's oratory."\*

The space to which this memoir must needs be confined, does not permit of a more extended view of the merits of our illustrious subject as an orator, still less to enter at large on the consideration of his pretensions as a lawyer. In this respect, we are persuaded that his just claims were much interfered with by the fame of his wit and eloquence. With whatever degree of truth, popular opinion seems to have imagined an opposition between the dry and laborious learning of the black letter sage, and the brilliant and dazzling accomplishments of the advocate. As an advocate, Bushe has seldom been equalled; and we cannot admit that he has ever, in modern times, been excelled. Further, we are prepared to contend, that it is fully ascertainable from his bar speeches, that he was in no way wanting in any of the intellectual powers essential to the graver and deeper departments of his profession. If in this respect he was below such men as Saurin, it was simply in learning, the result of study; but as to the profound capacity for acquirement, no one who will attentively peruse his masterly answer to the admirable argument of Mr Burton, in the Court of Error, on the O'Grady case, will entertain the slightest doubt of the first-rate rank of his legal capacity. And it is very much to be observed to what an extraordinary extent his profound native sagacity enabled him to apprehend results, which seem to have in some measure lain beyond the scope of his own research. His fine perception of the point at which a dexterous or an unwary fallacy lies concealed in an adverse statement, is often to be observed, as well as the singular promptness which appears always ready to seize a hint, or to make the most of an inadvertence. He did not himself pretend to rank in the highest class of legal attainment; his taste and his understanding sought a scope far too broad for the demands of the most laborious and deep, yet not most comprehensive of sciences. His attainments as a mere lawyer, were far above the level of second-rate men; but with this, he was a poet, a wit, an historian, a philosopher, theologian, and first-rate scholar—a man, if the number as well as the excellence of

\* Historical Sketches, &c., by Lord Brougham.

his attainments and gifts be considered, whose equal is not likely soon to be found in the history of the bar of either country.

On the incidents of the remaining portion of his life, we must be comparatively brief. In the interval between his appointment to the rank of Solicitor-general and his promotion to the bench, we shall only here dwell upon one very important incident—his acquisition of the seat and demesne of Kilmurry, which his father had been compelled to alienate. When he had attained professional independence, and his bar successes had completely relieved him from the anxieties attendant on the *res angustæ domi*, and the pressure of a large and increasing family, his first care was to secure the comforts of his mother, whose provision was not commensurate with his wishes or her deserts. The next, was the redemption of the place of his birth and earliest recollections. Kilmurry had passed into the hands of Dr Hoskyns, and was on the point of suffering some considerable dismemberment of its old and beautiful timber, when it happened that the Solicitor paid a visit to the neighbouring mansion of Kilfane. He had long meditated the purchase of his paternal seat, but would willingly have deferred this purpose for some time. The irreparable loss of the fine old trees, was, however, he strongly felt, to be prevented at any inconvenience, and he at once made his proposals, and became master of the place for which he had long cherished a deep sentiment. Here his vacations were spent for many years of that calm prosperity which, when earned by a life of previous trial and industry, and set off by the enlightened and tasteful enjoyments of the most cultivated minds, is so delightful to the contemplation; and never in any instance within our memory or reading, was human life more exalted and adorned by such accessories. Kilmurry is situated within about a mile of Thomastown, in the county of Kilkenny. The house is situated advantageously with respect to the general disposition of the neighbouring scenery: the hills at its rear, and the more gently undulating open country in front. The lawn, with its rich planting and pleasure grounds, runs into the more spacious park adjoining to the north and northwest, and terminated by the woods of Kilfane. In the rear of the house lies the farm, with its various adjuncts, terminated by the first gentle acclivity of the screen of heathery hills to the north-east, which are the boundary of the mountain and lowland regions of the country. The place, in its richness, freshness, and calm secluded expression, conveying rather the idea of some bright and fair Tuscan villa of the Medici, than a mansion of the sporting county of Kilkenny, was (it is needless to say) to its owner enriched by many affecting associations. The Solicitor was equally blest in his friendly neighbours, in his tranquil and beautiful retreat, and in his own home circle. Of his neighbours at Kilfane, we have already said a little. One gravelled walk ran the whole way from the door of Kilmurry to that of Kilfane—the two demesnes being separated by a hedge and lofty screen of trees, through which a narrow gate admitted the inmates of either. The intercourse thus favoured, was almost domestic; and as the families were near connexions, so they were attached friends. The late Sir John Power was a man dignified by all the virtues of a country gentleman of the olden time—hospit-



able, generous, affectionate, and sincere, he was as much loved for his goodness, as he was respected for the quiet and unassuming good sense, and the steady integrity which deserved, and won, universal confidence. Of his wife we may say, that she combined in herself the lineage of Grattan and Bushe, and did no discredit to either. Of the inner circle of Kilmurphy, which constituted the pride and happiness of its illustrious master, we can only say, in general terms, that more talent and more goodness never came together in one home. We cannot venture on the separate notice of individuals, because we frankly confess that our own long-cherished feelings of respect and affection would place it beyond our power to be impartial.

With such a happy constitution of his home society, the Solicitor was no less disposed to enjoy and promote its happy influences. There was, however, no company so dull that his wit could not enliven; nor any topic, to which he could not give an interest. One quality was very observable in his entire conversation and demeanour—it was the utter absence of assumption; there was nothing in his manner to remind the dullest of his guests that he was conversing with a mind that towered far above his own—he did not himself recollect this disparity, but freely placed himself on a level with his company. If he was misunderstood, he showed no irritation—if any one fell into an absurdity, he was prompt to shelter him with a friendly play of wit—if contradicted, he listened with docility—he never attempted to put any one down—and never allowed uncharitable comments to pass without rebuke.

Such is a faint and imperfect sketch of the man in his own private circle. In the interval which intervened between the last-mentioned events, and his promotion to the bench, two of his daughters had been married; the eldest to Sir Josiah Coghill, who, having taken a place at Ballyduff, within about three miles of Kilmurphy, thus afforded a happy addition to the family circle; the second, to Charles Michael Fox, son of Judge Fox—a young barrister who, before his death, had already made good his way to the professional distinction which he was not allowed to grasp. Four younger daughters, and four sons, completed the circle.

We must now, without further delay, pass over an interval of life, which affords few events demanding notice in a sketch intended to be brief.

In the year 1822, an important change took place.

From this period it will be needless to pursue into minute detail the history of a course which must be regarded as having reached its elevation to the summit of professional rank. The appointment of the Solicitor-general to the vacant station of chief judge in the King's Bench, may be regarded as a necessary consequence of the refusal of that high office by the Attorney-general, in whose memoir we shall state the circumstances. If any act could have atoned for the unhandsome treatment of the latter, it would be the appointment of Bushe to that station. For the position of chief justice he was most singularly qualified by a mind pre-eminently judicial in all its faculties and tendencies. With a love of justice which almost amounted to a passion—and was in him what party feeling is in others

—he possessed an intuitive grasp of all principles, so firm and complete, that, in the same way in which a clear intellect will sometimes seize a meaning when grammatical pedantry is perplexed, he was sure to light, on an application, rule, or interpretation of authority, where it lay concealed amid a multitude of imperfect cases, and vague statements. Whatever we must suppose to have been his actual possession of legal erudition, one thing is verified in all his practice—his entire and perfect knowledge of the *science* of law; and, in consequence, his promptness in rightly grasping the true intent and application of precedents and authorities, and detecting the fallacies to which the advocate is so often compelled to have recourse for his purpose. The rare qualities here ascribed to Bushe, were eminently those suited to the King's Bench.

With whatever knowledge of law he came to the bench, he soon vastly increased it, and his judgments are remarkable for that correctness, clearness, brevity, and elementary truth, which belong to the master only, in any walk of science.

From the period of his elevation to the bench, the life of the Chief-justice ran for several years smoothly in the calm alternations of his official duty, and the relaxation permitted by the summer vacation which was passed in the tranquil yet happily social retreat of Kilmurry. Here, his best thoughts dwelt while away, and when he returned, it was easy to see that the cares of public life were left without the gate. With all his wit and sound worldly sense, he possessed, more than any one we can recollect, the buoyant and fresh simplicity of a child. There was in his conversation and manner, among those he loved, a naïve yet sparkling *folatvie*, which was infinitely engaging, but was not shown among any but his most familiar friends; indeed, his natural temper was very remarkably inclined to a playful and easy gaiety. The grave formalism, which some strangers have mistaken for art, might not ill be explained by the saying of Henry IV. of France, when he was engaged in some trifling sport, and perceiving the approach of some court coxcomb, he turned to his companions and said, "my friends, we must be wise, a fool is coming." Possessing in himself, and in the bosom of his domestic circle, all that society can give, and more than it ordinarily gives, to exercise the mind and the affections, he did not look with much interest beyond it. Of no party in politics, and strongly convinced that a judge should stand aloof from all party, his reading and conversation were directed to general literature, and he indulged his mind with the most reputed writers of the age; but he read all with a frank estimation of whatever was good in them rather than with a fastidious discrimination of faults. This was by no means the turn of his genius. Severe in his notions of excellence, when referred to the canons of strict principle, he was yet indulgent in his judgments, and judged books or men much more by their merits than by their defects. His satire, the result of wit and nice discernment, never came from the heart, the common source of satire in others; and hence, though it often conveyed a lesson, it never inflicted a wound. He was fond of entering upon those philosophical questions which have always been pressing themselves on reflecting men, and which are occasionally most delightful for the exercise they give to the activity

of the speculative faculties, rarely exerted in the common affairs of life, or by those who are engaged in them. But he never appeared to higher advantage than when he was led into discussion of a favourite author with some qualified companion; for in mixed circles he rather discountenanced such discussions, as not having the same uniform interest for all.

Among the amusements of his hours of relaxation, he occasionally indulged in composition, in which his facility was very considerable. His topics were, however, ordinarily selected among the passing occurrences of the day, and mostly directed to his own circle. With a high capacity for literature, it has indeed been often made matter of question, why he never in his later years wrote for publication. To understand the reason, it was necessary to know him well. A very generally remarked disposition to please, the result of a rare kindness of temper, was very commonly referred by strangers to something ambitious in his character. It is, however, a curious fact, ascertained by very close and long observation, that in the ordinary form of this disposition, he was very unusually free from ambition. He was not proud—he had no grasping desire for station—popularity he spurned—and no praise could satisfy him, of which he did not thoroughly feel the perfect justice; but he loved the reciprocity of kindly affections, he enjoyed the happiness of others, and took pleasure in touching the chords of the breast, and awakening the powers of the intellect. This disposition, like every active impulse connected with the social affections, naturally communicated itself to his countenance and manner, and entering into combination with other characteristic habits, gave a winning and persuasive grace to his look and action, which, while it was quite unconscious, was thought by strangers, and by those who could not feel its genuine character, to be art, and the immediate result of design—a mistake indeed so absurd, that we should not have noticed it here, had it not been in some measure perpetuated in the works of a very clever and even friendly writer. If we must admit the fact that the Chief-justice had been, in his bar practice, what Mr Kemble with much justice observed, “the most consummate actor off the stage,” yet the rash and hasty assertion of some of his admirers will not follow. A man whose taste and feeling imparted a graceful manner to a graceful person and expressive countenance, in the most unconscious movements of private society, of course employed in art all the resources of nature. But it seems unfair for a stranger to generalize this into the imputation of a habit, so wholly repugnant to the real character and temper of this judge’s mind as *affectation*; for however qualified, such is the sense of the remark. We do not here bring forward the writer whose language we have excepted against, because we are inclined to believe that he would not have carried his charge so far; but such is the actual impression which he conveys, and it is a false impression, as applied to one of the gravest, sincerest, and most single dispositions ever known in combination with such an intellect.

Among the poetic pieces which have been preserved by the care of friends, the best are those of which the character is playful. He was not possessed of much imagination, but in amends, he was master of a



boundless fancy. In the direct expression of the more grave emotions, he was true and fervent, but too direct and literal to look for poetic effects—his temper was too earnest to sport and dally with passion; but in the genial moods of social excitement, and in the light, evanescent, and brilliant gleams of satire, sentiment, and characteristic circumstance, which in the most polished society may be said to play along the current of the hour, in these his wit and fancy could revel in peerless abundance. That keen and luminous flash which seldom was wanting in his conversation, was also as free and bright, though not quite so undesigned, in his fugitive verses.

Of a more important and graver character, were some of his compositions in prose. In these, too, it is to be observed, that the same general impulses—that is to say, the whim of the hour, or the want of relaxation which sometimes gains possession of the studious—mostly gave the occasion and produced similar results; compositions in which a playful vein of satire was used to create amusement in the home circle, and be thrown aside. But it has also occurred, that his mind has been roused into more serious and strenuous exertion by more important occasions. Among the more serious performances of this character, it will be enough here to particularize one which, owing to circumstances, is now in the hands of the public. There was no topic which seems to have been regarded by him with so much interest as the main doctrines and the evidences of revealed religion. It was the peculiar cast of his mind to be very deeply impressed by the results of his reason in all concerns, but most in those of which he recognised the practical importance. Having once concluded on the truth of the gospel, he implicitly followed it out into its consequences; and contrary to the ordinary bent of the world, the strong sense of its importance, and urgent claim as a reality, took possession of his uncompromising and unsophisticated understanding. The shallow and sophistical dexterity, which so frequently appears in resistance to so plain and clear a light, moved his indignation at all times; but when it showed itself among those whom he cared for, it grieved him deeply. He felt it as an affliction far more serious than any temporal calamity or social shame. This being considered, it will be felt that when a direct application for information on the subject happened to come from a person in whose welfare he took interest, the call was responded to with alacrity. It was on such an occasion he took his pen to answer a question as to the best course of reading for the purpose of a fair investigation of the full evidence of Christianity. To draw up a full notice of the best authors, and of their several arguments, was to him no task. He executed it with ease, precision, fulness, yet with a lucid brevity; connecting the able writers, so as to compose together one great argument, followed out through all its parts, like the summary of a judicial address, which brings together the arguments of the counsel on some great question. Such is the general intent and character of this essay, of which, as it has been given to the public by the editor of this work, and writer of these pages, we cannot properly say more in this place. It should, however, be added, that it was not composed with the remotest view to publication, this having been wholly the act of the editor. Of the circumstances, and of his own

motives, he has given a sufficient account in his introduction to that publication.

It is worthy of curious observation, that the peculiar character of intellect exemplified in that essay, is in a very remarkable manner indicated in his judgments. In these,\* so far as we have been enabled to form an opinion, there is great force and clearness of statement, derived from a very admirable quality which was in a remarkable degree characteristic of the Chief-justice—we mean the faculty of orderly arrangement. This indeed is nearly a necessary consequence: these perceptions are themselves the very first conditions of orderly arrangement; they are also, it will be allowed, those of just judgment. Hence the admirable statements which will be found in most of his judgments, by which, after a long hearing of counsel, the principle is made apparent often in a lucid sentence, in which the argument, stripped of its complication, and of the dexterous misstatement or heavy circuitry of the advocates, seems to fall into some brief form, clear, precise, and logical.

These reflections very appropriately lead to some notice of one of the few incidents which occurred to vary the even course of the life of a chief judge, and which will afford some more authoritative illustration of these views. In 1839, he was summoned to give evidence before a committee of parliament. He thus came under the sagacious observation of lord Brougham, from whom we shall here extract several observations, in the sense and feeling of which we fully concur. Speaking of the occasion, this eminent critic observes:—"No one who heard the very remarkable examination of Chief-justice Bushe, could avoid forming the most exalted estimate of his judicial talents. Many of the questions to which he necessarily addressed himself were involved in party controversy, exciting on one side and the other great heats. Throughout, never was a more calm or fair tone than that which he took and preserved. Some of the points were of great nicety; but the discrimination with which he handled them was such as seemed to remove all difficulty, and dispel whatever obscurity clouded the subject. The choice of his words was most felicitous. It always seemed as if the form of expression was selected which was the most peculiarly adapted to convey the meaning with perfect simplicity, and without the least matter of exaggeration or softening. The manner of giving each sentence, too, betokened an anxiety to give the very truth; and the slowness oftentimes showed that each word was cautiously weighed. There was shed over the whole the grace of a delivery singular for its combined suavity and dignity. All that one had heard of the wonderful fascination of his manner, both at the bar and upon the bench, became easily credible to those who heard his evidence."

With this expressive portraiture, which confirms our view of the Chief-justice's character as a judicial speaker, we might conclude this part of our task. But it is yet incomplete without a few remarks which truth cannot omit, and which have indeed a more general and instructive relation to the subject. To some of our readers it may be familiarly known how the ancient rhetoricians, in enumerating the elements of eloquence, generally reckoned goodness among the number.

\* Fox and Smith's Reports, and Batty's Reports.

According to Quintilian, the orator must be a person *qui esse nisi vir bonus non potest; ideoque non dicendi modo eximiam in eo facultatem, sed omnes animi virtutes exigimus*. Perverted principles necessarily generate not only fallacies, but fallacious methods of seeing and thinking, by which alone fallacy can be entertained. Hence, on the other hand, but resulting from similar reasoning, just thinking is to the same extent grounded on goodness and sincerity, so as to rise from them as a spontaneous produce; and the habit of truth pervades alike the whole exercise of the whole mind. Hence the ease, simplicity, and force, as well as readiness, of the true wisdom founded on virtue. It is in this sense that the beautiful language of the poet is strictly true,

Virtue can see to do what virtue would  
By her own lovely light, though sun and stars  
Were in the flat sea sunk—

For it is evil which perverts the whole mind, and with wrong motives, and the maintenance of false interests, corrupts the intellectual eye: "If thine eye be evil, thy whole body shall be full of darkness."

Now, these reflections offer the true solution of much of the wisdom and much of the eloquence of Chief-justice Bushe. To those who knew him intimately it is well known with what an earnest love he adhered to the principles of truth and justice. Respected in different degrees by all who have any respect for themselves, these principles had in his mind the force of a religion, and not only gave to his character its real power and dignity, but even its very infirmities. Without the fullest allowance for it, he could not but be mistaken in everything; and thus, by the way, it was, that no man was so often mistaken by superficial observers. From the exceeding refinement of his sense of justice arose a scrupulous regard to the claims of others, not only in ordinary concerns, but in those less defined matters of form, manner, and mutual deportment, in which so little can be prescribed excepting by right feeling. In the mind of Chief-justice Bushe there was, by his very nature, a fine sense of this principle. Many are, we grant, largely endowed with the same; but in him it received an exquisite vitality, from the equally delicate tact with which it was accompanied. He entered with a rapid apprehension into the consciousness and the existing position of whoever he conversed with; and thus was always under a ready and governing apprehension of the full force of the great law of just reciprocity, "Do unto others as ye would that others should do unto you." Hence a peculiar graciousness of manner to persons of inferior rank,—a condescension of deportment, and a ready wish to set them at ease,—an obliging desire to communicate satisfaction,—all of which have often been mistaken, and made the subject of coarse and ignorant comment by persons who only judged rightly if they felt that they were not fitting objects of so much consideration. But the same temper was otherwise influential. Hence the stern indignation easily drawn forth by petty oversights of principle; hence the nice balance in which scruples of honour and integrity were weighed. By those who were among his domestic friends, or by the members of his profession, all this was more or less understood; his character could not be wholly mistaken by the superior order of actual observers. It was impossible, however, even for the



most intimate to keep in view the strict, stern, and exceedingly simple philosophy of his mind; it was so profusely adorned on the surface by the illumination of taste and fancy, and so embellished with a play of allusion which came unsought, that it was not easy to reconcile so much subtlety in wit with so much simplicity in judgment.

Notwithstanding his pre-eminence as an advocate, we are inclined to think that the Chief-justice appeared to the highest advantage in the undress of the most familiar conversation when unconstrainedly following the topic most agreeable to his own taste. On these happy occasions a gentle enthusiasm, which was liable to be repressed by the mere presence of those who could not participate in the feeling of the moment, seldom failed to show itself, and his heart seemed to awaken and take its part in the play of mind and memory. We can well recollect the animated spirit with which he entered one evening on the discussion of selected passages in Milton and Shakespeare,—touching with a depth of feeling on the master strokes of their high art, or the elevation of the noble image or profound conception, until at last an irrepressible sense of pleasure seemed to force from him an exclamation, of which we cannot recollect the precise language, on the charm of such free communication of mind. It was an impulse such as Milton intends to convey in the passage in *Comus*, where one of the brothers breaks into a similar interruption:—

How charming is divine philosophy,  
Not harsh and crabbed, as dull fools suppose;  
But musical as is Apollo's lute,  
And a perpetual feast of nectared sweets,  
Where no crude surfeit reigns.

Such impulses were with him frequent; for there was a deep glow of what we may be allowed to call a classical enthusiasm in his mind, ever on the spring when all constraint was removed. He was indeed easily restrained, not from the selfish anxiety which so often can tongue-tie men of wit, but from a very intense sympathy with the minds of his company. He was also eminently endowed with a fine tact for the ridiculous: in this he was not wont to indulge; but he could not quite divest his mind of a sense of the absurdity of any expression of sentiment where it could not be at once understood: he would not talk poetry to an economist, or philosophy to a statistical tourist. It may be received as illustrative of some statements already made, when we mention, what we have uniformly observed, that it was very much his habit to converse with persons who possessed any peculiar information, rather on the topics best known to them, than on those with which he was himself familiar; his motive being always politeness—a sense of fairness; and one of the consequences was, that he was sometimes much underrated by persons of the meanest intellectual calibre. He possessed a large fund of anecdote, though he was seldom heard to relate any of that class improperly known by the name of bar stories. But he possessed a power of narrative, so graceful, easy, and graphic, that it did not require anything of the ludicrous or the satirical to give it zest; and the less, as it always came with a force of application that was happy for its pertinence to the occasion.

The life of a judge in this country cannot offer much to diversify a memoir. The incidents which claim special notice must needs be few. The chief of them are not such as we should much desire to dwell upon. Though the current of his latter years was in the main as prosperous and as little troubled as falls to the lot of man, yet it can rarely happen at an advanced period of life that twenty years can pass without days of the severest trial. In the interval thus taken, the family of Kilmurry was visited with two heavy afflictions, in the death of two individuals whom we should not feel called upon to allude to here—not even on account of the personal claims of private regard and affection—had these losses been only such as can be numbered among the casualties to which every family is subject, and which, in reality, are no more than the disturbance of each petty circle by the ceaseless drift of life's general ebb. But the death of the Chief-justice's son-in-law, Charles Michael Fox, was not an everyday occurrence. Among his contemporaries at the bar, there existed no doubt that, in a few years, his high talents, combined with his professional industry, must have raised him to the highest eminence. He was, in private society, of a temper somewhat retiring, but capable of a quiet excitement, in which a very singular clearness of head, a prompt astuteness, a caustic wit, and a very remarkable command of brief and terse language used to become apparent. He had begun to obtain distinction at the bar, had proved his power in law argument, and also obtained high praise for his share in a very able publication of law reports, in connection with Mr Smith, afterwards Attorney-general, when he was taken from his afflicted family. We may add that he was no less qualified to die than to live, as he was not merely a professing Christian, but a most firm and convinced believer of the word of life, which it was his earnest study to enforce and teach. Another bereavement demands a few words. The Chief-justice's fourth daughter, Elizabeth, died in her twentieth year, leaving no trace, but in the memory of those who loved her, of a noble spirit and powerful intellect. To her with rare truth might be applied the beautiful reflection which Moore, with somewhat perhaps of the poet's license, applied to another.

As streams that run o'er golden mines,  
With modest murmur glide,  
Nor seem to know the wealth that shines  
Beneath their gentle tide:  
So, veiled beneath a simple guise,  
Thy radiant genius shone;  
And that which charmed all other eyes,  
Seemed worthless in thine own!

During the latter years of the Chief-justice, he was known to entertain a strong anxiety to retire from his laborious and responsible station. A constitutional tendency to a violent defluxion on the chest began to harass him with its consequences. His physical strength suffered a diminution, which seemed to menace the powers of life, and which rendered his public duties exceedingly severe. The skill of Sir Philip Crampton freed him from this distressing enemy; but he was at the same time made aware, or at least impressed with a conviction, that it was only for a limited interval. Five years appear to have been assigned as a period likely to be free from the ailment

which had to a remarkable extent reduced his frame. His strength and spirits were, however, as remarkably renovated by a severe remedial course, and he was enabled to resume his judicial functions with renewed vigour and alacrity. He still, however, felt that it would be desirable to retreat while he might do so with unimpaired powers, and thus anticipate the changes which he could not fail to expect. In this desire he met with a degree of resistance from several influential quarters. His brethren of the Queen's Bench were very anxious that he should not retire, for reasons which were very fully understood by the public, but which we shall not here mention, as we are not willing to discuss them. It was also, we may add, the general impression of the public, an impression received in the most intelligent circles, that his retirement was strongly deprecated by the government. It is certain that it must have then had the effect of placing ministers in a position of embarrassment—a consequence which he would have regretted.

Thus impeded in a favourite wish, the Chief-justice resigned himself to his laborious avocations, and armed his mind with patience to await the conjuncture favourable to his retirement. In the meantime, he was in some degree engaged in the improvement of Kilnurrery. This step had been forced upon him at first by the discovery that the roof and much of the house was in the last stage of decay. It became essential to safety to begin the most immediate and extensive repairs. In this undertaking, he was necessarily led to reflect on the insufficiency of his house, in its then existing form, for his very numerous family, which it was the comfort of his old age to see collected about his fireside, as often as their own several avocations and separate homes made it possible. His own masterly taste for improvement asserted its claim, and he was thus for some years engaged in a train of rural occupations, which were productive of much pleasure, and contributed much to sustain his health.

He was yet in the highest condition of mental vigour, and in a rather improved condition of bodily health, when he came ultimately to the determination to resign. In this he was partly governed by the apprehension that every object which could be attained by delay, was already past or secure. But he felt that the terms had been latterly making formidable inroads upon his remaining strength. From these he had begun to return much worn and depressed in strength; and it was easy to calculate how very short a time such a struggle might continue. It was his hope yet to enjoy some years of retreat, cheered by his friends, his books, and the ever-restoring air of his beloved Kilnurrery. And in this there was every reasonable hope of fulfilment. For though his strength was easily shaken, it never failed to return after a few quiet days at home, and his own peaceful and affectionate circle found him the same animated and informed companion as ever.

A remarkable change was destined to be brought about by means from which such results could hardly have been expected—means, on the notice of which we enter with some reluctance. We are unwilling to make our pages the vehicle of censure and imputation, on whomsoever they may fall: and though fully informed of the main facts, we feel that we have not before us the precise details by which all such



statements ought to be guarded. We shall, however, keep within the mere assertion of what we authoritatively know, and what no one will controvert.

It had not been at any time the ambition of the Chief-justice to obtain a peerage; he had been indifferent on the subject; and this for very wise and sufficient reasons of his own. It was not the desire of his family, or of his friends. *They* at least felt that no title could add splendour to a high and ennobled name. His fortune was not equal to the rank, and his native and manly pride was indeed above it. But it was *his right*—and what is more, it was the right of the Irish bar—the usage of the bar in both countries established it; it was no question whether he was to be particularly honoured with such an appendage or not. But it remained with the Queen's government to consider it as a new question, whether a most insulting innovation, directed against the Irish bar and bench, was to begin with one of the greatest men they had ever produced. That illustrious man, little as he aspired to a peerage, could not but feel the slight undeserved, which fixed a seal of apparent humiliation and contempt upon his life of meritorious exertion, and on his high reputation: and which so far (happily not very far,) as the act of an administration could so operate, would, at least for a few days, have the effect of throwing a noble name into the ignoble list of candidates for an elevation to which their pretensions are found wanting. It was not in this instance a favour sought for, or even an honour desired: it was a matter of course, not cared for, till it was wrongfully and injuriously withheld. To make this painful and offensive, it was enough that the public, the bar of both countries, and the wide circle of acquaintance and friends, had been looking forward to this result, with a degree and kind of expectation, by the disappointment of which it was not in human nature not to be deeply wounded. Such was truly the nature of a slight, deeply disgraceful to the understanding, the taste, and feelings, of the person or persons from whom it came—a stain which cannot be effaced from the memory of the administration of 1841. For this reason it is proper to state, that the insult was repudiated with the disdain it merited, by many of those whose names will live in the brightest pages of history. This unjustifiable insult was painfully aggravated by circumstances of another kind; his name, like every noble name, had been recently assailed by the low animosity of Irish faction: the nationalist press thought proper to assail the Chief-justice on grounds with which, of all others, they were least competent to deal. They attacked one of his decisions as a judge, referring it to those party motives from which it was the deepest affection of his moral nature to shrink: throwing thus on the most sensitive spot (his tender sense of the purity of the judicial character,) a torrent of imputation, which every lawyer and every gentleman listened to with scorn, but which it was the infirmity of his nature to recoil from as a shame. His sense of justice was like the honour of a virgin, that feels tarnished by the very sound of a calumnious whisper. Much interesting detail which we have before us, but are not at liberty to use, will appear in a full life of Bushe whenever it comes to be written. These circumstances conspired to cast a heavy shade over a spirit that had always lived in the light of honour,

and had been regarded through life as above reproach. The Chief-justice could not, in a moment, accommodate himself to a position as unfitting and unmerited, as it was difficult to comprehend. And it is to be observed, that his moral sensitiveness of nature had, at this period of his life, undergone the changes usually produced by age, ill health, hard labour, and a nervous temperament. As if this was not enough, there was another trying taunt, widely circulated, and reproduced in every form, by the intrigues of the party which was anxious to harass him into resignation. It was, with perfect untruth, asserted that his intellect had become weakened by age to an extent incompatible with his judicial duties. It was perfectly true that his physical strength had in some measure become unequal to labours which were still performed with the utmost ability, to his own great hurt, but not to the prejudice of his court. It has indeed so happened on circuit that he had (in this very period) the business of both courts to discharge. And it was in the very last twenty days of his judicial life, that the whole business of the Irish government was thrown upon his shoulders as Lord-justice; no other individual of the persons appointed being enabled to attend. Let us be allowed, at the expense of saying too much on this most unworthy topic, to advert to some personal recollections. We were at the period (1842) frequently thrown into the company of the Chief-justice, under circumstances which, at the same time, give the fairest and the most trying scope to the understanding. The excitement of a youthful and varied circle of the most alert and cultivated minds, may be fairly said to possess a power to awaken and restore the faculties that once were brightest, and for this reason we shall not speak of the prompt common sense, and the clear and witty comment, which was not unheard to the last in the society of Kilmurry. But we can recollect more retired and serious hours of cool and yet earnest discussion, upon some of the most difficult questions upon which human learning and reason have been exerted in modern times; and remember to have sat wondering at the well-digested and seemingly elaborate statements, from recent reading, of arguments as difficult and complicated as any that could be often heard in courts of justice, and which demanded a far more independent use of all the faculties, and gave less of those aids which are derived from professional habits and technicalities. We state this as the result of our own personal observation, with the best opportunities; and it is advanced in opposition to the assertions of a low faction, which not only raised calumnious doubts and questions on the subject of his intellectual competency, but even went so far as to raise its cavils upon facts, which would, when fairly viewed, lead to very different conclusions.

Although the mind of the Chief-justice was at this time as clear and bright as ever, his nervous system, never of the most resisting structure, was much and frequently acted upon by those causes of irritation and mental anxiety, which began thus to be poured thickly upon him, at the season of life when rest is looked for, and is essential to life. The abuse of the press, which he held in contempt, came at an unfortunate moment, because it chimed too accordantly with more serious incidents; and helped to give a force and a significance they otherwise could not

have possessed, to the deep insult he received from the head of her Majesty's government; and the reasons given were as insulting as the act, and as discreditable to their author. Never, indeed, was the old reproach that "it was enough to be a man of genius and an Irishman, to be treated with neglect," so accurately verified, by a gentleman, a part of the policy of whose administration has been to adopt the stigma as a maxim. Had it been simply the mere claim of merit, it was, indeed, to have been expected from the hand that pushed down that ladder by which its power had been reached: but a right founded on established custom, and acknowledged in the least imperative cases, was now denied and abrogated in the instance which, had it not existed, should not have created it. On such an occasion it needs no special authority to say, that an old servant of the crown—a man nursed upon a nation's admiration—a man to whom honour was as "the breath of his nostrils," and the light of his life—a man, too, who had been calumniated—a nervous, quick-spirited and anxious subject,—was, because he must have been, shaken irrecoverably by the blow, laden as it was, with ingratitude and contempt. Regardless of titles, he felt the denial, and, as is the law of man's nature, the matter soon acquired an importance not its own.

He visited London to tender his resignation; and on this occasion was warmly received by a large circle of noble and distinguished friends. Among these, it was soon felt that his retirement was not the result of any failure of professional or mental competency: and among the eminent persons to whom he was then introduced, there was but one sentiment of admiration for the singular charm of his manner and conversation. A deep sense also was shown of the injustice he was about to sustain; and had such been his wish it would have met with the merited castigation.

A memorable scene occurred in the library of the Irish courts on the 4th of November 1842,—the day on which the gentlemen of the Irish bar took formal leave, in addresses of which every sentence expressed truths and feelings worthy of the occasion, and of the high and honourable assembly whose mind they expressed. Such forms must often occur, and must, in most cases, be in part ascribed to courtesy, and the kindly consent of many to the language dictated by the affection of one. But on occasions when a really great man retires, whose fame is a living reality undisputed among the educated community, a sentiment becomes awakened so strongly that it spreads even to those who were hostile. That day was the honourable close of the public life of the last of an illustrious constellation of minds, such as Ireland never produced before, nor (considering the tendencies of the age) ever can again.

It was in the last year before his death that his mind began to indicate in some degree the effect of these trials. While his strong and clear reason retained its whole mastery, the lapse of memory became frequent and progressive. Of this he was himself painfully sensible, and often adverted to it. It did not indeed amount to any material impediment to his power of enjoying the society of his friends, or even of strangers, as the slightest impulse of spirits was enough at any time to dispel the gathering cloud: and when he



entered into conversation, his wit was as easy, and his judgment as clear as could be desired. But it was easy to see and fear the result of a fast increasing tendency to failure of recollection. To this it was not permitted to come: a slight affection, merely local, and to which no importance was attached, required surgical operation: it was performed skilfully, and with little pain. The immediate consequence, however, was an attack of erysipelas, which brought on inflammatory action in the head.

He left home for the above-mentioned purpose in seemingly good health and spirits, and his friends and relations were under no apprehension for him; but in a very few days after, 10th July 1843, he departed this life, at the house of his son, Mr Thomas Bushe, near Dublin. His mortal remains were interred in the new cemetery at Harold's cross,—an arrangement which occasioned very great excitement in the county of Kilkenny, where he was loved and honoured by every person and class, who eagerly desired to do him honour, and to claim him as the boast and ornament of his country.

#### RIGHT HONOURABLE WILLIAM SAURIN.

BORN A.D. 1758—DIED A.D. 1839.

IN the year 1598 an edict was promulgated at Nantes by Henry IV., granting protection and the security of their civil rights to the French protestants, who, as that politic prince saw, were not to be suppressed by persecution. Under the protection of that law, they increased in wealth, numbers, and influence, and, with varying fortunes, extended their ground for a century, during which they attained an integral form, and a degree of civil power and importance, which was ultimately fatal to their existence. The jealousy of the government was awakened, and the treacherous policy of Richelieu obtained advantages and removed defences, until, towards the end of the following century, Louis XIV. was induced by the then all pervading influence of the Jesuits, and by the ascendancy of a fierce faction, to revoke the protecting law. This revocation was not more incompatible with justice and humanity than with sound policy, depriving the nation at a blow of the most civilized, enlightened, and efficient portion of its mind. A general and almost tumultuous emigration of the protestants rapidly drained France of that spirit and energy which has universally been the origin and promoting cause of civil liberty and national prosperity. Nor would this inference be weakened by a survey of the personal history of the numerous families thus transplanted into other lands.

Among those who, on that occasion, shook from their feet the dust of a thankless soil, was a gentleman of the name of Saurin, who exercised the profession of an advocate, with distinguished reputation, in the city of Nismes in Languedoc, and who now retired with his family from persecution to Geneva. This gentleman left three sons, James, Louis, and Mark Antony. Of these, the first mentioned is well known in ecclesiastical history as an eminent theologian, and a

preacher unrivalled in his day. His works are still read and admired for their union of eloquence with a profound and simple morality. A small volume of selections from his writings was published many years ago by Hurst, and affords a very high estimate of his powers.

Louis, the second brother of this celebrated man, came over to Ireland about the year 1727, as we find by a letter of primate Boulter, dated March 1727, which is addressed to the archbishop of Canterbury, and which says, "On Monday last Mr Saurin came to me with your grace's letter." The letter here referred to also seems to indicate the favour and high opinion of the archbishop. Another letter from Boulter to the bishop of London similarly refers to a "good character" obtained from that prelate. Saurin was recommended by primate Boulter to the bishop of Kildare, who gave him the post of a vicar-choral in St Patrick's cathedral. From this inferior preferment he was soon after promoted to the deanery of Ardagh. Previously to his leaving France he had married a daughter of the baron Cornet de la Bretoniere, a noble family of Normandy, and had one son and four daughters. The son, James Saurin, was afterwards rector of St Anne's, in the city of Belfast. This gentleman married a Miss Johnson, and, dying early, left four sons, of whom the eldest and youngest (Mark Antony) adopted the military profession. The third son, James, was the late bishop of Dromore. The second was William, the subject of our present notice.

William was born in 1758; he was sent to school to the Rev. John Dubordieu, the descendant of another French refugee, who then kept a very excellent school at Lisburn. He entered the university of Dublin as a fellow commoner in 1775; and, as might be presumed from his natural tendency to severe application, and his singular clearness of head, he obtained the highest academic distinctions. Much of the early part of a lawyer's career passes unrecorded in the quiet obscurity of the massive and ponderous learning he pursues, and this is more particularly true of a man like Saurin, whose calm and steady tone of mind was not liable to be caught into the whirl of popular excitement, or disturbed from its course by the passions of the day; while several of more brilliant but lighter, and far less powerful talents, were attracting notice and obtaining newspaper celebrity, he was drinking deep at the fountain head of the Constitution.

Having completed his university course, Saurin entered as a student at Lincoln's inn. It is remembered that, while in London, he lived together with the late Sir Robert Langrishe and the late Mr Lyndon Evelyn. It is also stated, in the manuscript from which we learn this fact, that these three gentlemen afterwards "lived to be more than eighty years, during the entire of which time the friendship and intimacy they had formed in early life subsisted without a moment's interruption." We can also state, upon the same authority,\* that during this interval, Saurin was devoted to his studies, and diligent in attendance at the law courts during the terms. Such a course was not productive of many romantic adventures; and it will be presumed that the same sober and steady governing qualities, so pre-eminently

\* A brief memoir of Saurin, written by a person who has been (it may be said) brought up in his family.

exemplified in all we know of him, must have contributed to preserve the smooth uniformity of a studious and prudent progress in his profession.

He was called to the bar in 1780. But for several years, he underwent the fortune of many eminent men whose pretensions were of the same nature as his own, and whose moral and intellectual tendencies being strictly professional, withheld them from all irregular and indirect short-cuts to notice. Saurin was not destined to derive any help from the influences of popular faction; nature had not framed his intellect and temperament to be the luminary of clubs; he was neither a master of rakish wit, nor endowed with the flashy elocution and manner which imposes on the vulgar. His style of speech and method of thinking were far indeed from the glittering, but inane phraseology, which the English reviewers have insisted upon calling Irish eloquence, though there was not a taint of it in any one of those whose names have obtained a permanent reputation among Irishmen. In the texture of Saurin's feelings, talents, or knowledge, there was nothing to attract the populace, or those who thought with and for the populace. Saurin excelled his contemporaries in accuracy of method and in precision of language. He did not possess that forward activity of temper which would have brought him to the front among his contemporaries. Saurin was, however, from the beginning, placed in a high and respectable circle. But there was a simplicity in his reason and feelings, and a delicacy in his taste and temper, which must have contributed to keep him back, at a time when men were brought forward in Ireland by courses of living and of acting in public life, very unlike any thing of which we can conceive him capable. Qualities of the highest order can seldom be popular. A freedom from the constraint of principle—a reckless ambition—an audacious temper—a sympathy with the public impulses—a restless vivacity—and the command of the tawdry rhetoric of popular passion—are the ignoble qualities of vulgar talents, which in evil times promote inferior men. From the temper and the sympathies which such periods exercise, Saurin was characteristically exempt. The pre-eminent powers of his mind were reason and judgment; in him they were developed to a degree which overawed and restrained the play of the minor and less essential talents. There was indeed but one way to wealth and fame for such a man; and that was, in its nature, long, arduous, and not within the cognizance of the vulgar eye. We have been led into these reflections by way of accounting for the lengthened interval during which Saurin, like some other great men, was allowed to remain unemployed.

It was during this interval, and, indeed, before he had attained to any noticeable degree of practice, that he married Mary, the relict of Sir Richard Cox, Baronet, the niece of the then, and sister of the succeeding marquis of Thomond, by whom he had a large family. This event took place in 1786.

The first occasion which really afforded a just notion of what he could do as a lawyer, was upon the election contest in the county of Down, in 1790, when lord Castlereagh was one of the candidates, and when he made his *debut* for Mr Ward, another candidate, in a manner



which was probably the foundation of the employment that quickly followed, and never afterwards deserted him. When once fairly brought before the critical cognizance of the bar, the rest was a matter of course; however slow the public mind must be in the estimate of merits, so far removed from popular information, the presence of a great legal understanding is not to be mistaken in the eminently critical atmosphere of the four courts. Stern and uncompromising virtue, simple worth, and consummate skill, make prompt and deep impressions on those who witness them. When a man with so little of the specious or the popular in his mind and deportment as Saurin was chosen, in 1796, by the lawyers, as captain commandant of their corps; and when the high spirit and shrewd observation of that body is regarded, it bespeaks the sterling worth, as well as ability of the man. The recognition of his abilities was also shown by the efforts of the Irish government to obtain his services. The sagacity of the statesman at the head of affairs, during that period of emergency, was not slow to discover a man who had the great and commanding qualities so much needed in a cast of mind not inclining their owner to the popular side. It was hard to find a man of ability unshackled by patriotic pledges, and ready, as well as able, to supply the great want of uncompromising and steady support to the cause of order and law. In 1798, the office of Solicitor-general was pressed upon him, with a degree of earnestness to which, in the very considerable experience we have had of such proceedings, we cannot find an approach in any similar instance. His refusal was followed, not only by letters of pressing solicitation and remonstrance, but by the request that he would not decide until the writers (the principal ministers of the Irish government) should have the opportunity of urging the matter in a personal interview. To this effect we have ourselves perused letters in the possession of the family from the earl of Camden, Mr Pelham, and lord Castlereagh. Saurin refused, because it was his determination to oppose the measure of the Union, then in progress. He, with Bushe, and other able men, saw the immediate consequences—the first shock of a vast change. But it is not indeed easy to imagine the constitutional understanding of Saurin perverted so far as to comprehend the idea of a wise or just policy, in connection with the vicious instrumentality then exerted to carry the measure. He probably could not so divest himself of the simple and pure identity of his very nature, as to connect himself with all that was mean and corrupt in political intrigue; and so revolted was he by those proceedings, that their memory haunted his mind, and kept him afterwards aloof from that government, when his opinions and principles would have been favourable to them. He took his place among those who strenuously resisted the Union, and his opposition remains a matter of history in the reports of the debates which preceded it.

Afterwards, in 1803, he was, as before, urgently pressed to take office as Solicitor-general, and again peremptorily refused. Of this negotiation, there remain the letters of lord Redesdale, at that time lord chancellor of Ireland, and the very person who best had the means of appreciating the singular powers then chiefly displayed in his own court. For though the public is best acquainted with Saurin as a crown lawyer, and though our chief means of illustrating his merits have

been afforded by his practice in the criminal side of the law courts, yet it was in the less familiar and popular practice in equity, that he was more fitly rated by legal criticism. Great as a crown lawyer, it is scarcely to be doubted that, had his course terminated where it ought to have done, he would have left a name of the highest authority on the list of lord chancellors.

In 1807, he was once more applied to by the government. On this occasion his attached friend Mr Downes, then Chief-justice of the King's Bench (afterwards lord Downes), used his influence with him; and Saurin, thus urged, though distinctly given to understand by the lord-lieutenant that the existing government was not likely to continue many weeks, yielded to his friend, and accepted the office of Attorney-general, which he held for fourteen years.

Notwithstanding the high reputation and foremost place of Saurin as a lawyer, yet from the circumstance of his having been thus placed in the position of crown adviser for fourteen years, during a period which offered very great and peculiar difficulties to the government, it is a necessary consequence that his character, in the estimation of the world, in a great measure stands on the ground of political considerations. With the utmost benevolence of nature, and the gentlest and most unoffending temper, Saurin possessed the sternest constancy of will, and the most devoted sense of duty, so often found in connexion with the purer and gentler affections of our nature. For the law of the land, and for the civil constitution from which it is derived, and to which it gives support, he entertained the devotion of a mind thoroughly imbued with the spirit of both; he identified himself with the law, and was identified with it. It was truly a marriage for better for worse. With its honours, he won something of its unpopularity. Honoured by every member of his noble profession—loved by all who moved in his immediate circle—respected by all who could rightly apprehend him,—he stood in that station against which popular delusion and fury were from time to time directed. We do not here in the least question the motives, or even the policy of his opponents; they thought it right to force their way to what they claimed as civil rights, by the only means they considered likely to succeed. The law, as it stood, was not their friend, and its guardians they regarded as enemies. They fell into a confusion, which was very natural, and may therefore be excused. But it is our business to state the matter truly. For this purpose, we shall here again bring forward a case to which we have already adverted,—the case of the crown against Sheridan and others. We take this, because it gives occasion to state Saurin's views on his own unimpeachable authority. It will be plain that his sole rule of conduct was legal and constitutional, and in no degree affected by sectarian views.

The question involved in the case of Sheridan, was one which, according to the views of the party to which he belonged, the Attorney-general was bound to take up. The convention act was passed in 1793, to prevent the organization of assemblies assuming to represent the people. Such assemblies were, from their near connexion with the masses, and with the prevailing impulse of the hour, armed with a formidable power, and impelled by dangerous influences. This fact was evident from their very constitution; it was still more clearly

ascertained by precedent. There was, in the meeting in Liffey Street chapel, and in the arrangements made for its permanency, and for the discharge of its functions, a public violation of this law, so broad as to amount to a defiance of authority. We are not asserting the propriety of the law, but that from Saurin's point of view it had been clearly violated. It is no answer to say that the real design of the parties was innocuous, or their ultimate view legal. That law was a provision against precisely similar public movements, which had been the immediate preliminaries to a wide-spread conspiracy ending in a civil war. If the prosecuted parties had endeavoured to draw the broadest distinction between themselves and the conventions of United Irishmen, they might have been treated with forbearance on the part of government. Instead of this, they took the same course of open defiance, and fierce animosity against the existing state of government, as the former conventions had done, with which they endeavoured, in the fullest manner, to identify themselves. There was, in reality, no reason, then apparent, why the officers of the crown should not look for the same effects from the same causes; and had any such consequence actually arisen, any neglect on their part might have been cited as a proof that it was the design of government to foment a rebellion, which every rational politician knows is the true instrument for depressing the people of a country. Saurin saw the violation of the law, and read the possible consequences by a recent, if not true, analogy; and his judgment was supported by the defence that was made for the traversers by the ablest men of their day.

But Saurin did not in this, or any other cause, oppose the members of the Roman Catholic communion on the ground of their religion, or upon any grounds but the principles of the constitution as it then stood. On this point we shall allow him to speak for himself. In adverting to the resolutions proposed at the meeting, after reading out the first, which asserted the right of conscience, and declared that no government can inflict penalties for obeying any form of Christian faith, the Attorney-general distinctly admits the principle, and denies the application, in one short sentence. "Gentlemen, this is the first resolution; the object of which, you will plainly perceive, is to impress on the minds of the Roman Catholics of this country, that they are this day subject to pains and penalties for exercising their religion—a resolution *not founded on truth*, and calculated to mislead the loyal Catholics of Ireland." Of the religion of the people he took no cognizance, nor did he for a moment doubt the loyalty of the nobility and gentry of that persuasion. But a palpable infringement of the law was not on such grounds to be allowed; and in the strong denial here quoted, is to be clearly ascertained his actual view of those disabilities under which they then laboured.

Saurin felt both liberally and affectionately towards the Roman Catholics, among whom he had many sincere friends; but this could neither change his principles, nor dispose him to violate them. But yet it was not Saurin's opinion or desire in any way to impede the right of petition, or any safe and lawful effort for the removal of disabilities. This he emphatically asserts; and appeals to the good sense and reason of the Roman Catholics themselves:—"I will beg to leave it, not to



you (the jury), but to every unprejudiced man, every Roman Catholic who hears me, whether the convening such an assembly in the metropolis of this kingdom can be reconcilable—not with the statute law of the land, but with the principles of any law whatever—whether it is to be endured in any state in which there is the form of a government, that an assembly so constituted should be tolerated or allowed.” This he explained more at large, by the exposure of the vicious application of the representative principle in the form of the Convention. Indeed, this is somewhat too obvious to go into any further statement of it; for we must repeat that the meetings which the Attorney-general then resisted, were in form and ostensible mode of proceeding, as well as by express declarations, identified with the convention of 1783, and plainly designed to attain by a demonstration of force, that object which they had failed to obtain by legal petition. Whether it may be asserted or not that such was a justifiable alternative, it is quite plain that resistance must be the duty of the officer who is appointed to maintain the law inviolate.

Saurin simply asserted and maintained the law by a vigilant, courageous, and able discharge of the trust of his high office. The following clear answer to the most specious objection to the proceedings, may also serve as a specimen of the singularly terse and lucid style, by which all Saurin’s speeches were alike and uniformly distinguished. “But it is contended, that an assembly as respectable as this, could not be guilty of any misconduct, or act in any way contrary to law. Gentlemen, it is not that an assembly of this magnitude has in it many respectable and loyal persons, that it is, therefore, to be countenanced or endured; or that the public peace can be guaranteed by the integrity of such persons. In such assemblies, it is notorious, that the moderate and well-meaning are overborne by the turbulent, the factious, and the desperate. Let me call your attention to that very committee, out of whose resolutions the present intended assembly was to take its rise. We all recollect that committee, and its proceedings, during a great part of the last year, and beginning of the present. I appeal, not to you, but to every loyal and dispassionate Roman Catholic who hears me, whether that committee, though containing many most respectable and loyal men, did not proceed to such excesses, to such an abuse of the privilege under which they claimed to meet—of all decency and decorum—that every good and loyal Roman Catholic was ashamed of them. Were there not found members of that committee, also, to deliver speeches so gross that the seditious press of Ireland became afraid to publish what they were not ashamed to speak. Every man who regarded the public peace cried out against them; and I am sure, that if blame be imputable to the government, with respect to that committee, it must be that it did not interpose sooner, not for having interfered with it when it did. When it was expected—at least when every one hoped that it was about to terminate its sittings—it issued a circular letter, calling for a perpetuation of itself, by the addition to its numbers of ten representatives from the counties, and five from every parish in Dublin. It was then, and not till then, that government interfered: it interposed, not by the exertion of a power beyond the law, but by notifying to the magistrates that the intended elections of persons, to be incorporated with the committee, would be against the

statute law of the land, and that recourse would be had to the law, to prevent such a mischief. That interposition had the desired effect; treason and sedition were checked in their progress, and the project was for a time abandoned." This authentic statement puts the whole proceeding of the Attorney-general in its right aspect. It may be added, that his sole aim being in this case the assertion of the law, and the preservation, by its power, of the public peace, he had determined to carry his proceedings no further than merely what was required for this purpose. This is made apparent by after circumstances. The jury brought in a verdict of "not guilty," for want of sufficient evidence. The consequence was a continuance of the same illegal proceedings. As the verdict of acquittal was expressly given on the ground of insufficient evidence, and as there could be no doubt either of the law or the facts, it was the duty of Saurin not to allow the law of the land to be set at nought. He brought another action, for the same offence, against Mr Kirwan. The case offers in itself no topic of interest, nor were the arguments to which it led particularly important. As the reader of the previous memoir is aware, there was a great display of eloquence by the Solicitor-general, and on the part of the traverser, there was also remarkable ability displayed. The facts and law of the case were such as to admit of neither difficulty nor doubt, but involved to the utmost extent in both, by exceeding shrewdness and ingenuity. A verdict of guilty was nevertheless brought in by the jury; and the Attorney-general, content with the success of his firm assertion of the law, followed it up by a wise and temperate course, so as to afford an impressive illustration of the mild and equitable spirit in which it would operate, if so permitted by those exposed to its penalties. "It is not my wish," he said, when moving for a day for pronouncing judgment, "that any punishment whatever should be inflicted on Mr Kirwan, further than that the court should make such observations on the nature and consequence of the offence, as its wisdom and justice may suggest. I am happy to say, that his majesty's government has taken the subject into its most serious consideration, and having been fully satisfied that enough has been done to satisfy the public at large, not only as to what the law is on the subject, but also that the law, as it now stands, can and must be enforced; and that every man in the community not only ought, but *must*, obey the laws." Space only permits us to quote these few sentences, expressive of the mild but uncompromising policy on which his entire official conduct was framed.

We cannot offer to the reader any considerable selection of the distinguished causes in which Saurin bore a leading part. As an equity lawyer, he stood conspicuous in the first rank; we have not materials adequate enough to form a satisfactory estimate of him in this respect; and, indeed, the importance of the official station which he filled, in a season of extraordinary difficulty, must be looked on as the proper object of historical commemoration.

The case of the King *v.* Waller O'Grady, from the full report which its public importance secured, as well as from its intrinsic elements of interest, afforded a good field for the display of those splendid talents with which the Irish bar was then endowed. This case, in its two



successive hearings, has been reported with first-rate ability by a lawyer whose habitual accuracy and profound knowledge of the subject, enabled him to do the fullest justice to an argument which has left no resource of art or legal discrimination unexemplified.\*

With the two most able reports of the great cause adverted to before us, it needs no great effort of criticism to perceive the skill and learning of Saurin. It would be a hard task to discover in the management of any cause, clearer proofs of judgment, and knowledge,—command of that knowledge, precision in its employment, and clearness in its exposition. In an attentive perusal of that great trial, in both its parts, in which the first men of their day were the counsel on either side, it will be impossible not to perceive the clear pre-eminence of Saurin in the more solid and sterling qualities of the lawyer. Something, in fairness, must be allowed for the difficulties of the adverse counsel, who had, in reality, no case, and whose business it was to make as much legal obscurity as they could. But comparison is unnecessary; Saurin's speech in reply in the appeal may safely be compared with the first specimens of legal eloquence that can be found or recollected. When some one remarked that Saurin was not eloquent, he was well replied to by Peter Burrowes, "he despises eloquence." His accurate understanding and perfect knowledge enabled him to speak without resorting to the flowering common-place, which, with proper accompaniments of voice and action, passes for eloquence. With him language was the barely sufficient covering of thought, which shewed beneath it with a simple and real charm, far superior to the finest drapery of words.

One other cause must be briefly noticed; it was the occasion of a very violent attack upon him, and drew forth a response of which the effect was nearly similar. We mean the case of the crown against the editor of the *Evening Post*. The question will not be material to our present limited statement. It was, like those of Sheridan and Kirwan, a trial of party, and brought into play all the passions which such cases never fail to elicit. Saurin's statement for the crown was marked, like all his addresses of the same kind, by his characteristic humanity and moderation, and was but a clear and simple statement of the facts and of the law. He was answered by O'Connell, in an amazing torrent of that vituperative eloquence, in which he excelled all men living. On this occasion O'Connell dealt out his unsparing fury on every side; the jury was not spared; and the Chief-justice on the bench quailed beneath a tempest, not in that case merely rhetorical. There was a verdict for the crown; and on the 27th November 1813, the editor was brought up for judgment, and an affidavit having been made on the part of the crown in aggravation, on account of the line of defence, Saurin had to address the court on this point. In the perusal of his most feeling, but most calm and dignified address, the reader is surprised at the clear illustration of a truth, often spoken, but not so often exemplified, how much calm and regulated skill exceeds the exertion of mere violence, even though accompanied by power. But what will most strike the reader who is curious in

\* We refer to the two reports of Mr Richard Greene, afterwards Baron Greene, of whom a brief memoir will be found in these pages.



the study of moral phenomena is the impression made by this most eloquent reply (for such it virtually was) on the eminent person against whom it mainly told. For the moment it completely effaced from his recollection that he had himself transgressed every rule of moderation or humanity, and even of rhetoric, to pour his wrath upon the very man to whom he now listened with all the surprise and consternation of the most helpless injured innocence; and that such was his feeling at the moment manifestly appears, for it is equally marked in the substance and manner of the beginning of his reply. On this occasion he seemed quite unlike himself—totally unconscious of all the fierceness—seemingly forgetful of the recent effusion of his own wrath, while in a few incoherent sentences he expressed his astonishment at severity so unearned. Was he not as respectable in point of standing as his opponent—was he not a gentleman, his equal as to fortune—and such other questions, were the first remonstrances from lips that never spared any rank or respectability when they met his resentment. When we read the few disordered sentences which we find in the report given by the *Patriot* newspaper, which was sure to do him no injustice, we are struck with the same amazement which the bar must have at the moment felt, at the tone of deprecation into which the bold and fiery animosity of the great champion could be rebuked by the gentle, and pure, and sensitive spirit of Saurin. But that gentle and tender spirit had no weakness, and was ever maintained in its own lofty course by courage, integrity and truth.

We have only to add to the above remarks that, as we never have had the opportunity of hearing Saurin, we cannot pretend to say to what extent an admirable style of language and reasoning may have been in any way affected by action and manner, which are so much to an auditory. We can, however, hardly be mistaken in the strong impression which the whole of his deportment, in the course of the half-dozen trials we have carefully read, together with the moral tone of his speaking, have made upon our mind: that of a commanding dignity of character, purpose, and moral tone, which obtains respect without the help of the stage-trick of oratory. The model of the poet, "*Justum et tenacem propositi*," stands clear in the single and simple unity of all his words and deeds. There never was a public officer more firm, yet less arrogant—more defying of influence, yet affectionate in his nature.

We regret that our materials are not such as to enable us to enter with any proportionate detail into the private life of this truly great and worthy man; and we must pass briefly through the remaining events of his life. When he accepted the office of Attorney-general, he had on some occasion been led to express to his able friend and colleague, the Solicitor-general (Bushe), his determination or intention not to stand in the way of his preferment—of course it will be understood that the expression of this purpose was, in some degree, the result of some views of the peculiar line of conduct with regard to office, which he had proposed for his own adoption. But, as was very natural, his highly fastidious and honourable mind always after recurred to it as a pledge. This impression was one of the main motives which governed his conduct several years after, when a change took place in consequence

of the retirement of lord Downes from the bench. On this occasion, the government, in order to strengthen their position, projected an arrangement, by which another eminent gentleman was to fill the station then held by Saurin: this was to be effected by raising him to the vacant place on the bench. Saurin refused the promotion. A peerage was added to the offer, and still refused. To his family and private friends, we are inclined to believe he pleaded his promise to the Solicitor-general; and that gentleman, with the high sense of honourable feeling which actuated all his conduct, strongly joined in the remonstrances of his friends, and explicitly absolved him of the supposed pledge. But Saurin was invincible in his resolve, and, rejecting all compromises, fell back on his professional practice.

At this point, we can only take up the language of a brief but authoritative sketch, which has furnished also most of the early portion of our narrative. He "continued in great chancery practice, until, at length, having become father of the bar, and feeling the weight of years, he took leave of the profession in the year 1831." The address of the bar we subjoin in a note,\* as we feel it, in his case, to have a documentary

\* ADDRESS OF THE BAR TO THE RIGHT HONOURABLE WILLIAM SAURIN.—"On behalf of ourselves and those members of the bar with whom its present dispersed state has enabled us to communicate, we are anxious to express the sentiments of deep and sincere regret with which we heard your determination to retire from amongst us, and, at the same time (whilst we disdain any allusion to political subjects), to record, for the benefit of the profession, those distinguished traits of private and professional merit which have contributed to form a standard of character so worthy of being held up to imitation. It is now more than half a century since you commenced your professional career, founded upon a deep and well-grounded knowledge of the law in all its branches, a preparation which in due time placed you in the first ranks of business and reputation, from which no change of circumstances ever displaced you for an instant. The professional honours which you attained were the consequence and just reward of the talents, learning, and integrity, which added a greater lustre to office than they derived from it. In the exercise of your profession, we have ever witnessed the firm and uncompromising advocate of your client's interests, without infringing on the respect due to the bench, or wounding the feelings of your opponents; we have been delighted and instructed in witnessing the daily exercise of that rare combination of talent, accurate discrimination, and sound judgment, with which you always placed your client's case in the most favourable point of view, without deviating from that strict integrity and truth which ought not to be sacrificed under any circumstance, or for any consideration; we have had ample experience of the unvarying kindness and good feeling which you have ever shown to the juniors of the bar, and of that unaffected pleasure with which you have always regarded the advancement of merit in our profession; and whether enjoying the dignity of office, or the still higher dignity of pre-eminence without it, we have ever observed in you the same equanimity of temper—the same urbanity and courtesy of deportment, both to the bench and to the bar. Need we then say that the retirement of such an individual from the situation of the father of the bar, is a subject of deep regret to each of us, whether we look to ourselves individually, or to the true interests and character of our profession; but to yourself we are persuaded the change must be one of unmingled satisfaction; and we fervently hope that the evening of your days may be as mild as the morning has been brilliant; and that in the bosom of your family and the serious and undisturbed contemplation of that home to which we are all approaching, you will enjoy a peace of mind to which the bustle of professional life is so opposed. We trust you will believe us sincere when, with feelings of filial affection and respect, we express from our hearts our best wishes for your happiness here and for ever."

ANSWER.—"Gentlemen and friends,—I should justly accuse myself of presumption, if I did not ascribe to the friendship of some, and the good will of all whose

value, describing, as it does, those professional qualifications of which his legal brethren must be esteemed the best judges.

We again take up the manuscript, from which the main facts of this imperfect sketch are drawn. "Eminent as Mr Saurin was in public, still it was in private life he shone conspicuous. His temper was angelic, cheerful, and never ruffled. He was easy of access, and in manner most engaging. His spirits were playful, his conversation pleasing and instructive. Pure and perfect in all the relations of life, he was beloved by all who knew him; and at his death, wept for and regretted by every member of his household."

This last-mentioned event occurred on the 11th of January, 1839. We have only to add to this imperfect account of a great and worthy man, that he was a firm believer in the truth of revealed religion. This fact we can state on the authority of those who knew him best; but we cannot be mistaken in the assurance which the character of Saurin affords of a tone of intellect which never fails to receive truth when well attested, and of a temper of heart which such teaching alone can impart.

## JOHN SIDNEY TAYLOR.

BORN A.D. 1795.—DIED A.D. 1841.

AMONG those whom our university has sent forth in the present century, many of whom have risen to station and some to fame, not one possessed nobler claims to a high expectation of both than John Sidney Taylor. But he was destitute, in the early part of his life, of most of those adventitious aids by which many are early enabled to enter on their course with the best advantages, and to offer themselves in a conspicuous light. He was, partly by necessity and partly from choice, committed to the obscure and laborious chances, the patient waiting, and the tedious drudgery, of the English bar. In Ireland, perhaps, his college character, and the possession of that oratorical talent, so prized by Irish taste, with the far less formidable competition, might have opened earlier prospects of success, where many contemporaries and juniors, with whom it would be derogatory to compare him, have since risen to office and practice. It is true, that his actual success was such as to warrant the highest expectations: but having chosen a slow and secluded path, his full promise was only yet known to the small but eminent circle, whose judgments of men are independent of, and precede the sentence of fame. Had his life been spared, a few years more would have brought his high talents, and the noble and strenuous moral energies of his nature, into their appropriate position. We premise these remarks, because to numerous readers of this work, it may not

respectable signatures were affixed to your address, the highly-coloured estimate contained in it of my professional qualifications and acquirements; such, however, as they may have been, it will now be to me a subject of pride and exultation, at the close of so long and prosperous a career in profession as mine has been, that my conduct should have met with the approbation, and that I should have deserved the esteem and affection of so numerous and distinguished a portion of my brethren in profession, as have honoured me with their address."



appear by what title a name, which has not been heard of much beyond the college and the inns of court, appears among the very small number of modern names here selected for commemoration.

The name of Taylor's family was originally M'Kinley; he was descended from that captain M'Kinley who was leader of the party of King William's troops which first crossed the Boyne under the heavy fire of James's army. His mother was a descendant of General Sarsfield. His father took the name of Taylor with a small inheritance, which he soon dissipated by improvident hospitality, and the indiscretion of unreserved friendship. But having thus received a lesson of experience, he made, in some measure, amends for want of prudence, by industry and talent, and contrived to maintain a large family by his skill as an engraver, until a worthy and devoted son took his place, who long continued to support his aged father, and educate his family. To the care and considerate affection of this gentleman, the subject of the present notice owed the earlier part of his education.

John Sidney Taylor was born in 1795. We pass the earlier years of his life, only mentioning that he shewed early signs of those virtues, and that thirst for knowledge, which were afterwards prominent in his life:—intrepidity, energy, firm tenacity of purpose, and the scorn of untruth and meanness. In the *Dublin University Magazine*, for February, 1843, some anecdotes may be found confirmatory and illustrative of these general statements. He was sent to school to the well-known academy of Mr. Samuel White, from which he entered as a pensioner in Trinity college, under the tuition of Dr. Wall, who was then well known for his acute and clear style as a lecturer, and is now known as author of a work remarkable for comprehensive learning and unequalled logical discrimination and force of inference. The expressive simplicity and precision of this gentleman's lectures, though used for a different purpose, was no bad model for the early training of a mind of not inferior but widely different powers. We offer these remarks, not from theory, but from having been in the same class, and in the habits of the most intimate and affectionate friendship with Taylor.

The intellect, thus rapidly developed and expanded, was not deficient in any of the higher powers. His power of critical discrimination was of the first order, and essentially connected with the extraordinary talent for imitating styles, so well known to all his intimates in college: this was founded on his fine feeling of excellencies, and exquisite tact in seizing on every peculiarity. It was rendered remarkable in a higher degree, by his rare command of language.

We can recollect, at this long interval, a walk with him from town towards the Phoenix Park, together with a young gentleman with whom he was not very much in the habit of associating, and who had rather forced himself upon our company. This person was endowed with much intellectual ambition, but, as often curiously happens, gifted with no talent: his conversation was, as might be expected, full of trite references and shallow opinions, and was very teasing. He was listened to with ready complaisance by Taylor, who seemed amused, rather than impatient, of quotations, which were the more impertinent, because they were expressly made in compliment to his genius. Taylor was however meditating mischief. After listening a little in complacent

silence, he affected an air of enthusiastic satisfaction, and began, in his turn, to pour out brilliant and effective passages in prose and verse, which he alleged to be among the happiest specimens of the various well-known authors referred to by our companion. Cowper, Thomson, Pope, Ossian, Milton, Shakespere, Young's "Night Thoughts," the Rambler, Junius, Addison, the inspired writings, each in turn afforded highly impressive and graceful passages, never before heard, but with all of which our companion affected the most perfect familiarity. We must confess that we were for some time imposed upon, and so completely was the style, manner, and cast of ideas caught, that it would have required great intimacy with the authors to have escaped the snare. We, however, knew the man, and soon guessed the reality. Taylor was too charitable to undeceive our man of taste, who went off equally satisfied with his own judgment and Taylor's prodigious memory, which he continued to praise, in somewhat of an invidious tone, until many years after, in one of our splenetic fits, we electrified his vanity with the mortifying truth.

Taylor's success in obtaining the prizes for English verse was constant and unailing: his compositions, as regards language and versification, were of a very superior order. We did not, with some of his other friends, consider his genius to be that of a poet. It was not the habit of his mind to strike out new trains of thought, or to generate conceptions: he rather seized on some argument or view of a subject, and catching from history or circumstance the best and most judicious line of topics, connected them into a well-ordered statement. This he would, as he proceeded, adorn with the most effective allusions, the most striking associations, far found and happily combined; often clothing an argument in a simile, and concealing a dexterous sophism in a sparkling play of words.

In the Historical Society, his prepared speeches were in general worthy of his powers, and were received as they deserved. In the extempore debate which followed, he did not appear to the same advantage. He did not, indeed, take any interest in the small matters which were then discussed; but, as he confessed to the writer of these pages, was impressed with a notion, that it would be useful to him to acquire that hardihood which might, he thought, be gained by standing up to address a large assembly at very great disadvantage. The common anxiety about opinion was wholly a stranger to his mind: he never heeded the success or failure of the moment: but with most unusual steadiness and intensity, looking far into the ends of professional pursuit, he was free from the intense desire to shine by which young men are so often led into habits of loose rhetoric, and fixed an eagle glance upon the distance, which, alas! it was not allowed him to reach.

There was a charm about Taylor which we fear we must fail to communicate. It was not entirely that he had a manner of thinking and expression peculiarly his own, and that the tritest thing fell from his lips with a dress and an effect strikingly new. There was a fashion in his heart, and cast of feeling, which carried the same impression with far more depth and power. He towered in spirit, with a high and bold severity, above the common weaknesses. He could not feel affection

where he felt no respect, and his disapprobation was frankly expressed.

He obtained a scholarship with the highest honour—that is to say, eight best marks, and we believe a high place; the immediate result of which was a high exhibition in addition to the common emoluments of a scholar. From this event, he must be regarded as having secured his way to independence.

Having adopted the legal profession, Taylor went, in 1816, to London, for the purpose of completing his terms; and soon came to the determination of trying his fortune at the English bar. It may well be presumed that he entered with his wonted zeal and spirit into the necessary studies; but the writer of these pages, then himself living in London, can only now recollect the long and pleasant rambles, in which he had the happiness to be his constant associate, in the roads and suburban outlets. It is now well ascertained that at this period he, in some measure, supported himself by literary employment for journals and periodicals—a common resource of Irish students in London.

His connection with the *Morning Chronicle*, then the property of Mr Perry, was the first of his engagements which led to any decided results. Among these, not the least important was the acquaintance, then formed with the lady whom he married about ten years after.\* This lady was a Miss Hull, Mr Perry's niece.

Sometime during this interval, he entered into the publication of the *Talisman*, a weekly paper, with some other literary Irishmen. But the capital was wanting, and it did not succeed in any proportion with the talent engaged upon it. He next accepted an engagement with the proprietors of the *Morning Herald*, which was far more permanently influential in making him known, and giving public effect to his real powers. In that leading journal, he continued for a long time the principal writer and adviser, leading the public opinion on the most important questions then under discussion. Among these, he took an important part in the great reform of the criminal code, then under revision, and contended for or urged by several of the most eminent public men, of whom Romilly was the leader. Taylor, whose humanity was no less prominent than the high public spirit which was perhaps his characteristic quality, lifted his powerful testimony, in the columns of the *Herald*, against the severity of our sanguinary list of capital offences with so much effect as to draw the universal attention of all parties then engaged in political life. And it has been since often admitted that his efforts mainly tended to prepare the ameliorations which have since been happily effected in our criminal jurisprudence, in which, at that time, there was so little proportion between crime and punishment, that the real consequence was impunity, arising from the palpable injustice of the law. For his powerful leading articles on this great evil, during many years, Taylor obtained the universal respect of good and wise men, and earned a just claim to the public monument, which, since then, has been raised to his memory by subscription.

Taylor, soon after he was called to the bar, was employed in a cause which brought out all his best powers, and placed beyond question his

\* Dublin University Magazine, February, 1842.



prospect of attaining still higher distinction as a lawyer than he had already won as a writer. We cannot here enter on the well-known details of the Roscommon peerage case. After much exertion, during the continuance of this arduous and perplexing case, in which he had to reply to the leading counsel on the opposite side, the cause was won by his efforts; and it will be enough to add here, that the Lord Chancellor, in delivering the judgment of the House of Lords, assured him that he had only to go on as he had begun, to obtain the highest professional distinction.\*

His strenuous and bold, as well as talented exertions and remonstrances, were signally conspicuous and successful in saving one of the most beautiful remains of antiquity in the metropolis from the ignorant and barbarous hands of the civil authorities, who had resolved on pulling down the Lady Chapel of St Saviour's for some purpose of trade accommodation. The bad taste, and the abandonment of all true British feeling, in razing a monument of one of the most affecting and awful passages of our national history, for some utilitarian purpose, we forget what, a pump, a bazaar, or a rag-fair, roused the historic feeling and poetry of Taylor's nature. So effective and strong was his appeal, when he appeared professionally in behalf of the committee for the preservation of the building, that they, as a testimony, ordered the armorial bearings of his family to be painted on one of the windows of the Lady Chapel. Similar distinguishing and honourable exertions, on his part, mainly contributed to save the screen in the York Minster Cathedral, which was similarly doomed to destruction.

His circuit business was rapidly increasing during the last few years of his life; and the prospect of a parliamentary career, for which few were more eminently fitted, was already in view, when his health began to show fatal signs of the effect of the severe and unremitting labours of his profession upon a delicate frame. The last exertion in which his great powers, and equally conspicuous moral energies, were nobly displayed, was in the case of the youth Oxford, in which his single efforts were successfully opposed to the earnest exertions of the entire force of the crown.

But the rush of a vast torrent of law business, which, after the last mentioned success, began to pour freely from all quarters, was too much; his frame had been for some time insensibly yielding to the unrelaxed industry which his business required, and which it was his nature to give. He was not patient of trifling, and to his intense spirit, all was trifling but his duties: he could not rest unless by the compulsion of exhausted nature. A most agonising disease, to which the sedentary student is liable, manifested itself, and after several painful surgical operations, which he endured with all the firmness of his character, the powers of life gave way, and he breathed his last on December 10, 1841.

His career had but begun; but it was a beginning worthy of the noble talents and still nobler moral temper, which, had it been so willed, would, in a few years more, have earned no secondary fame, and stopped at no rank but the highest. In the estimation of all who knew him he held the first place: and though but in his beginning he had

\* Dublin University Magazine, *ut sup.*

already made his powers felt, and his talents known to the profession which he was beginning to adorn, and to the public. His spirit of freedom and humanity was so tempered by a sound understanding that there never appeared, in his most enthusiastic moments, a single taint of the demagogue. Nor were these qualities left exposed to the temptations of civil life, and the infirmities which are native to the human heart, without that safeguard which alone deserves to be trusted, and alone is to be considered a security in the season of genuine trial. His goodness did not rest in pride or in self-interest, or in the frail bonds of commercial and social life; he was a Christian, whose faith had been severely tested for many years; for the circle into which he was thrown, during the earlier struggles of his professional life, was that of the scoffer and the scorner. In respect of such influences, Taylor stood firm in the faith, which, in the midst of trials of every kind, preserved the integrity of a noble nature. After his death, a public meeting was called, and was attended by the most eminent men of every party. It originated a subscription for some monument to record the public sentiment. A monument, inscribed as follows, was the result:—"To John Sidney Taylor, A.M., Trinity College, Dublin, and Barrister-at-Law of the Middle Temple, who died December the 10th, 1841, Aged 45. This tomb was raised by the unanimous vote of a Public Meeting held in London, February the 19th, 1842, to mark his maintenance of the principles of constitutional liberty, Christian morality, and his successful exertion in advocating the abolition of the punishment of death."

#### DANIEL O'CONNELL.

BORN A.D. 1775.—DIED A.D. 1847.

DANIEL O'CONNELL was the eldest of a family of four sons and six daughters, of which Sir James O'Connell of Lakeview, near Killarney, is now the only survivor. The ancient seat of the family, Derrynane Abbey, was in the possession of his uncle Maurice; his father's place was Carhen, on the bay of Valentia; and another uncle, Count Daniel O'Connell, who gained the highest distinction in the French army, and fought his way to the rank of general, entered the English service after the Revolution as one of the colonels of the Irish Brigade, and lived until 1834. The O'Connells held a good position among the ancient Irish families of Kerry, which, as being the most purely Celtic, is the most interesting, the most romantic, and the most attractive county in Ireland. Their motto was *Oculus O'Connell Salus Hiberniæ*; and in days when Daniel O'Connell had become the leader of the Irish people, it was regarded as a fulfilled prophecy. Very early in life he gave indications plainly to be read of future greatness. At the age of four he astonished a hedge schoolmaster, who conciliated the child by combing his tangled hair painlessly, by learning the alphabet from the mendicant teacher on the doorstep of his father's house in a single hour; and he shewed so much talent at the school to

which he was sent near Cork, at the age of thirteen, that O'Connell of Derrynane undertook to place him and his next nephew, Maurice, at St Omer's College. There he took the first place in all the classes, and the president thus wrote of him to his uncle,—“I never was so much mistaken in my life as I shall be, unless he be destined to make a remarkable figure in society.” The O'Connell boys had been removed to Douay when the French revolution broke out in all its horrors; and on the very day when they set out for England, the regicide of Louis XVI. was taking place in Paris. The students at Douay had been insulted by the soldiery passing through the town, and called “little aristocrats,” “young priests,” and other epithets less complimentary, though not more insulting in the estimation of the bestowers. At their departure the *voiture* was attacked by the republican soldiers with the butt ends of their muskets, and the lads had probably a narrow escape of assassination. It was not surprising that when they were safely on board, in the true liberty of the seas, they tore the tricolor cockades from their hats, and flung them overboard. These incidents probably stamped on the mind of the young agitator a horror of armed revolution and republicanism, which made him adopt the more excellent way in politics of moral force as opposed to physical, and kept him within the limits of the constitution. As a sincere Roman Catholic he detested the impiety, and as a monarchist he abhorred the principles of the French revolution. “Almost a tory” was his description of himself in early life; and tories, by force of nature, if history would have allowed them, the Irish would have been then and always. But O'Connell even from boyhood, when it was a romantic dream, on to manhood when it became an invincible purpose, had the regeneration of the Irish people in view; and for the accomplishment of this it was absolutely necessary to ally himself with English liberalism. Praise or blame him as we may,—call him with some “the liberator,” and “the representative man of his race, and the champion of his people,” or with others the author of all the latter woes of Ireland, the pourer out of a vial more full of wrath than all which preceded it, none can question that his country and his religion were his first and last objects, that he was “Irish of the Irish, and Catholic of the Catholic.” Probably historians will always be divided in their estimate of the good or evil results upon Ireland of O'Connell's career: but no biographer who really makes a study of the man can doubt his sincere patriotism, or fail to see the rugged grandeur of his life. There can be no doubt that from the outset he placed the one purpose before him. He was a solitary champion like Samson, whom in his unarmed campaigns, in his unequal combats, in his grim humour, in his not unblemished moral character, and in the melancholy loss of power and extinction of the possibilities of his life, the great agitator curiously resembled. He was resolved alone to free his people from their degrading yoke, to fire them by his example, and to imbue them with his own fearless spirit. So long had the Roman Catholics of Ireland been accustomed to oppression, that they had lost all manhood of character, and were reduced to that condition of servility which is always combined in an oppressed race with duplicity, cruelty, and cunning. Those vices by which the oppressor justifies the application



of his iron rod are generally the effects of its prolonged application. Daniel O'Connell exaggerated his own natural audacity to give confidence to this down-trodden people, and he explained the coarseness and abusiveness of his language as adopted with this design. His object was to produce a moral effect on the people, even more than to procure their immediate emancipation, or put them on an equality with the rest of the empire. He rather rejoiced in the delays and obstacles interposed between the nation and its goal, because the strength of the torrent increased in the inverse ratio of its progress. To make the nation manly was more than to make it free; and there can be little question that his treatment did tend in that direction, though it demands more than time, viz., the development of new generations, to restore the character and resuscitate the pride of a nation. Its first progress towards manliness is apt to take the form of crime and violence, and this shape it has certainly assumed in Ireland. Much also that is pleasing is lost, with the strength of character gained; much that is unpleasing is gained, with the weakness lost. The Irish have acquired a truculence and violence of language and conduct which will probably pass away, and does pass with the hobbledehoy stage of boyhood; but its existence is in a great degree traceable to the tuition they underwent from the master of strong language. They have also lost the gentleness, the honied phrase, the pleasing flattery, the deference of manner, the foreign courtesy. The peasants touch their hats no more to the well-dressed passer by. They can now stare almost as insolently as an Englishman, and are rude and independent in their ordinary manners. This complete revolution happened in the space of thirty years: it is not a good change, morally or æsthetically, but it shews an alteration in the national character which may in future make Ireland more prosperous materially, and undoubtedly more capable of asserting political rights or claims. O'Connell deliberately wrought for this change, and it is explanatory of his stupendous perseverance in the pursuit of a hopeless aim that he had this greater aim beyond it. He was leading a generation through the wilderness to make this tribe of slaves into a nation of freemen. He did not greatly care for them at once to enter into possession of that towards which he conducted them, nor until the iron of oppression had been worked out of their soul by wanderings and reverses and bracing hardships, did he much desire them to reach the end of political minority. He saw how Grattan and the volunteers had won and lost national freedom. He thought it useless to win what could not be held. He was the educator more than the liberator. Other men have carried great measures, but he carried a nation to the measures which they sought for, and made them able to take and to keep.

O'Connell entered as a law student at Lincoln's Inn in 1794. Some state trials at which he was present in this capacity made a considerable change in his feelings. He began by sympathising with the prosecution, but soon the browbeating and injustice with which they were conducted, converted him into a sympathiser with the accused. A severe fever, just as he was about to enter upon his profession, nearly brought his career to an untimely close. During the intervals of delirium he was often heard repeating from Douglas—

"Unknown, I die; no tongue shall speak of me;  
Some noble spirits, judging by themselves,  
May yet conjecture what I might have proved,  
And think life only wanting to my fame!"

At the crisis of the disorder he was supposed to be dying. It was his strong Irish affection that may be said to have brought him back to life. His father having been called to the bedside to be present at his son's death, when he saw the eyes roll backward, exclaimed with the natural impulse of trying to recall him to the world which he was leaving, "Dan, don't you know me?" The young man's soul seemed to come into his body again; he looked at his father and returned the pressure of his hand; and this rally was followed by many hours of sleep which in the crisis of a fever is the great condition of recovery. O'Connell's temperate habits, which were then so uncommon amongst the gentlemen of Ireland, and particularly of Kerry, combined with the constitution of a Hercules, brought him safely through a furnace from which few would have escaped. In 1798 his horror of revolution was revived by atrocities of the rebels, and he proved his loyalty by becoming a member of the yeomanry corps. It was the year in which he was called to the bar, and the next two years he spent in diligently walking the four courts and studying in the library. His vacations he spent in fishing and coursing—pursuits of which he was during his whole life passionately fond. His first public appearance was at a meeting of Roman Catholics assembled at the Corn Exchange to discuss the Union. Near where the statue of the Liberator now stands, the young lawyer rose trembling to his legs, to hear his own voice for the first time. His speech was short, modest, and to the point, but had no pretensions to eloquence. It created a sensation, not so much by its intrinsic merit, as by the opposition it proclaimed to the Union on the part of the lay Roman Catholics, who were advertised as being in favour of the measure, and from the fact that the hostile resolutions were unanimously carried. The young advocate spoke under very trying circumstances, highly calculated to repress oratory, for a party of military, under the command of the well-known major Sirr, by order of the government, formed part of the audience. The clank of English muskets was then very suggestive to the Roman Catholic mind, and would have disconcerted a less brave man than O'Connell in his maiden speech. His position did not entitle or enable him to take an influential part in the great struggle in which the Irish parliament fell; but the prominence he acquired by carrying the Roman Catholic resolutions, brought him into large practice in the law courts, where his eloquence and legal knowledge, not then a usual combination in Ireland, soon made him supreme at the outer bar. Many years were to pass over before the exclusion of Roman Catholics from the inner bar was to be repealed, and even then an unworthy spirit of vindictiveness continued to withhold the silk gown from O'Connell, when it was conferred on a number of his co-religionists. We may here say that his legal attainments, powers of forensic speaking, and cross-examining, have never perhaps been surpassed. He was a great lawyer, and had he belonged to the established church would to a certainty have attained to the greatest preferment in his profession. Other young lawyers discarded a faith which shut them out from rank

and easily earned wealth, but O'Connell, to whom the temptation was greatest, chose a path on which there were no honours to be earned but those which come from the heart of a grateful people. In the ripeness of his legal reputation, when he was in receipt of a great income, he gave up the profession to devote himself entirely to the popular cause; and if he was maintained in affluence by the Catholic Rent, never was there so free a tribute, and O'Connell's princely hospitality, which left no accumulated savings behind at his death, was necessary to the promotion of his cause. At the bar it was in cross-examination that he chiefly excelled. On this point we may quote a writer to whom we are much indebted in forming a just conception of O'Connell.\*

"The principal success of O'Connell at the bar was, perhaps, not in oratory, but in cross-examining. He had paid special attention to this department, which naturally fell, in a great measure, to the Roman Catholic lawyers, at a time when they were excluded from the inner bar; and he brought it to a degree of perfection almost unparalleled in Ireland. His wonderful insight into character, and tact in managing different temperaments, enabled him to unravel the intricacies of deceit with a rapidity and a certainty that seemed miraculous, and his biographies are full of almost incredible illustrations of his skill." We quote from the same writer a good description of O'Connell's public speaking:—

"He possessed a voice of most unexampled perfection. Rising with an easy and melodious swell, it filled the largest building, and triumphed over the wildest tumult, while at the same time it conveyed every inflection of feeling, with the most delicate flexibility. It was equally suited for impassioned appeal, for graphic narration, and for sweeping the finest chords of pathos and of sensibility. He had studied carefully that consummate master of elocution, William Pitt, and he had acquired an almost equal skill. No one knew better how to pass from impetuous denunciation to a tone of subdued but thrilling tenderness. No one quoted poetry with greater feeling and effect. No one had more completely mastered the art of adapting his voice to his audience, and of terminating a long sentence without effort and without feebleness. His action was so easy, natural, and suited to his subject, that it almost escaped the notice of the observer. His language was clear, nervous, and fluent, but often incorrect, and scarcely ever polished. Having but little of the pride of a rhetorician, he subordinated strictly all other considerations to the end he was seeking to achieve, and readily sacrificed every grace of style in order to produce an immediate effect. 'A great speech,' he used to say, 'is a very fine thing; but after all, the verdict is THE thing.' As Shiel complained, 'he often threw out a brood of sturdy young ideas upon the world without a rag to cover them.' He had no dread of vulgar expressions, coarse humour, or undignified illustrations; but at the same time he seldom failed to make a visible impression; for, in addition to the intrinsic power of his eloquence, he possessed in the highest degree the tact which detects the weaknesses and prejudices of his audience, and the skill which adapts itself to its moods. His readiness in reply was boundless; his arguments were stated with masterly force, and his narrative was always

\* Mr Lecky's *Leaders of Public Opinion in Ireland*.



lucid and vivid. If he endeavoured to become eloquent by preparation, he grew turgid and bombastic. If he relied exclusively on the feeling of the moment, he often rose to a strain of masculine beauty, that was all the more forcible from its being evidently unprepared. His bursts of passion displayed a freshness and genuine character that art can so seldom counterfeit. The listener seemed almost to follow the workings of his mind—to perceive him brewing his thoughts into rhetoric with a negligent but colossal grandeur, with the chisel, not of a Canova, but of a Michael Angelo. Were we to analyse the pleasure we derive from the speeches of a brilliant orator, we should probably find that one great source is this constant perception of an ever-recurring difficulty skilfully overcome. With some speakers appropriate language flows forth in such a rapid and unbroken stream, that the charm of art is lost by its very perfection; with others the difficulties of expression are so painfully exhibited, or so imperfectly overcome, that we listen with feelings of apprehension and of pity. But when the happy medium is attained—when the idea that is to be conveyed is present for a moment to the listener's thought before it is moulded into the stately period, the music of each balanced sentence acquires an additional charm from our perception of the labour that produced it. In addressing the populace, the great talents of O'Connell shone forth with their full resplendency. Such an audience alone is susceptible of the intense feelings the orator seeks to convey. And over such an audience O'Connell exercised an unbounded influence. Tens of thousands hung entranced upon his accents, melted into tears or convulsed with laughter, fired with the most impassioned and indignant enthusiasm, yet so restrained that not an act of riot or of lawlessness, not a scene of drunkenness or of disorder, resulted from these vast assemblies. His genius was more wonderful in controlling than in exciting, and there was no chord of feeling that he could not strike with power. Other orators have studied rhetoric; O'Connell studied man."

O'Connell's colleague, Shiel, has described his mode of life in the noon of his professional career. The silent and absorbed vigil for hours before the dawn; the dimly-lighted study; the crucifix hung on the wall overhead; the motionless form beneath it, bent over the voluminous law-papers scattered in profuse disorder around; the same hermit-like figure, a few hours later, transformed into the bustling barrister, keeping contending attorneys at a run to match his mountaineer rate of going as he hurried to the courts. The third transformation late in the afternoon, when the man of legal points, and formal precedents, and abstruse arguments, would be found the merry, fearless, rollicking agitator, declaiming at a popular meeting, now awakening the universal laughter, now rousing to passionate indignation. Besides these aspects there was another in which he showed most favourably—that was in his home life. He had formed an early attachment to a distant cousin, Miss Mary O'Connell, of Tralee; but his uncle Maurice was bent on the rising hope of the family—his adopted heir marrying "a fortune." The lovers were, therefore, obliged to conceal their attachment for a considerable time; but at last, in 1802, were secretly united. This marriage, which O'Connell of Derrynane never quite forgave, caused some, though not an entire, change in the disposition of his property.

It brought far better than wealth to the young barrister, whose time then, as he afterwards said in answer to the taunt of receiving the O'Connell rent, was worth a guinea a minute, and his emoluments only limited by the extent of his physical and waking powers—it brought him lifelong happiness. Thirty-three years after their marriage O'Connell thus spoke of his wife, and her influence upon his career:—She “was the choice of his youth, the comfort of his life, and his solace in all his troubles and trials. No man could struggle well for his country whose nest was not warm at home, and it was quite certain there was no honey in the cup of life if not administered by the hands of those we love. For his own part he owed much (perhaps the entire) of his public character to Mrs O'Connell. When, in consequence of the chills of disappointment, and the disgusts at the treacheries which every public man in a long course of life is apt to meet with, he felt himself driven almost to give up politics, and betake himself again to that profession in which he had been so successful, he yielded to her earnest solicitations to the contrary, and he had always found himself more loved at home for continuing the struggle for his native land.”

In 1803, the year of Emmett's rebellion, O'Connell joined the lawyers' corps, true to his principle of opposing armed revolution. He was able, at the same time, on two occasions to protect the oppressed from the lawless violence of civilian soldiers, and derived from his experience a strong opinion as to the danger of intrusting arms to men who have not undergone the strict discipline of soldiers: this, of course, only applied to their employment in civil war. O'Connell early became a member of the “Catholic Board,” which, in 1804, was dissolved in obedience to a government proclamation, Pitt having found it necessary to violate the engagement upon which the heads, if not the body, of the Roman Catholics had stood neutral in the crisis of the union, and the organized agitation that ensued being extremely distasteful to the ministry. The “Catholic Board” appeared in the following year as the “Catholic Committee,” and of this O'Connell became in a short time the life and soul. The Whigs came into power in 1806, and expectations were formed, as in the crisis that preceded 1782, that if time were allowed them to carry it cautiously and politically, they would obtain for the Roman Catholics the completion of their emancipation. But O'Connell, like Grattan, was for pressing on, and demanding from supposed friends no less than they had demanded from open enemies. Keogh, whom we have already mentioned in our memoir of Wolfe Tone as a leader of the United Irishmen, was now by age and antecedents the most influential member of the Roman Catholic Committee, and he was one of those who counselled delay, and opposed the constant petitioning which he considered, now that their friends were in power, undignified and vexatious. In the collision of opinion that ensued, the young leader, whose motto for the committee was “agitate, agitate, agitate,” carried the day by a large majority; and Keogh for a time withdrawing from the committee, O'Connell was left in entire possession of the field. Henceforth, until for a while the aristocracy withdrew on the question of the veto, O'Connell drew the whole strength of Roman Catholic Ireland about him. Every day he gave up a portion of his time to the

agitation; and he bore, from his ample professional income, a considerable outlay in forwarding it. The young eagle of agitation soon, however, began to soar in a wider circle. The difficulties of producing an effect on a parliament sitting in England by any agitation, no matter on how great a scale, in Ireland, probably suggested to most Roman Catholic minds about this time how likely it was that the only way to emancipation would be through Repeal. The impulse of public opinion, no matter how tremendous it might be in Ireland, could not propagate itself across the channel, and scarcely made the remotest impression at Westminster. O'Connell was not the originator of the Repeal movement: the germ of it was not of his conception; and we cannot think with an able writer from whom we have already quoted, that from the very beginning this was part of O'Connell's arranged programme of life. That he longed in his earliest dreams to equalise his down-trodden countrymen with the inhabitants of other portions of the empire, we have no doubt whatever; but it was not the development of a far-reaching scheme of O'Connell's, but the result of a growing feeling of powerlessness in political influence, and the disastrous effect of the Union upon trade, that brought the question of Repeal to the front in 1810. It was in the Corporation of Dublin, a body which was principally affected by the latter consideration, that it was first discussed. In consequence of resolutions passed by the common council, an aggregate meeting was called, at which O'Connell was one of the speakers. As in the Roman Catholic Committee where he superseded the old leaders, so in the new agitation he at once came to the front, and in 1811 he was so representative of the movement as to reply to the toast of Repeal.

In his first speech advocating Repeal of the Union in 1810, O'Connell declared that he would gladly abandon Catholic emancipation, or even offer to Mr Perceval to re-enact the whole penal code, if only they might regain an Irish king, an Irish House of Lords, and an Irish House of Commons. The only hope of accomplishing it, he said, consisted in their sinking all denominations in that of Irishman, and restoring an Irish parliament by the union of creeds that had accomplished its independence in 1782, the want of which was the cause of its extinction in 1800. This method of proceeding O'Connell in after years saw to be unhappily impracticable. What was possible in the eighteenth century, before the atrocities of the rebellion of '98, and ere the violent party spirit and religious animosity that sprang out of that rebellion and preceding causes, exacerbated by the tithe war and the perpetual threatening of insurrection and massacre, was obviously impossible as the nineteenth century grew out of its youth. It was probably owing to the discovery that the Repeal of the Union could not be worked out by the method Grattan had found so effective, that O'Connell, instead of devoting himself to the object for which he declared his preference, continued to seek redress for the Roman Catholics from the English parliament.

O'Connell's resolute resistance to the *Veto* was the most important circumstance in his management of the Catholic question. Upon this he took a bold and determined line, which delayed the settlement of it for a great number of years; but, in review of the past, his conduct is



unanimously approved by his co-religionists; and it must also meet the approval of all who are opposed to State-meddling with religious matters. This is not the place to go into the history of the *Veto*, some account of which will be found in the historical introduction to this volume. It is sufficient to say that some of the Roman Catholic bishops would have agreed to the government having this right, in respect to episcopal or decanal appointments, the qualifications of candidates for those offices being subject to the decision of a Board, and none but natural-born subjects or residents of four years' standing being eligible. This Board was also to exercise a scrutiny over all letters written by the ecclesiastical powers abroad to any of the British clergy. The English Roman Catholics were very favourable to the proposal, and it was supported by a rescript from Monsignor Quarantotti, who exercised at Rome the powers of the Pope, then a prisoner in France. The hopes of reinstating the papal government and liberating its head, rested upon a coalition, of which England was the most powerful member; and the papal representative was therefore very willing that a species of *concordat* should be concluded with the Protestant government of England. Two very powerful natural obstacles however existed, where philosophical statesmen and foreign ecclesiastics saw none. One was the abhorrence of the English mob to the spectre of Popery; the other the hatred of the Irish to Protestant interference in their religion, and a violent jealousy of any league between their priests, to whom they are fanatically attached, and the English government which they equally detest. These two obstacles have from time to time prevented the Prussian Church and State relation from being established between Great Britain and the religion of the Irish portion of its population. This would have destroyed at the commencement O'Connell's plan of agitation, which consisted in using the priesthood as its chief instrument. Lord Fingal and other Roman Catholics of high rank were in favour of the veto; so were Grattan and Ponsonby; but O'Connell saw in it only a fatal complement of the Union, adding moral to material subjugation. The priests were the only leaders the Irish peasantry possessed. This measure, which would have been accompanied with concurrent endowment, would have weakened the confidence of the people; they would have been looked upon as the established clergy always were in the days of state endowment, as the emissaries and agents of an alien government. Thus the one hope which O'Connell had, of marshalling the people in a great peaceful army to gain complete political and social equality by sheer force of numbers and organisation, would have been lost by this scheme. He accordingly opposed it with all his popular influence, and completely overpowered the party in its favour. The Roman Catholic bishops and clergy came over to his side almost unanimously, when the feeling of the people was manifested; and from henceforth, through the medium of O'Connell, that relationship sprung up between the Roman priests and Irish politics, which has been attended for half a century with such important results. There are clear evidences that the priests themselves were very unwilling at first to enter into politics. Their Church, so far as concerned the ministrations of parish priests, was opposed to interference in the public affairs of this world; but in Ireland the rule was completely abandoned by the influence of O'Connell. It

will be seen further on in this memoir what a wonderful power was thus raised up, and with what resistless force it carried its objects not only in Ireland, but in the British legislature; and not as concessions bought by counter-concessions, but as rights victoriously asserted. The complete collapse of the cause which in all appearance was so nearly won, was due to the conclusion of peace in 1814, far more than to the defeat of the proposed compromise by the democratic opposition roused by O'Connell. Shiel says:—"The hopes of the Catholics fell with the peace. A long interval elapsed, in which nothing very important or deserving of record took place. A political lethargy spread itself over the great body of the people; the assemblies of the Catholics became more unfrequent, and their language more despondent and hopeless than it had ever been." England is an eminently practical country where abstract considerations are little weighed or valued; and with peace abroad there was no longer a necessity for conciliation at home. Ireland had given no trouble to England during the titanic struggle, when all her force was put forth abroad, and Irish soldiers had won her battles; and she had now done with Ireland, and could afford to treat with contempt the claims which, in the expectation of such a time, she had hitherto met with procrastination. Lord Whitworth received orders to suppress the Catholic Board by proclamation; a proclamation suppressing it was accordingly issued on the 3d of June. Under the direction of O'Connell, whose just boast it was that he could drive a coach and six through any act of parliament, the agitation proceeded under the form of "Aggregate Meetings"—thus avoiding the penalties of the Convention Act. At this time, had it not been for O'Connell, there would probably have been an end of the Roman Catholic claims. But he was one whom nothing could dishearten. His audacity and violence increased. His fire shewed brighter as the darkness fell deeper upon the prospects of his party. He denounced by a wealth of epithet and coarse but effective abuse, the opponents of the Catholic claims and their high-handed and unfair proceedings. When he defended Magee for a libel in the *Evening Post*, in a speech which ranks the highest in his forensic efforts, his defence was adjudged an extreme aggravation of the libel. The alleged libel was a severe and uncomplimentary review of the Duke of Richmond's administration. The prosecution was conducted by the Attorney-general (Saurin) and the Solicitor-general (Bushe); and there is unfortunately no doubt whatever that the former was responsible for having procured a packed jury to try the case. It consisted of citizens of probity and respectability, but conspicuous Protestants and Orangemen, members of anti-popery societies, and blinded by prejudice and incapable of deciding impartially in a matter connected with religion. O'Connell was hopeless of a verdict, but he afforded himself and his client the satisfaction of inflicting severe punishment upon all concerned, including judge, jury, prosecutors, and administration. This speech was chiefly historical, and was an arraignment of Protestant government in justification of Magee's criticism. It would be impossible, without occupying too much of our space with transcription, to give the reader an idea of the speech in this respect. His onslaughts upon the components of the court were put in the shape of supposititious cases. For instance, Bushe had informed the jury that they were bound to decide exclusively upon the



ruling of the court:—"If the Solicitor-general's doctrine were established, see what oppressive consequences might result. At some future period some may attain the first place on the bench by the reputation which is so easily acquired by a certain degree of churchwardening piety, added to a great gravity and maidenly decorum of manners. Such a man may reach the bench, for I am putting a mere imaginary case. He may be a man without passions, and therefore without vices. He may, my lord, be superfluously rich, and therefore not to be bribed with money, but rendered partial by his bigotry, and corrupted by his prejudices. Such a man, inflated by flattery and bloated in his dignity, may hereafter use that character for sanctity which has served to promote him, as a sword to hew down the struggling liberties of his country. Such a judge may interfere in a trial, and at the trial be a partisan." He was particularly ferocious to the jury, entirely departing from the conventional adulation which juries are accustomed to receive as their due. It was not very pleasant to be empanelled under such a discharge of irony as the following:—"I proceed with this alleged libel. The next sentence is this, 'the profligate unprincipled Westmoreland.' I throw down the paper and address myself in particular to some of you. There are, I see, amongst you some of our bible distributors, and of our suppressors of vice—distributors of bibles, suppressors of vice. What call you profligacy? What is it you would call profligacy? Suppose the peerage were exposed to sale, set up at auction,—it was at that time a judicial office,—suppose that its price, the exact price of this judicial office, was accurately ascertained by daily experience, would you call that profligacy? If pensions are multiplied beyond bounds and beyond example,—if places were augmented until invention was exhausted, and then were subdivided and split into halves, so that two might take the emoluments of each, and no person do the duty,—if these acts were resorted to in order to corrupt your representatives, would you, gentle suppressors of vice, call that profligacy? If the father of children selected in the open day his adulterous paramour,—if the wedded mother of children displayed her crime unblushingly,—if the assent of the titled or untitled wittol to his own shame were purchased with the people's money,—if this scene—if these were enacted in the open day, would you call that profligacy, sweet distributors of bibles? The women of Ireland have always been beauteous to a proverb; they were without an exception chaste beyond the terseness, but the depraved example of a depraved court has furnished some exceptions, and the action for criminal conversation, before the time of Westmoreland unknown, has since become more familiar to our courts of justice. Call you the sad example which produced those exceptions—call you that profligacy, suppressors of vice and bible distributors? The vices of the poor are within the reach of control; to suppress them you can call in aid, the churchwarden, and the constable: the justice of the peace will readily aid you, for he is a gentleman; the court of sessions will punish those vices for you by fine, by imprisonment, and, if you are urgent, by whipping. But, suppressors of vice, who shall aid you to suppress the vices of the great? Are you sincere, or are you, to use your own phraseology, whitewashed tombs—painted charnel houses? Be ye hypocrites? If you are not,—if you be sincere (and oh how I wish



that you were),—if you be sincere, I will steadily require to know of you what aid you expect to suppress the vices of the rich and great? Who will assist you to suppress those vices? The churchwarden! Why he, I believe, handed them into the best pew in one of your cathedrals, that they might lovingly hear divine service together. The constable! absurd. The justice of the peace! no, upon his honour. As to the court of session, you cannot expect it to interfere; and, my lords, the judges are really so busy at the assizes in hurrying the grand juries through the presentments, that there is no leisure to look after the scandalous faults of the great. Who then, sincere and candid suppressors of vice, can aid you? The press; the press alone talks of the profligacy of the great, and, at least, shames into decency those whom it may fail to correct. The press is your only assistant. Go then, men of conscience, men of religion, and convict John Magee, because he published that Westmoreland was profligate and unprincipled as a lord lieutenant; do convict, and then return to your distribution of bibles, and to your attacks upon the recreations of the poor under the name of vices!"

Again, he bids the jury suppose themselves as Protestants in the position of the Roman Catholics in some foreign land, Portugal, for instance. Suppose theirs to be the prevailing religion, but that they were governed by the viceroy of another nation, from which no kindness ever flowed spontaneously, and justice in scanty measure was only to be wrung by terror and apprehension:—"You, Protestants, shall form, not as with us in Ireland, nine tenths, but some lesser number, you shall be only four fifths of the population; and all the persecution which you have yourselves practised here upon the papists, whilst you, at the same time, accused the papists of the crime of being persecutors, shall glow around; your native land shall be to you the country of strangers; you shall be aliens in the soil that gave you birth; and whilst every foreigner may, in the land of your forefathers, attain rank, station, emolument, honours, you alone shall be excluded; and you shall be excluded for no other reason but a conscientious adherence to the religion of your ancestors.

"Only think, gentlemen, of the scandalous injustice of punishing you because you are Protestants. With what scorn, with what contempt do you not listen to the stale pretences, to the miserable excuses by which, under the name of state reasons and political arguments, your exclusion and degradation are sought to be justified. Your reply is read—'Perform your iniquity, men of crimes,' you exclaim; 'be unjust—punish us for our fidelity and honest adherence to truth; but insult us not by supposing that your reasoning can impose upon a single individual either of us or of yourselves.' In this situation let me give you a viceroy; he shall be a man who may be styled—by some person disposed to exaggerate beyond bounds his merits, and to flatter him more than enough—an honourable man and a respectable soldier; but in point of fact, he shall be of that little-minded class of beings who are suited to be the playthings of knaves—one of those men who imagine they govern a nation, whilst in reality they are but the instruments upon which the crafty play with safety and with profit. Take such a man for your viceroy, Protestant Portuguese. We shall begin by making this tour from

Tras os Montes to the kingdom of Algesiras—as one amongst us should say, from the Giant's Causeway to the kingdom of Kerry. Upon this tour he shall effect great candour and goodwill to the poor suffering Protestants. The bloody anniversaries of the inquisitorial triumphs of former days shall be for a season abandoned, and over our inherent hostility the garb of hypocrisy shall for a season be thrown. Enmity to the Protestants shall become, for a moment, less apparent; but it will be only the more odious for the transitory disguise. The delusion of the hour having served its purpose, your viceroy shows himself in his native colours; he selects for office, and prefers for his pension-list, the men miserable in intellect, if they be but virulent against the Protestants; to rail against the Protestant religion—to turn its holiest rites into ridicule—to slander the individual Protestants, are the surest, the only means to obtain his favour and patronage. He selects from his Popish bigots, some being more canine than human, one who, not having talents to sell, brings to the market of bigotry his impudence—who, with no quality under heaven, but gross, vulgar, acrimonious, disgusting, and shameless abuse of Protestantism to recommend him, shall be promoted to some accountant-generalship, and shall riot in the spoils of the people he traduces, as it were, to crown with insult the severest injuries. This viceroy selects for his favourite privy councillor some learned doctor, half lawyer, half divine, an entire brute, distinguished by the unblushing repetition of calumnies against Protestants.\* This man has asserted that Protestants are perjurers and murderers in principle—that they keep no faith with Papists, but hold it lawful and meritorious to violate every engagement and commit every atrocity towards any person who happens to differ with Protestants in religious belief. This man raves in public against the Protestants, and has turned his ravings into large personal emoluments. But whilst he is the oracle of minor bigots, he does not believe himself—he has selected for the partner of his tenderest joys, of his most ecstatic moments—he has chosen for the intended mother of his children, for the sweetener and solace of his every care, a Protestant, gentlemen of the jury. Next to the vile instruments of bigotry, his accountant-general and privy councillor, we will place his acts. The Protestants of Portugal shall be exposed to insult and slaughter. An Orange party—a party of Popish Orangemen—shall be supposed to exist; they shall have liberty to slaughter the unarmed and defenceless Protestants, and as they sit peaceably at their firesides. They shall be let loose in some Portuguese district, called Monaghan; they shall cover the streets of some Portuguese town of Belfast with human gore; and in the metropolis of Lisbon the Protestant widow shall have her harmless child murdered in the noonday, and his blood shall have flowed unrequited, because his assassin was very loyal when he was drunk, and had an irresistible propensity to signalise his loyalty by killing Protestants. . . . The Protestant Portuguese seek to obtain relief by humble petition and supplication. . . . Well, gentlemen, for daring thus to remonstrate, the Protestants are persecuted. . . . To carry on these persecutions the viceroy chooses for his first inquisitor the descendant of some Popish refugee,† some man

\* Dr Duigenan.

† Saurin, the Attorney-General.

with an hereditary hatred to Protestants. He is not the son of an Irishman, this refugee-inquisitor; no, for the fact is notorious that the Irish refugee Papists were ever distinguished for their liberality, as well as for their gallantry in the field and talent in the cabinet. This inquisitor shall be, gentlemen, a descendant from one of those English Papists who was the dupe or contriver of the Gunpowder Plot! With such a chief inquisitor can you conceive anything more calculated to rouse you to agony than the solemn mockery of your trial? This chief inquisitor begins by influencing the judges out of court. He proceeds to inquire out fit men for his interior tribunal, which, for brevity, we will call a jury. He selects his juries from the most violent of the Popish Orangemen of the city, and procures a conviction against law and common sense, and without evidence." . . . "Yes, gentlemen, place yourselves as Protestants under such a persecution. Behold before you this chief inquisitor, with his prejudiced tribunal—this gambler with a loaded dice, and now say what are your feelings, what are your sensations of disgust, abhorrence, affright!" O'Connell then proceeds to picture some Popish advocate generously starting up to defend his Protestant country in cool and measured language, dragged off to an unfair trial, and menaced with a dungeon for years. "With what an eye of contempt, and hatred, and despair would you not look at that packed and profligate tribunal which could direct punishment against him who deserved rewards! What pity would you not feel for the advocate who heavily and without hope laboured in his defence; and with what agonized and frenzied despair would you not look to the future destinies of a land in which perjury was organized, and from which humanity and justice had been for ever banished!"

We have given specimens of this remarkable speech at some length as characteristic samples of O'Connell's style, although obliquity in his invective was not with him a usual artifice. This was a daring address to make in the ascendancy days, and none but O'Connell could have done it with impunity: his violence was so habitual that it was licensed. It may well be imagined, however, the unbounded hatred entertained by the Protestants of Ireland against the man who thus bearded them. The Roman Catholics had not dared to avail themselves of the liberty that they now actually enjoyed. They still cringed back in a corner of their cage, although the cage door was open. O'Connell stalked abroad, and showed his license in an exaggerated manner, to give confidence to those whose nervous system was intimidated. Mr Shiel says in his sketch of O'Connell:—"The admirers of king William have no mercy for a man who, in his seditious mood, is so provoking as to tell the world that their idol was 'a Dutch adventurer.' Then his intolerable success in a profession where many a staunch Protestant is condemned to starve, and his fashionable house in Merrion Square, and, a greater eyesore still, his dashing revolutionary equipage, green carriage, green liveries, and turbulent popish steeds, prancing over a Protestant pavement, to the terror of Protestant passengers,—these, and other provocations of equal publicity, have exposed this learned culprit to the deep detestation of a numerous class of his majesty's hating subjects in Ireland. And the feeling is duly communicated to the public; the loyal press of Dublin



teems with the most astounding imputations upon his character and motions."

We have already said that Mr O'Connell's defence of Magee, which was published in his client's newspaper, was deemed an aggravation of the libel. The Attorney-general, who had received such severe punishment on that occasion, gave utterance in November to the rage excited in July; and in his motion in aggravation of sentence not only tried to kindle answering emotions in the Chief-justice (Downes), who had also come in for a share in the castigation, but used the most unusual language towards O'Connell. The reply, which did not prevent Saurin's motion from being successful, was certainly a severe aggravation of the punishment which the solemn and monotonous Attorney-general, by no means an adept in the vituperation his legal conduct provoked, had already undergone at the same hands. O'Connell expressed satisfaction that such language had been addressed to him in the temple of the law, because it enabled him to overcome the infirmity of his nature, "and to listen with patience to an attack which, had it been made elsewhere, would have met merited chastisement." Here the judges interposed angrily, and asked what it was he said. O'Connell enlarged and elucidated his former strong expressions, explaining that he would have been led "to break the peace by chastising him." Judge Daley having declared that they would grant a criminal information if it were applied for on that word, O'Connell, to make his meaning clearer, explained that he meant that he would have inflicted corporal punishment. Judge Day, after threats of commitment from the other judges, assured O'Connell that the attorney had meant no aspersion upon him; and Saurin shortly after was obliged to disavow having intended any, although the intention had been perfectly plain. There was certainly something rather ludicrous and feebly spiteful in visiting upon O'Connell's client the severe handling they had received from himself some months previously. They had no doubt writhed under its infliction, but they had not been able to interrupt, or perhaps were afraid of aggravating its trenchant force; but after smarting under it for four months, the Chief-justice and Attorney-general (the Solicitor being the only one who had escaped O'Connell's lash, could not be accused of a motive of spite), instead of mustering up courage enough to return the attack of the principal, had revenge upon the client, who moreover disavowed the speech.

O'Connell thus concluded his speech, in which he argued in the most able and conclusive way against the address of an advocate being taken as an aggravation of his client's offences, because he had not interrupted him any more than the judges:—"I conclude by conjuring the court not to make this a precedent that may serve to palliate the acts of future, and perhaps bad times. I admit—I freely admit—the Utopian perfection of the present period. We have everything in the best possible state. I admit the perfection of the bench. I conceive that there cannot be better times, and that we have the best of all possible prosecutors. I am of those who allow that the things that be could not be better. But there have been heretofore bad times, and bad times may come again. There have been partial, corrupt, intemperate, ignorant, and profligate judges. The bench has been disgraced

by a Bilknap, a Tressilian, a Jeffers, a Scroggs, and an Alleybown. For the present there is no danger; but at some future period such men may rise again, and, if they do, see what an advantage they will derive from the precedent of this day should it receive your lordships' sanction. At such a period it will not be difficult to find a suitable Attorney-general,—but some creature narrow minded, mean, calumnious, of inveterate bigotry and dastard disposition, who shall persecute with virulence and malignity, and delight in punishment. Such a man will with prudent care of himself receive merited and contemptuous retort. He will safely treasure up his resentment for four months. His virulence will for a season be checked by his prudence, until at some safe opportunity it will explode by the force of the fermentation of its own putrefaction, and throw forth its filthy and disgusting stores to blacken those whom he would not venture directly to attack. Such a man will with shameless falsehood bring sweeping charges against the population of the land, and afterwards meanly retract and deny them without a particle of manliness or manhood. He will talk of bluster, and bravado, and courage, and will talk of those falsely, and where a reply would not be permitted. If such times arrive, my lord, the advocate of the accused will then be interrupted and threatened by the bench, lest he should wipe off the disgrace of his adversary, the foul and false calumnies that have been poured in on him. The advocate then will not be listened to with the patience and impartiality with which in the case of a similar attack your lordships would listen to me. The then Attorney-general may indulge the bigoted virulence and the dastard malignity of an ancient and irritated female, whose feelings evaporate in words, and such judges as I have described will give him all the protection he requires; and although at present such a dereliction of every decency which belongs to gentlemen would not be permitted, and would rouse your indignation, yet in such bad times as I have described, the foul and dastard assailant would be sure, in court and beyond it, to receive the full protection of the bench, whilst the object of his attack would be certain of meeting imprisonment and fine were he to attempt to reply suitably. My lords, you would act so differently; you would feel with me the atrocity of such a proceeding; you, my lords, will not sanction the attempt that has been made this day to convert the speech of counsel against the client, lest by doing so you should afford materials for the success of any future Attorney-general, as I have endeavoured to trace to you. Before I sit down, I have only to add that I know the reply of the Solicitor-general will as usual be replete with talent; but I also know it will be conducted with the propriety of a gentleman, for he is a gentleman,—an Irish gentleman: but great as his talents are, they cannot upon the present document injure my client."

It is amusing to observe the respect which O'Connell displays for the dangerous orator (Bushe) who was coming after him, combined with the merciless treatment of the weaker vessel whose contents had already been poured out. We do not, however, at all mean to imply that the man who afterwards contended so gallantly with Stanley and Peel in the unfriendly English House of Commons was actuated on this occasion by moral cowardice.

Magee was sentenced to two years imprisonment, and to be further confined until the payment of a fine of £500, which he could not pay, and the infliction of which was therefore unconstitutional.

In 1815 an event occurred which had a great effect upon O'Connell, and gave a more decidedly religious turn to his character, in fact converted him from a Roman Catholic by birth and education, by sympathy and patriotism, into somewhat of what is disparagingly called a devotee. It was his duel with Mr. D'Esterre. D'Esterre took umbrage at an expression which O'Connell had employed to describe the Dublin municipal body. He had called it "a beggarly corporation," and D'Esterre being one of its neediest members, considered the insult personal. In the duel which he provoked, O'Connell's bullet struck him on the hip, and the wound proved fatal. His death was a subject of grief and remorse to his slayer during the remainder of his life. D'Esterre was the least bigoted member of the corporation of Dublin, and had even opposed the anti-Catholic party; but he unfortunately allowed himself to be urged on by those who perhaps hoped that his cool nerve would rid them of a formidable enemy.

A passage in one of O'Connell's speeches in the same year, at an aggregate meeting of Roman Catholics nearly led to a duel with Sir Robert, then Mr Peel, and chief secretary to the lord lieutenant of Ireland. The passage accused Mr Peel of traducing him in a place where he could not be called to account, and called on his police agents who were present to take notes, to report to their employer that he dare not in any place where he might be made personally liable, use a single expression derogatory to O'Connell. In consequence of this, Sir Charles Saxton called upon him, as Peel's friend, and suggested that after what had transpired he expected a communication. There is some doubt as to what passed in the interview between the two "friends;" but a meeting was about to take place when O'Connell was put under arrest, and Peel obliged to leave for England. Both were bound over to keep the peace in heavy penalties. The affair was renewed by an expression of O'Connell's ascribing to his opponent a preference for "paper war." It was arranged that the duel was to take place at Ostend, and thither Peel repaired. Notwithstanding the greatest efforts of O'Connell to follow, he was secured by the officers in London, and again bound over to keep the peace.

The dissensions with regard to the veto and other "securities," as they were called, occupied a considerable time, and divided the Roman Catholic party. Not only did the natural heads of that party in Ireland, such as Lord Fingal, Sir Edward Bellew, and Lord Southwell, secede, but those who, standing outside the Romish pale, had acted as their powerful advocates, were disappointed and indisposed to proceed. O'Connell, however, was not to be shaken from the resolve to obtain unconditional emancipation. He would not, in his own phrase, cede to a Protestant ministry the patronage of the Catholic church. Such propositions were as insulting to his feelings as a scheme for giving the control of the appointment of Ulster rectors and vicars to the Pope of Rome would have been to the feelings of an Orangeman of Belfast. It was outrageous: the deepest political degradation was preferable; and the offer of it by such friends as Donoughmore and



Grattan was unspeakably wounding to O'Connell, and seemed to shew him that even by them the Irish Catholics were still regarded as "whitewashed negroes," and dwarfed below the size of natural men by the old contempt of their religion and race. He looked upon the "securities" as artfully introduced to divide the Catholic forces, and in vain exhorted them to unanimity. Unanimity was never fully recovered, and the split was permanently injurious. With O'Connell remained the democracy; with him the clergy; but for the time the agitation lost respectability, and it was in this element that O'Connell's agitation was to the end deficient. It never regained the tone that it lost by the secession of the Catholic nobility, and the temporary separation of Grattan and the other parliamentary advocates of emancipation. O'Connell established his position, but it was that of a democratic, as distinguished from a national leader; and in that channel the agitation, for objects popular in Ireland, has ever since flowed. Possibly the necessity which O'Connell was, under of throwing himself entirely upon the masses, and discarding the use of rank and influence, is to be regarded as having hastened the process of raising the Irish to national manhood. Mr Lecky says,—“All preceding movements since the Revolution (except the passing excitement about Wood's halfpence) had been chiefly among the Protestants, or the higher order of the Catholics. The mass of the people had taken no real interest in politics, had felt no real pain at their disabilities, and were politically the willing slaves of their landlords. For the first time, under the influence of O'Connell, the great swell of a really democratic movement was felt.” O'Connell was successful over all the favourers of compromise,—the English Catholics, Protestant liberals, the aristocratic Catholic party in Ireland, and the Pope himself. He swayed the Irish bishops and clergy to oppose it in Ireland and at Rome, and in spite of the eloquence of Shiel and the secessionists, who got up a separate committee, holding its meetings at lord Trimblestone's, and presenting its own petition, he turned the heart of the people with him as the heart of one man. But for the time the cause of the Irish was lost at Waterloo, which was won by an Irish general commanding a more than half-Irish army. For several years O'Connell's efforts to carry on the agitation were entirely unsuccessful. There is little to detain us in the transactions of his life until 1820. A petty struggle continued between the vetoists and anti-vetoists (the latter being willing to accept domestic nomination, *i.e.*, the selection of bishops by the Pope out of a list forwarded to him by the prelates of the province and the clergy of vacant dioceses), but the two parties merely neutralized one another.

In 1820-21, however, the public agitation—and it is with this, not with the parliamentary fortunes of the measure, that we are concerned in writing O'Connell's biography—at length revived in full vigour. Rome had spoken at last, but so equivocally, as became an oracle, that the veto was not removed from controversy. Lords Fingal and Southwell, and the rest of the coterie, were able to return with dignity, but still put forward their unpalatable schemes without any of their old influence. Grattan was dead, and Plunket held the place of parliamentary champion of the Catholic claims. O'Connell's perseverance,

which alone had kept up the battle for several weary years, during which he could often get only half a dozen to assemble together at the Catholic committee rooms, the rent and expenses of which he defrayed out of his own means, was now rewarded by overflowing assemblies. The visit of George IV. in 1821 was hailed by the Roman Catholics as the dawn of their freedom. The king begged that religious differences might be laid aside, and during the short period of his visit Irishmen lived in most unheard of concord. O'Connell was fooled with the rest, and drank the Orange toast to please the king, whom he flattered more than he had ever abused an enemy. Lord Byron, who was much interested in the Catholic cause, an interest derived partly perhaps through his friend Shelley, celebrated O'Connell as the Irish Avatar. It was reported that he wore upon circuit a fur cap and gold band which he had received from the king; this ridiculous story he of course contradicted, but it shews how much he had discredited himself by an excess of flattering and servility, which turned out, in a short time, to have been quite in vain.

It was when the hopes in this rising sun had long been clouded, in the year 1823, the marquis of Wellesley being lord-lieutenant, and Plunket by his conduct in the bottle riot quite re-established in the popularity which his position with regard to the veto had partly overthrown, that the Catholic Association was founded. The objects put forth in its formation were to promote religious education, to collect statistics bearing on the Catholic cause, and to answer charges. The Association met at Dempsey's in Sackville Street. At the early meetings, so little interest was felt in it, and so much were the members opposed to O'Connell's plan of a subscription to carry on the agitation, that for several days it was impossible to get together a quorum, which by their rules had been fixed at ten. An amusing account is given of his attempts to assemble the number, and the triumph with which Mr Purcell O'Gorman, as secretary, on each succeeding day took out his watch to shew that the time had expired, and announced the meeting adjourned. At length O'Connell rushed out and seized upon two young Maynooth priests, who were members *ex officio*, and forced them out of a shop where they were making some purchases, just in time to complete the quorum. Immediately after they had been made to perform this unwilling service, the captives (for at that time political agitation was new to the priesthood) slipped away from the meeting, which O'Connell proceeded to address. This difficulty was soon removed, and the Association grew to enormous proportions. It was recommended that petitions should be sent from every parish in Ireland; and meetings were organised to carry the agitation into every part of the country. For this purpose the Roman Catholic priests were enlisted, and once fairly set in motion formed a machinery of immense power. O'Connell and Shiel went from meeting to meeting delivering powerful addresses. The Catholic Rent was started and united the people in a sensible bond, by making the meanest man feel himself to be a contributor to the good cause, and a sharer in the struggle for liberation. This enormous agitation, the din of which was unceasing, required all the strength and time of its arch-promoter, who accordingly had to give up his profession, and depend upon the voluntary tribute of the people. He raised the nation

in a few years, by unheard of exertions of zeal and eloquence, to irresistible strength. Marshalled by O'Connell in its unarmed might, the Irish people presented a far grander spectacle than when in 1782 Grattan had marshalled it by armed force. Between the old leaders strong in the power of the volunteers, and the Young Ireland leaders who rose in a later day, relying on physical force also, though for far different and wholly wild objects, a physical force, too, that was as ineffectual as the strength of the brutes to throw off the empire of man,—O'Connell stands out as the apostle of the true constitutional method of proceeding to redress grievances and obtain rights, and in this character ought to command the respect of conservatives, who in their true function should esteem themselves conservative rather of methods than of ends. In a letter to Gerald Griffin in 1828, John Banim mentioned the general admiration among Englishmen of his acquaintance, for the proceedings in Ireland, and added, from a keen appreciation of the instincts of his admiring friends, "If you proceed as you have begun, you must succeed, but if one drop of blood is shed, you will be trampled down." But although O'Connell's proceedings commanded this stern admiration and tolerance across the channel, in Ireland he was looked upon by the Protestants with hatred and terror passing description. "O'Connell, the Pope, and the Devil," were commonly coupled together by infuriated Orangemen. Meanwhile the tide rose in power, and the Catholic Rent, which consisted of monthly subscriptions of one penny instead of one shilling a year, which had been in the first instance the subscription of associates, rose to an average of L.500 a week, representing half a million of enrolled associates. This large revenue was applied to defending men unjustly accused, prosecuting Orangemen for alleged violations of the law, paying parliamentary expenses, and assisting in the support of Roman Catholic schools. A sum of uncertain amount, but not too large for his services, was devoted to the man who had built up the wonderful fabric. After Shiel, the most powerful of O'Connell's lieutenants was the celebrated Bishop Doyle, known as J.K.L.

In 1825, Mr Goulburn, who was then Chief Secretary for Ireland, brought in and carried a bill for the suppression of "unlawful associations in Ireland." This was, of course, directed against the Catholic Association. In consequence of the passing of this bill, acting under O'Connell's advice, the Association immediately dissolved itself, and came into fresh existence under the title of "The New Catholic Association." The act was never put in force; it was a *brutum fulmen*. No man knew better or had more experience than O'Connell in evading acts of Parliament. But the Government had a bill of a different kind in its quiver—it was one to grant a stinted measure of emancipation, and a liberal one of disfranchisement, and not illiberal bribery to the Roman Catholic bishops and clergy. The former were to receive £1000 a-year, deans £300, parish priests £200, and curates £60. These emoluments undoubtedly would not have been accepted. But the bill was defeated in the Upper House. About this time O'Connell and Shiel went to London, for the purpose of being heard at the bar of the House of Commons against the Unlawful Associations Bill. Mr Brougham moved their being heard, but the motion was of course rejected. It was on



this occasion in the debate on the motion that an incident occurred which is thus related by Shiel:—Sir Robert Peel having connected the Catholic Association with sedition by an address which it had presented to the *ci-devant* rebel, Archibald Hamilton Rowan, “he became heated with victory, and, cheered as he was repeatedly by his multitudinous partisans, turned suddenly towards the part of the House where the deputies were seated, and looking triumphantly at Mr O’Connell, with whom he forgot for a moment that he had once been engaged in a personal quarrel, shook his hand with scornful exultation, and asked whether the House required any better evidence than the address of the Association to ‘an attainted traitor!’” Brougham did not lose the advantage which this mistake gave him, and made a very telling and damaging reply. O’Connell and Shiel were made much of by the Whigs, whom the former at another time immortalised in Ireland as “the base, bloody, and brutal Whigs.” They certainly did not in that generation or the preceding fulfil the expectations which the popular party had reason to form from them. They were too cool and calculating for the Irish to love. They are accused of having played Ireland’s wrongs as counters in the game of English politics—a battering-ram wherewith to get in, suitable for attack, but not defence. The bill for the emancipation of the Catholics, with the wings, consisting of payment of the clergy and disfranchisement of the forty-shilling freeholders, was brought forward before O’Connell and the deputation had quitted London. The blandishments and flatteries of the Whig aristocracy had almost induced him to agree to this settlement; but on his return to Ireland the spell fell from him; he found that his popularity was injured even by the momentary faltering, and he completely retracted his assent. The measure was thrown out in the House of Lords, which settled the matter for the time.

In the general election of 1826, the Catholic Association began to assert itself as a political power. It was resolved to endeavour to wrest some of the county seats from the great families which had hitherto regarded them as appanages. A great contest in the county of Waterford led to the defeat of the Beresfords by a popular candidate of the established religion, Mr Villiers Stuart. A similar victory was gained over the Jocelyns and Fosters in Louth by another similar candidate of the Association, a Mr Dawson. These, and some other successes, were visible and practical evidences of the power which O’Connell had been building up for so many years, and not only excited real alarm in England, where facts are the only arguments that effectually reach the understanding; but they drew to the cause sympathy and pecuniary aid from France and the British colonies. The Irish in all parts of the world contributed to the Catholic Rent. In 1828, O’Connell originated the idea of a monster petition from the Roman Catholics, praying for the relief of the Protestant Dissenters. It received 800,000 signatures. The same session the repeal of the Test and Corporation Acts effected the object of the petition, the relief of Protestant Nonconformists. And now came the great event of the agitation, which opened the eyes of England, and filled bigotry with alarm, rage, and astonishment. Mr Vesey Fitzgerald, the popular member for Clare, a staunch friend of the Catholics, and son of Prime Serjeant Fitzgerald, who lost his place by

patriotically opposing the Union, joined the Ministry of Wellington and Peel as President of the Board of Trade. The Association was pledged to oppose any adherent, much more a member of that Government; and notwithstanding Mr Fitzgerald's strong claims for an exception being made in his favour, and O'Connell's advice that his re-election should not be opposed, the Association determined on starting an opposition candidate. Major Macnamara, a Protestant gentleman of the county, was their first choice; but after keeping them for some time in suspense, this gentleman declined to come forward; and it was found that no member of the county gentry was willing to incur the odium of opposing Mr Fitzgerald. We must refer the reader to our introduction for a full account of what ensued. Suffice it to say here that O'Connell determined to come forward as a candidate himself; that several brilliant speakers of the Association went down and held meetings all over the county, and made speeches at fairs and markets, outside the Roman Catholic chapels when mass was said, or wherever they could collect a crowd by day or night. The priest put his influence against the landlords; he pitted the peasant's conscience against his interest, and conscience won the day—a significant fact, incomprehensible and flagitious to Englishmen. Father Maguire, who had met Mr Pope in famous controversy, went down to support O'Connell. This was the first occasion upon which the Roman Catholic clergy really entered the political field in a body. It was the first occasion upon which they spoke from every altar, robed in their sacred vestments, and commanded their flocks, in the name of religion, to vote for O'Connell. It is impossible to say that in this particular instance they were wrong in coupling religion with politics. Nothing is more ridiculous than to say that in politics alone the terrors of the world to come are not to be brought to bear upon the concerns of the present world. The clergy are bound to warn their flocks against evil; and a vote may be sinful if it be given for the enemies or against the friends of religion. This by no means excuses the Roman Catholic clergy for systematic intermeddling with politics; where the interests of religion are not at stake, altar denunciations have no basis in truth, and are therefore unwarrantable. The Church has no right to exact obedience except in matters which are clearly spiritual: her kingdom is not of this world; but there never was a case in which the priests of the Roman Catholic Church were more justified in their interference. There were none of those scenes of violence and intimidation which have in recent times disgraced religion in causes with which it has been improperly associated. Gerald Griffin, who was passing through Clare during the election, wrote to his friend Banim in London:—"The people have certainly proved themselves to be a most resolute set of fellows—no drunkenness, no riot, patience and coolness beyond anything that could be looked for. They fill the streets more like a set of Pythagorean philosophers than a mob of Munster men."

There was a sort of compact between the people and their leaders that nothing was to tempt them into violence. The landlords brought up their tenants guarded by bailiffs; but at the poll a wave of O'Connell's hand, or the word of command from a priest, left them without a follower. The feudal bond of allegiance was broken by a stronger. O'Connell headed the poll by a majority of nearly a



thousand; and after an argument before the assessor, in which it was decided that a Roman Catholic might be elected, and that the further decision would rest with parliament should the candidate refuse to take the oaths, the victory was duly proclaimed, and the question of Catholic emancipation virtually decided. The Duke of Wellington—the most consistent opponent of it hitherto—declared that the choice lay now between emancipation and civil war; and on the 5th of March 1829 Sir Robert Peel brought in the bill for the removal of Roman Catholic disabilities. O'Connell had gone over to London to claim his seat as a Roman Catholic; but, perhaps, acting on the view of Mr Keating, the assessor, that until he had refused the oaths his election would stand, he resolved not to present himself until the disability which awaited him at the table of the House had first been removed. It is very doubtful whether he was influenced in delaying to appear by an unwillingness to embarrass the ministry. When it became known that the relief bill was not retrospective, and only applied to those who should be elected after its passing, O'Connell, against whom this provision was rather a mean piece of spite, had no further motive for delay, and before the measure had passed appeared to claim the seat. A petition, however, had been presented against his return. Whilst it was under investigation the relief bill passed, and then the committee reported that he was duly elected; but, on presenting himself, the old oaths were tendered, on the ground that the act did not apply to his return. One oath was to the effect that the sacrifice of the mass is idolatrous, the other asserted the king's supremacy. O'Connell refused to take them, and was heard at the bar, but a vote of the house decided against him. He then, on their being tendered again, replied that "one part he knew to be false, and another he did not believe to be true." Accordingly a new writ was ordered to be issued for the county of Clare. O'Connell again presented himself, and was re-elected without opposition.

He had now attained the utmost height of popularity in Ireland, and was almost worshipped by the Roman Catholics. He had indeed performed a great achievement: he had, by the force of a peaceful revolution, overthrown the bigotry of a nation that far out-bigoted even Rome herself, and in whose breast, if not latterly in her market places, have blazed fiercer fires than the Inquisition's. Roman Catholics all over the world were grateful. "Were it only to Ireland," said Lacordaire, "that emancipation has been profitable, where is the man in the Church who has freed at once seven millions of souls? Challenge your recollection, search history from the first and famous edict which granted to the Christians liberty of conscience, and see if there are to be found many such acts, comparable by the extent of their effects with that of Catholic emancipation. Seven millions of souls are now free to serve and love God even to the end of time; and each time that this people, advancing in their existence and their liberty, shall recall to memory the aspect of the man who studied the secret of their ways, they shall ever find inscribed the name of O'Connell, both on the latest pages of their servitude, and on the first of their regeneration."

O'Connell did not at once on re-election take his seat in parliament,



for the session was just at an end. He had scarcely however gained this goal, when, without a moment's rest, he started for the next. He had early admitted that he had "ulterior purposes," and the principal of these was now revealed by the removal of what had stood before it for so many years,—it was Repeal of the Union. He found that the object struggled for so bravely did not seem to make much difference to his countrymen; on the other hand, the forty-shilling freeholders were disfranchised, and their disfranchisement led to their being thinned off, to bring the farms up to the level of the franchise for the sake of the landlord's political influence. O'Connell himself was left at the outer bar when silk gowns fell in a cloud upon his brethren. Practical exclusion was sure to outlast legal exclusion; and it was likely to be followed by a loss of independence in Roman Catholic professional men, which, so far as the country was concerned, would not be compensated for by the sight of a few Roman Catholics seated upon the judicial bench. A great jealousy arose in Ireland against those Roman Catholics who accepted place, and who were supposed to be corrupted by it; and the Roman Catholic who went to parliament, unless in the exceptional case of O'Connell, who was ever pre-eminently the Man of the People, was supposed to deteriorate in Westminster air, and to be more or less wheedled over from loyalty to the popular cause into loyalty to the Queen. The benefit of emancipation was sentimental: grievances remained of a practical nature, which the slight infusion of Catholics into the English legislature could have little effect in determining. The tithes, which were levied with great harshness, were the tribute of a conquered people to the religion of their conquerors, and brought home the perpetuation of Protestant ascendancy to every cabin in the land. Such grievances not being immediately removed by emancipation, it began to be felt immediately that emancipation was a delusion,—that something else was required, and that this something else was not the useless infusion of Catholics into a Protestant parliament, where they must always be a small fraction of the whole, or of Irishmen into an assembly of Englishmen, where they would always be a miserable faction, ridiculed, misunderstood, and regarded as consummate bores, but a separate parliament for Ireland, in which the Roman Catholic Church would be dominant, and Irish interests alone be attended to. Such was the feeling which arose in Ireland on the settlement of the Catholic question, just as the Home Rule agitation has followed the Church Disestablishment and the Land Act. In a memoir of the great Repealer we may be permitted a few sentences on the rationale of Repeal. Every English attempt to ameliorate the condition of Ireland only evokes a new cry from the Irish to be allowed to do it for themselves, and seems to add to the conviction that a home parliament alone can give them what they want. Of course we do not commit ourselves to this opinion. It is very natural that advantages of political changes should be exaggerated by their advocates for the purpose of promoting them; and that after their accomplishment disappointment should follow, and they should be regarded as failures; and that then the blame should be laid upon a foreign legislature, and that its legislation should be regarded with angry contempt; but it by no means follows

that an Irish parliament, if it existed, could really do more. One thing it might do, and that is, make Ireland more reliant upon herself alone, and cease perpetually to look for a new era to dawn upon her from England. This demand for English measures provokes a supply; and twenty years of freedom from English quackery, to forget English expectations, and to be forgotten by English regenerators, would do Ireland more real good than anything ever suggested. It may be easily supposed that a new Irish agitation, immediately after the settlement of the old one, was very displeasing to all parties in England, both Whigs and Tories, and that O'Connell, who immediately began to address meetings in favour of Repeal of the Union, was looked upon as one whose trade was agitation, and who kept a nation disturbed for his own selfish advantage and the ruin of his country. The new scheme was called by one of those bad names which, however unmeaning, always doom to failure,—“the dismemberment of the empire.” As instances of the same we might cite “concurrent endowment,” “fancy franchise,” &c.

In the general election of 1830 O'Connell abandoned Clare, which was taken possession of by one of his lieutenants, Mr Purcell O'Gorman; he himself wresting Waterford from the Beresford interest. The way in which he had been personally treated, and the ungracious condiments with which the Relief Act had been accompanied, excited in his mind the greatest exasperation, and urged him to greater violence than he had ever hitherto risen to. He denounced the ministry of Wellington and Peel; and, in an unwise and reckless letter, advised a run upon gold, as a kind of financial operation of war. After the fall of the Wellington ministry, he entered into different relations with the Whigs on the secession of Stanley and Peel, having previously, however, been hostile to them. Lord Anglesea was viceroy, and received orders to put down O'Connell's association, which was perpetually reviving under new names, after every proclamation for its suppression. Now it was “A Society of Friends of Ireland,” again, “the Anti-Union Association;” then “Volunteers for the Repeal of the Union.” In each case of public meetings they were forbidden and menaced with forcible suppression, and O'Connell with prosecution. After submitting to this course for some time, the Agitator at length became furious and reckless, and resolved to hold a meeting in defiance of the lord-lieutenant's proclamations, which he denied to have the force of law. The consequence was that he was subjected to a prosecution, but the government was satisfied with inducing him to allow judgment to go by default, and did not call him up for sentence. The support of his section was wanting for Reform, and it was not considered expedient to throw him into prison at that time. The marquis of Anglesea had more success in dealing with O'Connell than any other lord-lieutenant.

On the tithe question O'Connell exhorted and encouraged the people to resistance, and violently opposed the grant to the clergy from the Consolidated Fund, which was to be replaced by a government levy of the obnoxious impost. He asserted the determination of the Irish to have done with tithes altogether, or only to pay them for a purpose of which they should participate the advantage. His own proposal anticipated the plan afterwards adopted for disposing of the surplus funds



of the Irish Church, viz., devoting them to relieving the occupiers of laud from county cess, and supporting hospitals, lunatic asylums, and infirmaries. He strenuously supported lord John Russell's appropriation clause, which was productive of the secession of a few men of talent and influence headed by Stanley. O'Connell, in ridiculing the secessionists, quoted Canning's lines—

“Adown thy dale, romantic Ashbourne glides  
The Derby Dilly with just *six* insides.”

But the violence of their advocate did as much harm to the ministry as the loss of their best men. A conservative reaction set in, and the Appropriation Clause had to be finally abandoned.

In 1834, O'Connell opened the battle of repeal in parliament by an attack upon baron Smith, whom he assailed for introducing anti-union politics into his charges. He did not succeed in obtaining the censure he demanded; although the judge had clearly travelled out of his province and pursued a course calculated to make the people distrust the impartiality of the law, it is generally felt in such cases that the judge must be upheld even in the wrong. On the 23d of April O'Connell formally brought forward the question of Repeal. The debate lasted for four days. He caught on his broad shield the spears of a score of pigmy debaters, and sustained with no unequal return the lightning strokes of a Stanley and a Peel. It was a fine display, but of course abortive. In the House of Lords, the peers, not satisfied with rejecting the motion, voted an address to the king expressive of a firm resolution to maintain “the integrity of the empire.” O'Connell had been unwilling to bring the subject before parliament so soon, believing that to do so would only put upon it a stamp of failure, and knowing from experience that such a measure could only be carried over the bar by a tremendous wave of agitated public opinion. He refused until 1834 to bring it to a division, in spite of the taunts of English members, who desired nothing better than an opportunity of stamping upon it; but at last the impatience of his own party urged him on against his own judgment, Fergus O'Connor and the *Freeman's Journal* being clamorous for parliamentary discussion. The result justified O'Connell's judgment; only one English member voted on his side, and the majority against repeal was nearly five hundred.

The municipal Reform Act practically admitted Roman Catholics to a just representation in the corporations to which they had before been admissible but not admitted. Out of 13,000 corporators in Ireland, it was stated by Sir Colman O'Loughlen in 1836, that but 200 members of them were Roman Catholics. We do not refer to this Act for any important part taken in it by O'Connell, but because its first and most striking effect was that he was elected lord mayor of Dublin, an honour of which he was not a little proud, shewing himself off with pardonable but amusing vanity in the scarlet cloak and ponderous gold chain. With O'Connell's greatness there mingled a curious vein of littleness: his vanity as mayor, and the pleasure he derived from the vulgar adulation which was offered to him in this, for him, rather incongruous and absurd capacity, and again, the somewhat offensive affusion with which he did homage to royalty, were instances of this littleness. It must also be said that in the morality of public life O'Connell was somewhat defective: his pro-



posal to compulsorily diminish the national debt in order to relieve the people, at a time of general distress, may serve to illustrate what we mean. Great excuse, however, is to be made for O'Connell's want of political principle; he lived in the Irish democracy from which this kind of stability is quite absent. The association with the vulgar mind, the adulation he received from it, the habits he acquired in pleasing it, all deteriorated O'Connell. As he advanced in life he grew bigoted and narrow-minded, and his speaking lowered in quality, lost in dignity, and became coarse and violent. It is surprising, indeed, that a man at the age of fifty-four, emerging out of seething Irish agitations into the cool clear air of the House of Commons, should have been able to take up such a position as he did. Notwithstanding his faults, he stood amongst the foremost few. He spoke in the face of a consensus of hostility, often amid derisive noises that he once characterised as "beastly bellowings." He had such men as Macaulay, Peel, and Stanley to contend with; but he often soared above the assembly in a strain of power and eloquence that made his enemies cower, and his interrupters hold their breath. His reasoning was masterly, but his invective was coarse and in bad taste. He was less at home in an assembly of gentlemen than in addressing a monster meeting. Even in England and Scotland his power of popular oratory was admitted. In support of radical reform he addressed large meetings in English and Scottish cities, where his name was detested, and yet he never failed to win a triumph for the time. We cannot enter into O'Connell's excursion into English politics. He hoped to serve the cause which he had himself at heart by advocating the principles of the English radical party, who had plenty of brain power, but a deficiency of tongue. He was, with Shiel, the originator of that very strange alliance between the Irish Catholic member and the English Dissenter, and we doubt if any good can ever come of dishonest alliances; but we must proceed with O'Connell's career proper, which was neither "stumping" England, nor yet in the English parliament, but in raising and ruling the elemental forces at home. For several years Repeal was his pillar of cloud; but the way was devious; he was perplexed and undecided: the Whigs professed to be the friends of Ireland, and he did not like to embarrass a friendly administration by pressing upon it such an awkward question, whilst at the same time he could not let it drop. The government made use of O'Connell's influence, as the liberal government used Mr Bright's before he joined the cabinet; it was charged by the opposition with "truckling to O'Connell," while O'Connell himself was accused of "trafficking with the Whigs." He certainly had the disposal of a large portion of the government patronage, and held meetings every week at the Corn Exchange, in which his speech was as regular as the Sunday's sermon, an invariable topic being the necessity of supporting the government. O'Connell well knew that the Melbourne Ministry would only go to a certain length in what he called justice to Ireland; but his policy was to take the composition offered and then sue for the balance. On this understanding with his followers, and the understanding with the government that he retained his independence and was but a benevolent neutral, he continued to keep Lord Melbourne in power against the majority of the English members of the House of Commons and

the great majority of the Peers, and guided the Irish ministry in the disposition of places and offices without accepting one for himself, or demanding a place in the cabinet over which he possessed such power. In 1838 he refused the office of Chief Baron. In due time the Nemesis of governing by O'Connell and Roman Catholic Ireland overtook the Melbourne Ministry. The Irish alliance, like that of Egypt of old, is a broken reed, upon which English liberal governments will always have reason to repent of leaning. O'Connell was a terrible friend to the Whigs. The English people regarded him as the figurehead of "Popery," the representative of a detested race, and the advocate of opposite interests. This was an important element in the cause of the overthrow of the administration of Lord Melbourne. Probably O'Connell saw that "Justice to Ireland," would have its day, and that after it must come the real struggle. For this he kept his irons in the fire. In 1839 he established what he called "the Precursor Society," which showed indeed a considerable decline from the advanced position occupied by his forces years before, but was a prelude to occupying it again. The Society's object was not a native legislature, but nominally it was to make trial whether short of this Irish grievances could be redressed by the Whigs and Radicals—its word was "Justice to Ireland." This cry was meant as the precursor of a new and tremendous agitation for repeal, should justice be denied. All this while, however, the league with government was but a hollow one. O'Connell was used but distrusted; his letters were opened in the post-office and copied, then carefully sealed by means of impressions taken from the seals. Such an expedient as this could only be practised with conspirators and enemies of the State; and the fact of its being systematically adopted with O'Connell, throws a curious light upon the way in which he was regarded by contemporary statesmen under a mask of plausible friendship. In 1841 this curious pact ceased, when Sir Robert Peel became minister. The Whigs were gone; promises, patronage, and endeavours to conciliate ceased; and the Precursor's Association became the Repealer's. For two years, however, this new Association excited no particular notice: more notice would have been excited if no agitation had been going on in Ireland. O'Connell meanwhile was Mayor of Dublin, and resided at the Mansion House, with no little splendour. At an earlier period, when he was in the full tide of practice at the bar, Shiel described the anger that burned in the breasts of Protestants, who saw "his dashing revolutionary equipage, green carriage, green liveries, and turbulent popish steeds, prancing over a Protestant pavement to the terror of Protestant passengers;" but this irritation was excited in a much greater degree by seeing this usurper upon the civic throne, ostentatiously wearing the insignia of power over his fellow citizens—he a Catholic, one of the despised native race, lording it over the Protestant heritage. Probably at no period, not when wielding the whole power of the Roman Catholic priesthood, nor when he wielded the people itself, in the movement for Repeal, was he more hated by Irish Protestants than in this upstart dignity, as the exaggerated homage of the Roman Catholics made it frequently appear. It was in the spring of 1843 that O'Connell announced that the Repeal year had come. He and many other members



of parliament abstained from going over to the English parliament; several of those who did not abstain were called upon by their constituents to resign. O'Connell's first move was in the Corporation of Dublin, where a Petition for Repeal was carried, as it was also, shortly after, in the Corporation of Cork. The petitions of those two great municipalities caused some sensation in England: they were the voice of the chief cities of Ireland, speaking by the lips of the mercantile classes. We may briefly sum up the arguments with which O'Connell supported their adoption; that the Union, in the opinion of priests, was a nullity: that it had been obtained by declared bribery to the amount in money of two millions and a quarter, and was not therefore binding upon the people; that it was also obtained by intimidation, one hundred and twenty-nine thousand soldiers being collected in Ireland as "good lookers-on;" that the petitions against it had shewn the unbribed people to be almost unanimous against it. These were arguments which had spent their force: but there were others more practical. Ruined trade, manufactures destroyed, the money of the country drawn out of it by absenteeism, frauds in taxation justifying Dr Johnson's prophecy of the consequence of a Union, "Sir, we shall rob you;" inadequate representation falling short of Ireland's just proportion by seventy members, and a higher qualification for voters in the poorer country, for the express purpose of weakening popular power. Besides this he argued it upon the ground of nationality, and that five-sixths of the people desired Repeal. If O'Connell had been less in earnest, less bigoted in his desire for a return of the old times, he would have seen the hopelessness of the object for which he was now about to conjure up this tremendous storm. Canning had said that the restoration of the heptarchy might as reasonably be proposed; and Peel, who was from beginning to end O'Connell's bitter personal and political enemy, declared at once that "no influence, no power, no authority which the prerogative of the Crown and the existing laws gave the government, that should not be exercised for the purpose of maintaining the Union." O'Connell's next proceeding was to set in motion the same vast machinery on a greatly extended and perfected scale, by which he had made himself a popular Dictator in the agitation for relief. Most of the Roman Catholic bishops and nearly all the priests were on his side heart and soul: Repeal-wardens were elected in every parish and "O'Connell's pence" rose to a great revenue. Hand in hand with the Repeal agitation under O'Connell went the temperance movement under Father Mathew. Religion, patriotism, morals united in a common cause, and the enthusiasm of the Irish nature was fully kindled. Great meetings were organized in the provinces; to which the people of whole counties flocked together. They were free from all disorder, although composed of excitable and almost wild peasants. O'Connell's police allowed no disorder or drunkenness or even noise. Rude altars were erected in the open air, and mass was celebrated by the priests; and then that imposing figure marshalled the countless multitude; and the great voice, the most powerful of the time, rose over the people, reaching as far as human voice could travel, out towards the boundaries of the multitude, then sinking and wrapping up in the most intense hush its whole concentrated attention. Then



the electric shout rolled after the lightning flash of wit; but most wonderful of all was the audible whisper that he could make travel farther than reach of ordinary men's loudest voices. This whisper he used with inimitable effect; a whisper is the Irishman's vehicle for his choicest drollery, and the laughter which rolled away into the distance told how the hit had received that quick appreciation so characteristic of the people. We cannot refrain from quoting Mr Lecky's graphic description of those important scenes:—

"It would be difficult to conceive a more imposing demonstration of public opinion than was furnished by those vast assemblies which were held in every Catholic county, and attended by almost every adult male. They usually took place on a Sunday morning, in the open air, upon some hillside. At daybreak the mighty throng might be seen, broken into detached groups and kneeling on the greensward round their priests, while the incense rose from a hundred rude altars, and the solemn music of the Mass floated upon the gale, and seemed to add a consecration to the cause. O'Connell stood upon a platform, surrounded by the ecclesiastical dignitaries and by the more distinguished of his followers. Before him that immense assembly was ranged without disorder, or tumult, or difficulty; organised with the most perfect skill and inspired with the most unanimous enthusiasm. There is, perhaps, no more impressive spectacle than such an assembly, pervaded by such a spirit, and moving under the control of a single mind. The silence that prevailed through its whole extent during some portions of his address; the concordant cheer bursting from tens of thousands of voices; the rapid transitions of feeling as the great magician struck alternately each chord of passion, and as the power of sympathy, acting and re-acting by the well-known law, intensified the prevailing feeling, were sufficient to carry away the most callous, and to influence the most prejudiced; the critic, in the contagious enthusiasm, almost forgot his art, and men of very calm and disciplined intellects experienced emotions the most stately eloquence of the senate had failed to produce." In Lord Lytton's poem "St Stephens," there is a powerful description of the scene—

"Once to my sight the giant thus was given,  
Walled by wide air and roofed by boundless heaven;  
Beneath his feet the human ocean lay,  
And wave on wave flowed into space away.  
Methought no clarion could have sent its sound,  
E'en to the centre of the hosts around;  
And, as I thought, rose the sonorous swell  
As from some church tower swings the silvery bell.  
Aloft and clear, from airy tide to tide,  
It glided easy, as a bird may glide.  
To the last verge of that vast audience sent,  
It played with each wild passion as it went;  
Now stirred the uproar, now the murmurs stilled,  
And sobs or laughter answered as it willed.  
Then did I know what spells of infinite choice,  
To rouse or lull has the sweet human voice.  
Then did I learn to seize the sudden clue  
To the grand troublous life antique—to view,  
Under the rock-stand of Demonsthenes,  
Unstable Athens heave her noisy seas."

At these tremendous meetings the good behaviour of the people was perfectly marvellous. They felt for the first time that they had a great leader, and confidence made them calm. O'Connell was an ancient prophet risen again; a Samuel to the people. The mighty gatherings chronicled in the days of that prophet were such as might have been seen on Tara's Hill or at Mullaghmast. We have spoken of the important events of this period at some length in our historical introduction, and cannot here go into farther particulars. It is fair to say that at this time, when the "Young Ireland" party was already in the field, O'Connell was the loyal opponent of sedition and violence. The people were already learning to march to the gatherings in military order, and O'Connell was wont to boast that he had about him the materials of an army as great as both the contending hosts at Waterloo. "But take heed," he said on one of these occasions, "not to misconceive me. Is it by force or violence, bloodshed or turbulence, that I shall achieve this victory, dear above all earthly considerations to my heart? No, perish the thought for ever! I will do it by legal, peaceable, and constitutional means alone—by the electricity of public opinion, by the moral combination of good men, and by the enrolment of four millions of Repealers. I am a disciple of that sect of politicians who believe that the greatest of all sublunary blessings is too dearly purchased at the expense of a single drop of human blood." But, notwithstanding such peaceable language, it was felt in England that if this mighty movement meant anything, the unyielding attitude of Sir Robert Peel, who said that though the whole Irish people united to demand it, he would never grant repeal of the union, and its own gigantic impetus must necessarily result in civil war. Accordingly, notice was given of a new "Arms Bill" for Ireland, which may be summed up as an Act for disarming the people. Other preparations were also made to meet a possible insurrection; the military forces in Ireland were increased, ships of war patrolled the coasts, barracks were strengthened and fortified. This shows that there really was an apprehension of what might result from the steadfast resistance determined by the minority to the demand of Ireland. O'Connell was deprived of the commission of the peace, and his open adherents in the magistracy were similarly dismissed. But the obvious intention of coercion which the words and acts of the ministers evinced was met by as stern a spirit by O'Connell. Alluding at Mallow to a cabinet council which had just been held, at which it was reported this policy was under consideration, he spoke thus:—

"They spent Thursday in consulting whether they would deprive us of our rights, and I know not what the result of that council may be; but this I know, there was not an Irishman in the council. I may be told the Duke of Wellington was there. Who calls him an Irishman? If a tiger's cub was dropped in a fold, would it be a lamb? But perhaps I am wrong in anticipating; perhaps I am mistaken in warning you. But is there reason to caution you? The council sat for an entire day, and even then did not conclude its deliberations, but adjourned till next day, while the business of the country was allowed to stand over. What had they to deliberate about? The repealers were peaceable, loyal, and attached—affectionately attached—to the Queen, and determined to stand between her and her enemies. If they assailed us

to-morrow, and that we conquered them—as conquer them we will one day—the first use of the victory which we would make would be to place the sceptre in the hands of her who has ever shown us favour, and whose conduct has been full of sympathy and emotion for our sufferings. Suppose, then, for a moment, that England found the Act of Union to operate not for her benefit; if, instead of decreasing her debt, it added to her taxation and liabilities, and made her burden more onerous, and if she felt herself entitled to call for a repeal of that Act, I ask Peel and Wellington, and let them deny it if they dare (and if they did not, they would be the scorn and by-word of the world), would she not have a right to call for a repeal of that Act? And what are Irishmen that they should be denied the same privilege? Have we not the ordinary courage of Englishmen? Are we to be trampled under foot? Oh, they shall never trample me at least. I was wrong: they may trample me under foot—I say they may trample me—but it will be my dead body they will trample on, not the living man.” The government increased its preparations; the meetings increased in immensity. At Tara, in Meath, the seat of the ancient kings of Leinster, the numbers amounted to four hundred thousand men. It was here that St Patrick preached to and converted the king and chiefs, and, as an illustration of the Holy Trinity, gave a national emblem to Ireland. The other, and the greatest meeting was held at Mullaghmast, also in the province of Leinster, and not far from Dublin. It was the scene of a perfidious massacre of Irish chieftains, who were invited to a banquet by the English Lords of the Pale. In the height of the wassail, troops which had silently been drawn round the hall burst in and murdered the Irish guests. It was here that the mockery was gone through of crowning O’Connell with a cap made on the model of the ancient Irish crown—O’Connell announced that he had arranged his scheme for the Irish parliament, and that the union was virtually annulled. The next meeting-place was on the verge of the capital itself, and also chosen with reference to its ancient associations. It was Clontarf, the scene of King Brian Boru’s victory over the Danes. This choice of sites, the bestowal of the mock crown, this language of a dictator, decided the government that the moment had come to meet and break the rolling billow, Agitation. And if it was impossible to yield, undoubtedly the moment had come. To a casual considerer it must appear strange that O’Connell failed to see what was coming, and the inevitability of his mighty bubble bursting, and that the larger he blew it, the nearer was the catastrophe. It has been doubted if a man of his enlightenment could have been honest and earnest in his pursuit, and if it was not merely following up a nefarious trade. If that, however, had been the case, he would never have allowed the agitation to reach to such a height; he would have kept it at that low fever, for which it is so hard to find a remedy. He had come unscathed through so many encounters with the government, and been successful for such a number of years in his evasions of the law, and had even found those who had procured his condemnation afraid to punish, that we need not be surprised at his belief in his own impunity and the powerlessness of any government to crush him. He fully believed that those vast multitudes whose roar



must have been in his ears like the hum of the ocean in a shell, would have risen up in a resistless tide, if the government were really rash enough to cast him into prison; and when actually imprisoned he made the most earnest appeals to the people not to do that of which they showed not the remotest intention, viz., making an insurrection to release him; this illustrates the belief he himself had entertained. The way in which Catholic Emancipation had been won and yielded made it not unnatural for him to expect history to repeat itself in this instance. He had the same men to deal with—Wellington and Peel. They had put the concession of emancipation on the ground that the alternative was civil war; much more apparently was that the alternative now. He forgot, however, that Peel had yielded not in reality to avert civil war, but he had used the threat of it to make his followers yield, and to justify his own conversion. For thirty years emancipation had been in truth beyond argument: it was a question upon which men spoke against time; it was as inevitable it should be carried ultimately as it was impossible that repeal could ever be carried. But, although all this be true, it was not for the leader of a forlorn hope to see the desperateness of the attack; the man who joins in the thick of fight can never be a good general. O'Connell always fought in the ranks, and although he knew what he wanted, and had consistent aims, he never saw far before him.

It was upon a Saturday night preceding the monster meeting arranged to take place at Clontarf, about an hour before dusk, that a proclamation was posted forbidding the meeting, and calling upon all whom it might concern to aid in preventing it. It was plain that government was resolved to disperse it by force, and O'Connell and the Committee of the Repeal Association made great efforts during the evening and night to turn the people back. In this they were successful; but the government was not going to stop at preventing this solitary meeting, but had laid its plans to bruise the head, and so paralyse the limbs of the Association—O'Connell and eight of his associates were immediately held to bail, to take their trial for "conspiracy and other misdemeanours." Possibly the government might not have gone on with the prosecution had the menace of it availed. O'Connell, however, scoffed at it; the approach of winter made it impossible to prolong the open-air meetings, but a great room, christened Conciliation Hall, was opened with much ceremony for the meetings of the agitators, and several of the Protestant gentry, including Mr Smith O'Brien, gave in their adhesion upon this occasion. The government consequently determined to proceed; and packed the jury to procure a conviction. This was done in the most unblushing manner. After eight months, from the holding to bail to the verdict, O'Connell and the others were found guilty. In the interval before being called up for judgment a great debate rose upon the trials. The whig party assailed the government for the unfairness with which they had been conducted, and the manipulation of the jury. On the other side, O'Connell was denounced in unmeasured terms as a "hoary criminal" and an "arch agitator." The most striking situation in the debate was when, after listening to its course for a week, O'Connell himself rose to defend himself, and arraign England, its government and history. With respect to the

prosecution, he said:—"I protest, first, against the nature of that prosecution. Forty-three public meetings were held, and every one of them was admitted to be legal; not one was impeached as being against the law, and every one of them making on the calendar of crime a cipher; but by multiplying ciphers, you come, by a species of legal witchcraft, to make it a number that shall be fatal. One meeting is legal, another meeting is legal, a third is the same, and three legal meetings, you say, make one illegal meeting. The people of Ireland understand that you may oppress them, but not laugh at them. That sir, is my first objection. The second is, the striking out all catholics from the jury panel. There is no doubt of the fact. Eleven catholics were upon the jury panel, and every one of them was struck out."

O'Connell returned to Ireland, and in May was called up to receive judgment, and sentenced to two year's imprisonment and a fine. From the moment that the gates of Richmond Prison closed upon him, his ancient power was at an end. The superstitious belief in his invincibility was gone: he was seen not, after all, to possess a charmed life. The idol was dragged down from its pedestal and treated ignominiously: it did not consume its desecrators, but submitted to this process like any other log of wood. O'Connell and his friends lived in the handsomest style in prison, and had levees of visitors; he wrote a weekly letter to Conciliation Hall: he especially entreated the people to keep the peace, and assured them that repeal was never so certain. But belief was gone, though affection grew warmer, and was evidenced by an immense increase of the Repeal Rent. Meanwhile an appeal was carried to the House of Lords, and the sentence reversed on the ground of the packing of the jury. This was the decision of Lords Denman, Cottenham, and Campbell; Lords Lyndhurst and Brougham were for rejecting the appeal. O'Connell was released and carried back to his house by the people in triumphal procession, and as he passed what was once the House of Parliament, in College Green, he rose up in the carriage and pointed to it silently amid tremendous cheering. But his career was over. He had found out himself that he could do nothing; he had overturned the catholic restrictions, because they were built on sand, but the Union was founded on a rock; in vain against it were his waves and storm of agitation. Hence, from his own want of belief in the success of the struggle, even more than from the shaken belief of the people in him, the agitation flagged. O'Connell spoke upon lesser topics, and little of repeal. He reproved the physical force party that was now arising, the "rash young men" of the *Nation* newspaper, as he called them; he denounced American slavery and deigned to criticise matters which were under the consideration of the British parliament. But with his hopes of the great cause, all seemed to fail; softening of the brain set in; he had nearly reached now the allotted age of man, and he had lived a life of great strain and excitement. Three months' imprisonment had shattered his remaining energies, and given a shock to his sanguine temperament, which it could not at his age recover. The shadow of the famine which was approaching, appalled him. Once again he stood in the English house, and in a speech free from all his faults—simple, strong, and pathetic—he warned and implored the aid of parliament. His voice was almost in-

audible, and the change in his appearance excited universal sympathy. The Queen sent to ask after him, and many old enemies came to inquire at his door. Mr. Lecky says :—" Another visit he received in those dark days which he must have valued still more—three of the Oxford converts to Rome came to assure him that it was his career which had first attracted their attention to the theology of his Church." He was recommended to travel in the south of Europe, and he formed a strong desire to visit Rome before his death. He did not succeed in reaching it, his death taking place at Genoa, May 15, 1847; but he bid them take his heart to the Eternal City, where it was placed in the church of St Agatha; his body he bequeathed to Ireland, and it rests in the cemetery of Glasnevin. Many years after a monument, in the shape of an Irish round tower, was erected over his grave. An eloquent monk delivered an *éloge* upon that occasion, in which he justly ascribed to O'Connell the changes, such as the disestablishment of Protestantism, which they had lived to behold in Ireland. "The edifice of religious freedom was to be crowned when the wise architect who had laid its foundations and built up the walls was in his grave. Let us hope that his dying eyes were cheered, and the burden of his last hours lightened, by the sight of the perfect grandeur of his work—that, like the prophet lawgiver, he beheld 'all the land;' that he saw it with his eyes, though he did not pass over to it; and that it was given to him to 'salute from afar off' the brightness of the day which he was never to enjoy. The dream of his life is being realised to-day. He had ever sighed to be able to extend to his Protestant fellow-countrymen the hand of perfect friendship, which only exists where there is perfect equality, and to enter with them into the compact of the true peace which is founded in justice. Time, which buries in utter oblivion so many names and so many memories, will exalt him in his work. The day has already dawned, and is ripening to its perfect noon, when Irishmen of every creed will remember O'Connell, and celebrate him as the common friend and the greatest benefactor of their country. What man is there, even of those whom our age has called great, whose name, so many years after his death, could summon so many loving hearts around his tomb? We are to-day the representatives not only of a nation but of a race. '*Quænam regio in terris nostri non plena laboris?*' where is the land that has not seen the face of our people and heard their voice? and wherever, even to the ends of the earth, an Irishman is found to-day, his spirit and his sympathies are here."

For our own part, in this necessarily most imperfect memoir of the great Agitator, we have endeavoured to keep to an attitude of impartiality; but in spite of early impressions, and the superstitious hatred which we can well remember to have felt, in childhood, to the name with which the land was still ringing, we must now fully admit the grandeur of his life as of a rugged mountain which we cursed in crossing it, but gaze back upon with admiration.



## THE RIGHT HON. RICHARD LALOR SHEIL.

BORN A.D. 1793.—DIED A.D. 1851.

O'CONNELL and Sheil were the two shining lights of the Roman Catholic association, who, by their genius guided it through the dark and almost hopeless years that succeeded the great peace to the consummation of 1829. In many respects they were the strongest contrasts to each other: in eloquence, the gifts of voice and presence, and powerful action in which O'Connell excelled, were just those in which Sheil fell short; his voice, always shrill, sometimes rose to a shriek; his person was insignificant, and his action though forcible, eccentric. But while his great compeer was eloquent on the inspiration of the moment, and bombastic and turgid when he prepared his speeches, Sheil never spoke without elaborate preparation, and then with a perfection of style and ornament, which were only marred by the former being too rhythmical and the latter too abundant. His arguments were well arrayed and condensed, but lost in force by the extreme beauty of form. At the same time his manner was earnest, and preparation did not in his case spoil the fire of the orator. O'Connell was an untameable politician; he was scarcely fit for the responsibility, and incapable of bearing patiently the trammels of office, while Sheil settled down, when the bar of 1829 had been crossed, into a regular soldier of the whigs, and finally an official. His polished speaking, though rather flowery, suited the House of Commons, when it had lost the inclination to laugh at his strange voice and action: his amiable nature endeared him; and what was considered and resented as impracticability in "The Liberator," did not exclude Sheil from being an accepted member of the party. Having in the previous memoir gone at some length into the history of the Roman Catholic cause, in connexion with one of its popular agitators, we are relieved from the necessity of going over the same ground, assuming that which is in common, and showing the man in relation to the cause, rather than the cause in relation to the man. Sheil's father was a successful merchant, and returned from Cadiz where he had made a large fortune, to purchase the beautiful estate of Bellevue, on the river Suir, opposite, but a little below Waterford. Here the subject of our memoir was born, and spent his childhood amid scenery well calculated to foster a poet. He has left on record the effect upon his mind of that charming river scene and the beautiful places that lay along its banks, Faithlegg, Snowhill, and where two other rivers join their waters to the Suir, the ruins of the Franciscan Abbey of Dunbrody. His father intended him for the Roman Catholic priesthood, and with a view to this, he was sent to a school in Kensington under a French Abbé, from this school he was removed to Stoneyhurst, and, the idea of making him a priest being given up, he was entered at Trinity College, Dublin, which, with a liberality far in advance of her English sisters, had opened her studies and honours, though not her foundations, to students of the illegitimate persuasion. Here he obtained several prizes, and became a distinguished member of

the Historical Society, which more than anything else has contributed to give Ireland a reputation for eloquence. At this stage he was thus described by a friend:—"His powers as an orator were yet very imperfect. His fancy was very vivid, and his speeches more remarkable for their display of imagination than of argument. His voice was weak and squeaking, and his manner very theatrical." Of these defects he was very sensible himself; and this consciousness produced that precipitancy of utterance which made his first essays, like those of Curran, to a great extent unsuccessful. In the mimic debates of the Society, he joined with an interest as great as if they had decided the most important practical issues. The same ferocity with which at school he rushed at the foot-ball when it crossed his path, in his ungainly eagerness, leaving it doubtful with which limb he would assail it, showed in the intellectual game of the debating club. One day, in crossing the Channel, his extreme anxiety and impatience at the slow progress was remarked by his fellow-passengers: as night fell, he became quite distraught, and on arriving at a late hour in Dublin, he abandoned his baggage to make a rush for the College gates before closing, in order to be in time to vote in a great party division which was to take place on that evening in the Society. His natural defects of voice and delivery, though they could not be removed, were greatly softened by diligent practice in this admirable training-school under the rough criticism of his equals; and from the habit of public speaking, his voice derived considerable strength. His vacations he spent at Bellevue; and on one of these occasions, at a fancy ball in Waterford, he gave an indication of his dramatic turn, by acting with great success the part of a French quack doctor. Such pleasant relaxations were soon, however, closed to him; his father had embarked a part of his fortune in a mercantile firm in Dublin, under the Anonymous Partnership Act, but he was misled by a dangerous smattering of legal knowledge, into supposing that under this Act his liability was limited. This turned out not to be the case; the firm failed, and he was completely ruined, and obliged to sell Bellevue to the family at present in possession of it for £28,000. He was barely left enough to complete the education of his sons, of whom he had, besides Richard, three younger. Of his eldest son he formed the brightest hopes; in the society of his father's house he had been regarded as a miracle; under the disguise of questions upon which he wished to be informed, he delighted to perplex his father's guests, to expose the shallowness of their answers, and bewilder them with facts and theories, which, without necessarily being true or sound, were far too recondite for country gentlemen and rustic priests. But at a very early age his talent displayed itself to better judges, and their opinions still further raised his father's expectations. At the early age of eighteen he made his first speech in public. It was at a meeting of the Catholic Association, and the subject under consideration was the despatch of a deputation to London. The course that Sheil rose to recommend, was that the deputation should consist of the Earl of Fingal and men of rank, whose position would make it impossible to everlook them. When he first rose, his youth,—although he looked far beyond his age—the carelessness of his dress, and a certain wildness of eye and manner, created an unfavourable impression, and the unknown youth

was heard for a few sentences with impatience. His manner, too, was abrupt, and the defect of his voice new to the audience; but some flash of light caught their attention, some slight applause assisted the speaker, who gathered firmness as he proceeded, and at the conclusion of his address he was loudly cheered. Some weeks later, he spoke at another meeting, at the Fishamble Street Theatre, and was much complimented: some good judges who were present confidently predicted that he would yet shine in parliament, and twenty years after their prophecy was fulfilled. He took his B.A. degree in 1811, and in the same year entered at Lincoln's Inn, where he studied for two years. Whilst there, he kept up his speaking in a debating club called the Eccentrics, of which Canning had once been a member. In this cooler atmosphere, his style was probably calmed and chastened. It would have been impossible for his ruined father to meet the expense of his residence in London; but fortunately he had an uncle living there who received him as an inmate of his house; and although his uncle's sour temper sometimes gave rise to disagreements, one of which very nearly put an end to the kindness on which the young man's future depended, they were always made up again, and "Uncle Dick's" continued to be his shelter until 1813. In that year he returned to Dublin, having determined upon the Irish bar; and he immediately took a leading part in the deliberations of the Catholic Association as a supporter of the vetoists and an opponent of O'Connell. To this line he adhered so long as the securities were in question, and in consequence attached to the aristocratic party and in opposition to the people. For this reason he did not win any of the popularity which was monopolised by O'Connell. At a decisive meeting where the two were pitted against each other, Shiel made an eloquent speech, but with such an audience he had no chance against the great Irish tribune. The boy of course went down before the man. O'Connell treated him as a youth, praised the "splendid talents" of his young friend, but "would proceed to unravel the flimsy web of sophistry which was hid beneath the tinsel glare of meretricious ornament." In 1814 Shiel was called to the bar, but he did not make the splendid burst into practice which his father expected. Indeed, although retained to make a great speech upon certain important trials, he never attained to the best practice, owing as well to his want of law as to his possessing a style of eloquence which did not answer with judges and attorneys. The splendid and ornamented style calculated to impose upon the understanding, displeases the sharp legal mind, which looks for arguments, and does not like to feel that it is being played upon. He rose to the dignity of a Queen's Counsel, when the disability was removed; but this honour was in recognition of his acknowledged genius, rather than of his rank in the profession. But though his father's expectations of him were destined to disappointment in the path in which he had destined his son to succeed, other and more intoxicating success soon came in another direction, which the old man was rather incensed at, as believing it partly accounted for the failure to win professional character. He composed a play entitled "Adelaide, or the Emigrants," in which he was so fortunate as to obtain the celebrated Miss O'Neil as the heroine of the plot. It appeared at



Crow Street Theatre, and was advertised as being composed by "a young gentleman of this city." Miss O'Neil's acting made it a decided success in Dublin; but it was not equally successful in London when produced at Covent Garden. An amusing account is given by a gentleman, who was called one Sunday, when the Sheils were at mass, into the house of an opposite neighbour to witness a decided case of insanity. Sheil had seized the moment for his dramatic labours, when his father, who was violently opposed to them, was out of the way. "The young dramatist alternately sat at a small table, where he wrote with astonishing rapidity, and then starting up, approached a full length mirror, clasped his hands, and seemed to recite with passionate earnestness what he had been composing." To those who had known him in the University, it was questionable what his genius would turn to; whether it would make him an orator or a poet. In this he resembled Grattan, whose acquaintance he had just formed. Grattan had been just such a problem at the same age. He resembled him, too, in another curious peculiarity—that of soliloquising. Once during his courtship with Miss O'Halloran, he was overheard holding the following discussion with himself in a passage of the Four Courts:—"Well, truly, admiration is akin to love; but is the kindred close enough with me? I think it is; but let me see; if she were now to die would it mar my future happiness? I am sure it would. Yes, I am in love, there's no denying it." The conclusion thus arrived at resulted in his marriage with Miss O'Halloran, who was niece to the Master of the Rolls. It was naturally supposed that the connexion would have been of advantage to the young barrister; but when Sir William MacMahon was asked to obtain a vacant commissionership for his nephew, he refused upon the ground of his dangerous democratic principles. Shiel used to say that he objected to the mortification of its being thought that he had gained nothing from his connexion with the Master; this would be an entire mistake, as he had once got a breakfast. In 1816 he began his play, "The Apostate," the plot of which was founded on the persecution of the Moors in Spain by the Inquisition. In thus holding up to odium Catholic persecution of paganism, he had probably the political aim of making persecution for religious conviction abominable. This play was produced at Covent Garden in 1817 with a powerful cast, including Mr Macready, Mr Young, Mr Charles Kemble, and Miss O'Neill. With such actors the failure of the piece could only have been due to its own weakness; it proved, however, a great success. Shiel was naturally in great anxiety as to the verdict, and after watching two acts, during which it was still in the balance, he retired to the green room, which he paced, listening for the distant sounds of the house. At length he asked one of the attendants, "Can you tell me, sir, when they generally begin to hiss tragedy in this house?" Presently, however, the thunders of applause which denoted a great dramatic ovation reached his ears, and as he returned to the house to receive the plaudits of the audience, successful life opened its bright vista before him. The copyright of this play was sold to Mr Murray for £300, and he received £400 from the managers. The next important event in his life was also a literary success, though not so complete as the previous one. It was the production, in 1817, of the tragedy of "Bellamira," or the Fall

of Tunis, founded upon an expedition in the reign of Charles V. against the Moors of Africa for the recovery of Christian prisoners. It was less profitable to the author than his play of the preceding year. A remarkable incident in the Dublin election of 1818 breaks again into politics the literary course of his career, and for a moment transforms the dramatic poet back into the orator. Grattan—whom he looked upon with the reverence of a disciple, somewhat, as we have observed, resembling him in character, and we may add in the defects and at the same time popular success of his eloquence—had been returned for Dublin in concert with Mr Shaw (the Recorder). The mob, with the mercurial fickleness which characterises the coal porters and “roughs” of the Dublin streets, had turned against the aged patriot, and was ready to stone the statesman, because he was not the furious tribune they would have had him to be. It had been the custom of his supporters to chair him through the town after each return for the city, and this was unfortunately attempted now, when he was under the gloomiest cloud of popular displeasure. The consequence was that the rabble nearly turned a somewhat ludicrous ovation, in which the greyheaded father of the country was swayed over the heads of the crowd through the concourse of the streets, into a martyrdom which, had it happened, would have been a remarkable incident in history. Many of Grattan’s friends were struck by the stone arguments which are so popular in Ireland, and, if the law permitted, would decide every dispute, and he himself was compelled to desert his chair or car of triumph and take shelter in a house. Here he was hotly besieged, all the windows broken and the door battered; when Sheil, learning the shame that was being perpetrated, with great courage made his way through the crowd, and reaching the balcony of a neighbouring house began to address the furious crowd. His appearance was then unknown, but the high-pitched voice and the curious figure attracted a strong attention; mob rage is always ready to turn into fun, and the tone of the orator promised sport. The effort was of course purely extempore, and it was not helped by the indignation the event that was passing before his eyes must have caused; for he spoke upon other topics, and the people listened; and there went forth a lightning over the crowd such as no other speaker of the day could produce, though O’Connell’s eloquence could smite it like a wind. He drew away the people from Grattan’s refuge, and in a short time effectually raised the siege. There could not have been a more complete triumph of mind over matter, which is essentially the orator’s triumph.

In the same year it had been suggested to him to make an adaptation of Shirley’s play, “The Traitor,” but on submitting the result to competent judges, he was advised to throw Shirley overboard and make an original drama of the new matter which he had introduced. The most striking portion of this was the statue scene in the third act, and it formed the nucleus of the most popular of all Sheil’s dramas, “Evadne, or the Statue.” There was in it scarcely any of Shirley’s material, and Sheil was fully entitled to the credit of original authorship, although he acknowledged his indebtedness by advertising it as “altered from Rivers and Shirley.” This drama was much praised by Leigh Hunt and other high critics; the author was acknowledged to be a complete master of the art of dramatic effect and powerful situation, and also to have great skill



in adapting his characters to the great actors and actresses of the day. He excelled in the mechanical art of play writing; but more must be said to do him justice. He was not a great poet, scarcely a poet at all; but he possessed amply sufficient of the poetic power and not too much, which is more fatal than the want of it, to make a successful dramatist. His poetical power was the poetry of prose, and was the orator's gift rather than the poet's, but from the continuous use of it in a poetic department, it became almost too florid for its own proper function by the time it was returned to public speaking.

The copyright of "Evadne," which appeared in 1819, was sold to Mr Murray for a hundred pounds, and fetched from the theatre £400,—a fair balance, it may be said, of its literary and dramatic merits. About this time he was successful in getting his two brothers into Indian appointments. The elder, Colonel Justin Shiel, was a distinguished public servant, and was appointed ambassador to Persia in 1838. The younger distinguished himself in some military actions. A third brother, Edward, entered upon a mercantile career and made a large fortune in Africa. Meanwhile he was at work upon a new drama entitled "the Huguenot," of which he had justly formed the highest hopes. The principal character was designed for Macready; Margaret for Miss O'Neil. But an unexpected incident prevented its production for the time. Miss O'Neil was removed from the stage by her marriage with Sir William Beecher, and no substitute could be found; for, as Shiel said, "there was only one Miss O'Neil." In consequence of this "Montoni" preceded it in representation, though subsequent in composition. It was not successful; but with the usual chequered fortune of playwrights, the next, which was a joint composition, was received with unbounded applause. His collaborateur in this was John Banim, who had already gained fame as a novelist, and had published some poetry tinged with genius. The young man submitted to Shiel a drama entitled "Damon and Pythias," and the result was that Shiel re-wrote a considerable portion, and introduced the dramatic strength which it was his peculiar gift to supply, and the combination and kindling of this with Banim's poetic thought produced a drama which fully deserved the enthusiastic reception received by it at Covent Garden. A misunderstanding between the authors, probably arising out of some want of clearness in the arrangement as to the distribution of proceeds, separated the two authors for many years, and prevented the admirable work that might have been anticipated from a continued partnership.

In 1821 Shiel plunged once more into the vortex of the Catholic Association. He wrote a severe criticism upon O'Connell, which drew forth a still severer retort. The Agitator drew in an amusing array the different inconsistent metaphors under which he was described by his critic, and made very good play with Shiel's flowery style. The onslaught of humour upon poetry is intensely disagreeable, and is felt by the poet to be unfair; it is like fighting Sir Geoffrey Hudson with a squirt. Shiel had thoughts of calling out his profane opponent, but on the advice of his friends let him alone, and returned to his drama. The interchange between these two thunder clouds was not therefore followed by the minor but more dangerous fire; and that it left no



grudge in Shiel's mind, was shown by the flattering portrait which he shortly afterwards drew of O'Connell in his sketches of the Irish bar. O'Connell was not a little anxious as to the treatment he might receive from his quondam opponent, and when he had read the sketch, which was one of those contributed to the *New Monthly Magazine*, he expressed his relief to a friend by saying they might now do what they liked with him. Such gratifying power belongs to the pen.

Shiel's next play, the "Fatal Dowry," appeared at Drury Lane, having been refused by the committee of Covent Garden. It had a great success on the first night, but this was spoiled by the illness of Macready after one representation. The play was founded upon Massinger, and is a very able adaptation of fine materials.

Shiel had the misfortune to lose his wife by a fever, shortly after the long wished-for birth of their first child, in 1822. This must have fulfilled the prediction of his soliloquy for a time; but a wound to the affections is like a hollow in water, it soon closes up; life depressed for a moment quickly returns to its level. Another blow followed of a different kind. The "Huguenot," of which he had formed such high expectations, was produced at Covent Garden with the drawback which afflicts all dramatists, in this day of many theatres and few great actors, an inadequate staff. Miss Kelly stood for Miss O'Neil; but this was by no means the worst. Macready did his best to have the play well got up at a short notice, for Shiel pressed it on impatiently; but one of the actors, a Mr. Abbott, who played in an important part, was insufficiently prepared, and made the rest nervous by his blunders and uncertainty. Another actor fell ill, and his place had to be taken by one unacquainted with the part. Some laughable impromptus made the house risible, and fatally effected the performance. The result of the first night prevented the sterling merits of the drama from being recognised at succeeding representations, and inflicted such a disappointment upon its author that he resolved to leave the ups and downs of dramatic life and soar into the real world.

The question of Veto and securities was now in one sense gone by. It no longer separated any section from O'Connell, whose wrath towards Shiel was no doubt quite appeased by the portrait which the latter had drawn of him in the *New Monthly*. A consultation of leading Roman Catholics of the hitherto disjointed body was held in Dublin, at which it was resolved to present a petition for inquiry into the administration of the laws in Ireland. Their unjust administering was the great clog upon O'Connell's not unconstitutional agitation, and upon all free action of the people. The law in Ireland intimidated, in a political sense, not only the criminal, but the freeman. The petition was drawn up by Shiel, and in the Lower House a great debate rose on Mr. Brougham's motion, that it should be referred to the grand committee on courts of justice. Peel, who made a fierce speech against the motion, excited a laugh by saying he would resist any reference of a petition, which he characterised as being "more in the declamatory style of a condemned tragedy than of a grave representation to the legislature." It was a time when the Roman Catholic agitators were obliged to use very guarded speech, and Shiel particularly was obliged to put a check upon the language he

had learned in tragedy, because he stood in the most exposed position, and there were persons in the highest station, for a reason that will presently be stated, in the highest degree anxious to strike him.

We have alluded in the previous memoir to the prosecution of O'Connell in 1824, for his praises of Bolivar, the South American revolutionary leader, whom he styled "the Catholic deliverer of a Catholic people." After the bill had been thrown out by the grand jury, Sheil made an eloquent speech upon the conduct of Plunket, the attorney-general, whose aid in the prosecution had been given very unwillingly. In the following year he was one of the deputation which proceeded to London claiming to be heard at the bar of the House of Commons against Mr. Goulburn's bill for suppressing political associations. Sheil, in common with the other members of the deputation, was much entertained by the Whig nobility. The following is a description of him by one who often met him in society :—"Though full of humour, there was nothing vulgar or boisterous in his mirth, and he carefully abstained from those personalities in which some of his countrymen are too apt to indulge. He was altogether free from religious bigotry, and pursued emancipation rather as a civil right than as a religious question. There was a playful archness about him quite consistent with simplicity and shrewdness. He was intensely social at this period, loved the pleasures of the table, and enjoyed the vintages of France. The impression that he made on me was, that he was a thoroughly amiable and good fellow; a little peevish occasionally in manner, but a man of sterling qualities and excellent heart." A meeting was convened at Freemasons' Tavern, with a view of giving the great Irishmen an opportunity of being heard in London. It was presided over by the duke of Norfolk, and there was a very large attendance, principally of English Roman Catholics, who were curious to listen to those men of whom they had heard so much. O'Connell spoke for three hours with great success, but when Sheil's turn came at the conclusion of this long address there was a considerable defluxion of the audience, and this, combined with the laxity of attention that follows the tenseness of an audience long upon the strain, put Sheil to the greatest disadvantage. His weak voice could not command attention in the confusion, and his speech gave but little idea of his real powers. Before his departure from London he was summoned to give evidence before a committee to inquire into the state of Ireland, and was called to account for a loose statement which he had made in one of his speeches. He had ascribed to government the question of an inferior clerk, as to the religion of a man who had greatly distinguished himself in a shipwreck, and was recommended for reward, as a proof of its bigotry and unfairness. Sheil justified it as "a rhetorical artifice;" but he had much better have acknowledged that it was one of those loose accusations into which men, whose object is to arouse popular indignation, are sometimes led by mistake.

After Sir Francis Burdett's resolutions had been carried in the House of Commons and thrown out by the Lords, with the famous declaration of the duke of York, that he would never consent to their passing, "so help him, God," Sheil took a very prominent part in the indignation which the event and speech caused in Ireland. He considered that some response should be made—that the glove thus thrown down should



be taken up by the people. His suggestions were that petitions to parliament should be adopted by every parish in Ireland on the same day, that a sectarian census should be taken to bring out the fact that 6,000,000 stood outside the pale of the constitution, and that simultaneous meetings should be held in every part of the island to show the strength and unanimity of the body. He thus commented at a meeting held shortly after his return, on the declaration of the duke of York:—"Shall Ireland be reconciled? was the question. 'Never!' said the heir to the British empire. He did not say, 'not yet,' he said, 'never'—and that is a disastrous word from the son and brother of a king who stands upon the steps of the throne (he spoke, indeed, as if he had reached the seat of royalty itself), and from that high station he pronounced a malediction, an anathema, against the Irish people; he gave as a motto for Ireland that dreadful inscription which Dante has told us was written upon the gates of hell, and bade us 'hope no more.' . . . We are willing to bind ourselves to the prosecution of this great cause by the most solemn adjurations that can bind us to God and man, and if heaven is to be invoked by princes for our degradation, let us offer up a counter invocation—let us bind ourselves to our country by a bond as holy as a prince's word, and swear that we shall at last be free by the dignity of human nature, so help us, God."

This was not his only rejoinder to the speech of the heir-apparent, but it would have been well for him if it had been. Meanwhile the Catholic Association was dissolved, and the New Catholic Association had taken the place of the old one. Sheil was now in the closest and most cordial relation with O'Connell, whom he rivalled in the number of his speeches, and far surpassed in the variety; for his flow of vigorous thought, of fresh language, and of felicitous illustration, which must have been veritable pearls before swine, to common audiences in Ireland, seemed to be perfectly inexhaustible. His speeches were nearly always finished off with perfection of the most careful written composition. This arose as well from his training as a writer, as from special preparation for each address. We have already, however, given an instance (Mr. Grattan's rescue) to shew that he was master of extempore eloquence, although he usually prepared; another proof was recorded by a friend who accompanied him to a public meeting at Wexford, where he proposed making his speech turn on the rebellion of 1798. His friend remonstrated, on the ground of the terrible memories still surviving in that part of the country; and although Sheil insisted that it was impossible to speak anything but what he had prepared, the speech which he actually made was entirely different, and one of the most felicitous he ever made. It is often the case that a speaker who has habituated himself to elaborate preparation, and has scarcely confidence to venture upon his legs except with this which shackles while it supports, could, if forced to throw it aside, command a far greater and more agreeable success. Sheil about this time escaped from the uproar of public meetings to pay a short visit to France. He there made the acquaintance of the Abbé Genoude, editor of *L'Etoile*, and interested the Abbé so much by his brilliant and epigrammatic account of Ireland, that he was asked to write a series of papers upon it. He was glad of the opportunity of thus attracting the influence of foreign public opinion to bear upon England, and the



command of French which he had acquired in early boyhood at Kensington school made him perfectly competent to the task. His articles attracted great attention, and were copied into many English journals. England is extremely sensitive of foreign opinion, while quite impervious to the opinion of her Irish dependency. The author of the articles in *L'Etoile* was unknown, and Sheil would have been wise both on his own account and for the effect they were intended to produce, to preserve his *incognito* to the end. This interval, which he employed in writing French, was one of relaxed agitation during the expiring hours of the parliament, in which it was of no use to press the Catholic cause. Great distress prevailed in England, and there were disturbances in many places, which some thought presented a good opportunity for Ireland to make her demands; but Sheil counselled a generous delay.

In the Waterford election he was counsel for Villiers Stewart, and animated with his own enthusiasm the great effort to overthrow the Beresford influence,—an effort which was successful chiefly through his ardent exertions. But in inducing the electors to assert their freedom, he brought down upon numbers of them the vengeance of their landlords, who might be said to hold their lives and fortunes completely at their mercy, and used their power as ruthlessly as if they had been grand Turks bow-stringing their slaves. All through the autumn Sheil exerted himself with all the ardour and amiability of his nature, to repair the ruin he had brought upon the forty-shilling freeholders of the county of Waterford, by collecting funds for their relief. His business was also becoming considerable as an advocate at the *Nisi Prius* bar. It may naturally be supposed that he had won great popularity in Ireland; he was asked to many public entertainments in recognition of his merits. At a public dinner in Westmeath he used some expressions about the duke of York, making an ungenerous allusion to his declining health, for which he was much blamed, but excused himself on the ground that he spoke under the inspiration of "the vintages of France," for which his Whig acquaintance had noticed his partiality. This admission by no means softened the fierce resentment which his speech caused in certain high quarters, nor slaked the thirst for vengeance which it had excited. On the duke's death, he afterwards endeavoured to make the *amende*, by pronouncing a complimentary *éloge* upon him at a public meeting, but neither did this lessen the desire that he should be overtaken with punishment. He was unconscious of this intense watch that was being kept upon him for an indiscretion of speech, and he continued his harangues as usual without any unwonted check upon his language. The duke de Montebello and some distinguished Frenchmen on a visit to Ireland were present at a meeting where Sheil delivered one of those speeches, and M. Duvergier d'Hauranne, who was one of the party, has left a striking description of the speaker, in which he compares him to Mirabeau, and says that for the hour during which he spoke, the man and his audience were one, and the effects which he produced from time to time were like violent electric shocks. The long-wished-for handle for a prosecution was at length supposed to have been found in a speech upon Wolfe Tone's memoirs, in which he seemed to commit himself to an approval of the actions and sentiments of the rebel. Plunket doubted that the speech

afforded a good ground, and of course was most unwilling to prosecute, but was pressed on by a powerful influence. However, by a rash admission of his authorship of the letters in *L'Etoile*, he roused the anger of his enemies to a still greater pitch, and afforded fresh material to their vengeance. The publisher of the speech on Wolfe Tone was ordered to give up the manuscript, and Sheil authorised him to do so, to save him from a prosecution. Sheil was now bound over to appear at the next Commission, and an effort was made to obtain an admission of the speech and acknowledgment of his authorship of the letters; but to this he was counselled to refuse his consent. Staunton the publisher was in consequence included in the prosecution. The approaching trial was viewed by Sheil without apprehension, and he eagerly expressed a hope that Plunket himself might prosecute, in order that he might "cut down Goliath with his own sword," by bringing up against him passages from his own speeches which were equally strong. This might not have availed; but as it happened, the inflexible fidelity of a reporter stood him in good stead. When the trial at length came on, the right was claimed for the defendant of deferring his plea to the indictment, which occupied forty sheets of parchment. The Solicitor-general offered to accede this act of grace, but it was claimed of right by O'Connell, and the claim was allowed by the court. Meanwhile lord Liverpool died; Mr. Canning succeeded him, and a *nolle prosequi* was entered. There was now the greatest hope and expectation abroad from the advent of this new minister. Sheil proposed that the meetings of the Association should be discontinued, that the Halyon might hatch its supposed egg in perfect calm. This truce was agreed to for six weeks. Public dinners were given to Sheil at Wexford, Waterford, Clonmel, and Drogheda. At the latter place, multitudes of people met him when he was miles away from the town and conducted him into it in triumph. A strong desire was manifested by the people, wherever he went, to make up to him for the late prosecution with which he had been threatened; and the demonstrations of affection and respect were greater than ever. An accident which might have been attended with fatal consequences but for the assistance of a noted Orangeman, obliged him for some time to retire from public life to nurse a broken leg. In this period of confinement he wrote his admirable sketch of Blackburn in the *New Monthly*. By the time he was able to return to public life, Canning was dead, and the hopes which depended upon him gone. The majority of the Wellington cabinet, in the proportion of seven to four, were said to be unfavourable to emancipation; but it was left an open question between the two sections. This was just the circumstance that made a renewal of the agitation a necessity. Yet Sheil opposed it as premature. The resolution, however, was carried to recommence it; but the Duke of Wellington having assented to the Test Act, was supposed to be loosening, and believing that in a short time he would come away from the immovable stand he had hitherto held against the Catholic claims, O'Connell was now in favour of holding back, but Sheil insisted on proceeding, as the Duke had made no promise of concession. The question was accordingly brought on, and carried by six; but this was not a majority to alarm the House of Lords. In a short time the

cabinet was purged of all the emancipators, and apparently the prospects of the Catholics were never so hopeless. But Mr. Huskisson shrewdly remarked, that now the Duke and Peel had cleared the cabinet of the interlopers, they would go about settling the question as a kind of family arrangement. And this prophecy was soon to be verified. The duke of Wellington expressed a wish in the House of Lords that the question should be finally settled, but he coupled it with the condition that the agitation should cease; a condition which Sheil, who had at one time been the friend of giving time, would not for an instant accept. The maxim on which his conduct rested was a wise one: it was to press your enemies when they are inclined to give way, but to let your friends alone when they are doing their best to help you. The agitation was in reality necessary to the duke as an apology to his friends and an argument to the king. With the changes in the cabinet came the startling event of the Clare election. We must not, however, re-enter upon this ground further than to follow Sheil's footsteps over it. He was the great influence in bringing about the contest. O'Connell would have let the new minister go unopposed. Sheil shrieked against it; and when the canvassing of the county of Clare began, he was the hero of the fight. In remote Irish half village towns, he made speeches that would have been thought equal to the best in St. Stephens. A very cultivated man, brother of Gerald Griffin the poet, thus describes one of these rustic displays:—"The speech of Mr. Sheil, which Gerald congratulates himself on having heard, was one of the most brilliant essays in public speaking ever witnessed. I had reason to know it was quite extempore. . . . Presently he appeared on the balcony; and, notwithstanding some disadvantages in voice and manner, delivered a speech of greater effect and power than any I ever remember. The streets were thronged to suffocation—the occasion was a great one—he seemed to feel fully its importance, and his language ascended with it. What he said on this occasion was never reported, nor do I think that any report would do it complete justice. I never saw anything like Gerald's rapture about it. He seemed to listen all through with such an eager attention, as if he feared lest a single word or sentiment should escape him. The moment Mr Sheil had retired from the window, he turned to a friend with his eyes sparkling and his whole countenance kindled with the utmost enthusiasm, and said, 'Well, did you ever in your life hear anything to equal that?'" After the Clare election, Goulburn's Act of 1825 having expired, the Catholic Association returned to its old shape, and that wonderful agitation commenced which attracted the attention of Europe. The viceroy was alarmed lest some spark should set fire to such a huge and at present harmless mass of inflammable material, and sought an interview with Sheil at his house in Leinster Street to discuss how this danger might be averted. Sheil was also of opinion, that the marching of multitudes with green boughs and in military array, though unarmed, was dangerous, and might lead to what no man could stop. He made a powerful speech counselling the Catholics to refrain from those menacing demonstrations which were rousing the Protestants into a counter organisation, while the minister folded his arms and watched the combatants approaching each other, and the



cabinet was like a box at a theatre, from which its inmates calmly watched the business of blood.

Again, in another speech he compared the conduct of the factions, forgetting in their animosity the danger to the country, to hosts contending so fiercely upon a battle-field, that they were not conscious of an earthquake by which the field of battle was shaken. The truth is, that Shiel knew very well that the outbreak, which an accident might produce, would only show the impotence of their hosts, and give an opportunity for stamping out the agitation. To keep their demonstrations within bounds was an almost impossible task, and all was lost if they failed. It was therefore considered wise to forbid them: and the Catholic Association passed a resolution to that effect on the 25th of September 1828, and this, which was followed by an admonitory address from O'Connell, was implicitly obeyed by the people. But as at the approach of justice, and at the voice of their shepherds, the people of Ireland sunk into an expectant tranquillity, upon the opposite shore the people of England began to arouse to the cry of "No Popery," and an agitation was commenced, which threatened to become as violent as that which had just subsided in Ireland. A great meeting was arranged to take place as a central event on Penenden Heath in Kent. Shiel, without allowing his plan to be known, determined to appear before this meeting, and make an appeal to its generosity and fair play. This intention he carried out, and although he could not obtain a hearing, he persevered in delivering his speech, and it was printed in full with the others. It was a very judicious and masterly address, and turned the meeting at Penenden Heath to a very different account from that intended by the promoters. In this speech, he first denied that he came to argue upon the mysteries of religion. "I do not know," he said, "whether there are many here by whom I am regarded as an idolater, because I conscientiously adhere to the faith of your forefathers, and profess the doctrine in which I was born and bred, but if I am so accounted by you, you ought not to inflict a civil deprivation upon the accident of the cradle. You ought not to punish me for that for which I am not in reality to blame. If you do, you will make the misfortune of the Catholic the fault of the Protestant, and by inflicting a wrong on my religion, cast a discredit upon your own. I am not the worst subject of my king, and the worst citizen of my country, because I concur in the belief of the great majority of the Christian world." He then reminded the Kentish yeomen, that the Catholic Alfred was the author of their common law—that it was the mitred Langton, with his uplifted crozier, confronted King John at Runnemede, and extorted the great charter—and by other memories of English history, argued that the Catholic faith was not incompatible with freedom. "False, I repeat it with all the vehemence of indignant asseveration, utterly false, is the charge usually preferred against the religion which Englishmen have laden with penalties, and have marked with degradation. I can bear with any charge but this—to any other charge I can listen with endurance: tell me that I prostrate myself before a sculptured marble; tell me that to a canvas, glowing with all the imagery of Heaven, I bend my knee; tell me that my faith is my perdition; and, as you traverse the churchyard, in which

your fathers are buried, pronounce upon those who have lain there for many hundred years a fearful and appalling sentence; yes, call what I regard as the truth, not only an error, but a sin to which mercy shall not be extended; all this I will bear, to all this I will submit—nay, at all this I will smile—but do not tell me that I am in heart and creed a slave: that my countrymen cannot brook. . . . I have heard it said that the Catholic religion was a persecuting religion. It was, and so was every other religion that was ever invested with authority. How easily I could retort on you the charge of persecution—remind you that the early reformers, who set up a claim to liberty of conscience for themselves, did not indulge others in a similar luxury—tell you that Calvin, having obtained a theological masterdom at Geneva, offered up the screams of Servetus to the God of mercy and love; that even your own Cranmer, who was himself a martyr, had first inflicted what he afterwards suffered, and that this father of your church, whose hand was indeed a guilty one, had, even in the reign of Edward VI. accelerated the progress of heretics to immortality, and sent them through fire to heaven.” He then reminded them of the agreement of all who, for the preceding fifty years, had conducted the business of their great empire. “Burke, the foe to revolution; Fox, the asserter of popular right; Pitt, the prop of prerogative, concurred. With reference to this great question, their minds met in a deep confluence. See to what a conclusion you must arrive, when you denounce the advocates of emancipation. Your anathema will take in one-half of Westminster Abbey: and is not the very dust into which the tongues and hearts of Pitt, and Burke, and Fox have mouldered better than the living hearts and tongues of those who have survived them? If you were to try the question by the authorities of the dead, and by those voices which may be said to issue from the grave, how would you decide? If, instead of counting votes in St Stephens, you were to count the tombs in the Mausoleum beside it, how would the division of the great departed stand? There would be a majority of sepulchres inscribed with immortal names upon our side.” Sheil received a great ovation on his return to Ireland, for having appeared with such resolution and success in the enemies’ country as the Catholic champion. The influence which he had now acquired, and which in council exceeded that of O’Connell himself, was turned to most valuable account, in carrying out the private advice of Lord Anglesea, who had become a complete convert to the cause, to suspend the Catholic Association. At two meetings at Sheil’s house, the question of suspension or dissolution was discussed. Sheil and the moderates at length carried the day, that it should be dissolved; as it was now obvious that there could be no withdrawal on the part of the ministry. It was little known how nearly, even at the last moment, Lord Eldon and the opponents of the Catholics had brought about another disappointment. Fortunately the Duke of Wellington showed himself firmer than Pitt. When the relief bill was carried, Sheil was enabled to give more attention to his profession, and he had now acquired as much business as he could properly undertake. The release from his Herculean toils in the Catholic cause was to him a most grateful one, and he showed himself to be one of those, who, having adopted agitation as a necessity, lay it down with satisfac-



tion, and are not easily entrapped into it for the remainder of their lives. "You cannot conceive," he said, "what a relief it is to be freed from the necessity of attending aggregate meetings." He had now a new ambition, that of entering parliament: it appeared as if he was still to be excluded from the inner bar, in common with several other distinguished Roman Catholic lawyers, who were entitled to silk gowns; this made Shiel anxious to append to his name one pair of letters, if not the other. If so happened, however, that he had an honourable opportunity of proving that, for him at least, the distinction of Protestant and Catholic was no longer kept up in the business of this life; he was sent a retainer to act as counsel, together with O'Connell, for Lord George Beresford, in his attempt to regain the family seat in the county. O'Connell drew back, afraid of losing his popularity; but Shiel refused to be dictated to in his professional engagement. By his zeal, and the confidence reposed in him by the Roman Catholic voters, the seat was won by Lord George, and it was probable that this service caused his past sins to be overlooked; for in 1830 he received the silk gown, in company with several more inoffensive members of the same persuasion, O'Connell being still excluded. In this year he formed a second marriage with the widow of Mr. Power of Gurteen, in the county of Waterford—a family said to have a good claim to the earldom of Tyrone, and which in the present generation has reverted to the uncorrupted name, de la Poer. Mrs. Power, who was the daughter of Mr. Lalor of Crenagh in the county of Tipperary, inherited a considerable fortune, and Mr. Shiel adopted the name of Lalor. Being now in an independent position, he determined to carry out his design of entering parliament, and stood for, but was defeated in Louth. He was fortunate enough, however, in the hour of defeat, to find a sudden and unexpected opening in Meath, by the retirement of Mr. Lawless from the contest about to take place; but the people were angry and distrustful at the withdrawal of one champion, and strange to say, he was advised not to stand, and did not. Probably the same circumstance that gained his silk gown, for the present excluded him from parliament. The interval between his defeat in Louth, and the opening by which in the following year he entered parliament, was spent in study; but shortly after the formation of the whig government, he was offered one of the Marquis of Anglesea's seats, Milborne Port, an offer which he accepted as the full reward of his labours in the Catholic cause. Shiel's first speech in parliament was on the second reading of the Reform Bill; he spoke after several nights' debate, but the house listened attentively, and upon some of the best judges he produced a very favourable impression indeed. Professor Wilson, in the *Noctes Ambrosianæ*, makes Tickler speak of him as "a very clever one, though not so effective as Macaulay," but he was doubtful if Shiel was not "the abler man of the two." He concludes, after a description of his defective appearance, redeemed by his splendid eyes, that it was impossible to listen, "without giving oneself up to the feeling that you were in the presence of a man of genius." Shiel was by no means satisfied by his comparative success, and was determined yet to do the "wonders" predicted of him, by carefully studying the taste of the House, and unlearning the taste of a Dublin aggregate meeting. His preparation of language and ideas



was careful, but he learned the knack of touching up his prepared speeches with happy extempore allusions to other speakers, which gave a freshness to the whole. He knew the value of facts choice and in season, and apparently gathered by the speaker himself, and he had the courage, which in men without good heads and strong wings would certainly be fatal, to make bold flights.

The rejection of the Reform Bill was followed by a dissolution in 1831. Sheil was urged to stand for Louth again, but twice declined, and determined to continue the member for Milborne Port. Finally he was induced to consent, having first secured his return for Lord Anglesea's borough, being assured that the latter would be disfranchised, and desiring the greater independence of a county representative. This time he was successful, and being returned for both places, elected to sit for Louth. Shortly after the commencement of the session he made a speech in favour of a poor-law for Ireland, in which he soared in one of his old circles of eloquence, and found that it was not only tolerated, but produced a great effect in the tame and prosaic assembly. It cannot be said that the creation of a system of poor-laws was popular in Ireland. Mendicancy was a great profession, for which there was high degree of genius in that country; the Irish beggar had a gift, and to be shut up in the workhouse was a terrible punishment for the crime of poverty. Then the alms-giving class was debarred from a pleasure and a duty, whilst the selfish and miserly were compelled against their will to rob the good of their monopoly of giving. The peculiar class, called in Ireland's later history "the patriots," had also reasons for denouncing the poor-law. Their opposition to it arose from the control it would give the government of the great mass of the poor, and the encouragement there would be to the eviction of the peasantry in the refuges thus provided—an objection extremely absurd, considering that the poor-rates fell upon the landlord. These various objections are easily met in the following passage from Sheil's speech; but they delayed the passage of the measure for several years, until it became an irresistible necessity. Describing the horrors of the wholesale evictions, upon which the poor-law of 1838 really imposed a heavy fine, Mr. Sheil said:—"Some lay down in ditches to die: others raised hovels for the purposes of casual mendicity on the brow of some hill in the public way; some retreated to excavations in bogs, and hewed themselves out a habitation in a morass; but the greater part found their way into the obscure alleys and lanes of ruinous districts in large cities. They swarmed in human clusters in garrets and in vaults; if you looked up you saw famine glaring from a sashless window in the attic of some ruined deserted house; if you looked down, you beheld it in a cellar, seated upon its bed of short and pestilential straw. There was no exaggeration in this. The committee report that the ejected tenantry suffered affliction which it was not in the power of language to describe. But this was called a state of transition. Call it famine, pestilence, death, and men would tremble; but call it transition, envelop it in the technical vocabulary of fiscal science, and a directory of economists will speak of it with the tranquillity with which a French philosopher would have expatiated on the process of regeneration which his country was undergoing through the sanguinary

celerity of the guillotine. But it was only justice to add, that at length men's hearts and eyes were opening. It was admitted that something must be done to alleviate those dreadful sufferings; science had relented, political economy had been touched, algebra was giving way to pity, and theorists and speculators were no longer heard amidst the cries of a nation that stretched forth its hands for bread." This strong picture was literally true, and supplied an answer to all the objections to a poor-law of selfishness, sentiment, or patriotism. Another great question, however, preliminary to all others, took up for a time the whole parliamentary field.

After the passage of the English Reform Bill, Shiel took a prominent part in opposing Stanley's plan for turning the tithes into a rent-charge, which he called providing them a sepulchre from which to arise in immortal resuscitation, and he was, with O'Connell, the principal stay of the Irish Reform Bill. His advice was, that the bill for Ireland should be identical with that for England. He argued that the Union had connected the two countries by a Siamese knot, which made it necessary for them to thrive or perish together; and that Irish nominees could not be suffered to mingle with English representatives of the people (which was rather a *petitio principii*); and that if Irish boroughs remained in the market when it had been cleared of English they would acquire a double value,—another doubtful argument. Notwithstanding all that could be urged, the Irish Reform Bill was but an abortive imitation, restricting instead of enlarging the liberties of the people. Shiel proposed several amendments in committee, but did not gain anything by them except increased reputation by his clever advocacy and condensed argument, sparkling with rhetoric.

For a long time Shiel had held aloof from the new agitation in Ireland. He had given up his popularity, and retired from the profession of an agitator. But as years rolled on, he saw the promises of emancipation unfulfilled. He saw the fact surviving the law of exclusion. In the repeal agitation he saw a lever by which to work on a government that had thought itself most magnanimous in keeping the promise to the ear, he therefore at length joined the Repeal Association, and was received back into the stormy arena with the applause due to an old favourite. He alluded to his part in the struggle in which they had been successful; his name had been linked with it, and he now linked it with this other cause. "To what a magnitude has repeal dilated—to what a vast stature has this question arisen! A few months have been sufficient for its rapid and gigantic growth. O'Connell on one side of the cradle, and Stanley on the other, have rocked the offspring of the wrongs of Ireland, and cradled it into strength,—the one by appealing to the instinct of the nation, the other by offering outrage to its pride—the one by applying all the useful stimulants which could be used with its generous feelings, the other by a series of the most exasperating offences that could have been designed,—they have, without any community of purpose, but by impulses in an opposite direction, excited a feeling of which, at the approaching elections, a most formidable demonstration will be afforded." After dwelling upon the provocations of the government, he asked, "How is a reformed parliament to remedy these evils? Not surely by persevering in the

same fatal policy, which must inevitably be the case unless the House of Commons shall be scared by the fear of repeal into the adoption of a juster mode of dealing towards Ireland. It is befitting that we should in the reformed parliament take a high and imperious attitude, and to press repeal, if with no other purpose than with a view to its avoidance, by extending justice to our country." This was the way in which Sheil viewed repeal of the Union; it were perhaps necessary that he should become orthodox in view of the approaching general election, but his orthodoxy was of the most moderate kind. He considered repeal a good cudgel; but he had too entirely adopted an English public career to have any real preference for College Green over Westminster.

The general election came on, and he was returned for the county of Tipperary at a considerable expense, owing to the menace of an opposition which was not offered. The first opportunity that Sheil had of taking up his new position with regard to repeal among the band of repealers that Ireland had sent over under the command of O'Connell, was in the debate on the Address. There had been a hint of more repressive measures for Ireland, and O'Connell having denounced the threat as one in reality against political liberty, Macaulay turned the argument upon the Union, and Sheil rose to reply. He took the line he had indicated in the association; he would not enter into controversy upon the Union itself: injustice had given rise to it,—the long experience of the vanity of looking for redress. Let redress be given, and the demand would fade away; but should it not be given, no argument would satisfy the people of Ireland that to look to anything short of repeal would not be folly. With not a Catholic judge on the bench, not a Catholic stipendiary magistrate, they were mocked by the imposture of equal laws which produced such unequal results. This was the general sense of his speech; the bill which was shortly after introduced added to its force. The bill for the suppression of disturbances was passed over the heads of a majority of the Irish members, and treated Ireland as a recently conquered country, giving the lord-lieutenant power over any portion or portions of it to deprive of rights and liberties, the inhabitants being subject to trial and punishment by court-martial. Sheil took an active part in the other debates of the session. On the bill for reducing the number of Irish bishops from twenty-two to twelve, a clause was struck out, to conciliate the opposition, which had been taken from his suggestion as to the disposal of surplus funds. His speech upon this was the most argumentative he ever delivered, free from all ornament, and distinguished by that dry and sterile height of masterly argument, from which quotation is impossible. This speech bore fruits in the following year. The motion at the time was negatived by 177 to 86. Sheil had now established such a position in parliament, and his talents and habits of thought had so much accommodated themselves to its ways, that he consulted with his friends whether he should not retire from his practice at the bar, and give himself up entirely to a political career. Receiving no decided advice—as indeed such decisions must depend mainly on personal inclination—he paid occasional visits to the courts for a year or two, and then having broken himself off his bar associations, wholly laid aside the gown.



We must now briefly relate the circumstances of a very painful ordeal, from which Shiel issued with perfectly untarnished honour, but not without, in the progress of the affair, the most intense pain to himself and others. A Mr. Mathew Hill made a public statement at Hull that an Irish member, who had voted against the late Coercion Bill at all its stages, had privately gone to ministers and told them not to bate one jot of the bill, though it was a necessity to him to oppose it in public; for that if it were not carried, "it would be impossible for any man to live in Ireland." Public attention was called to this speech by the *Examiner*; and after several members had applied to Mr. Hill whether he alluded to them, and had been answered in the negative, Mr. O'Connell brought it before the House, pronouncing his conviction that the story was a fabrication, but calling upon lord Althorp to say—first, whether such a charge had emanated from him or any other member of the cabinet; and, secondly, whether it was true that any Irish member had ever addressed to him or other of the ministers the private instigation in question. To the first of these questions lord Althorp returned an answer in the negative. "With respect to the second, he was prepared to say that, so far as he was aware, no Irish member, who voted and spoke against the Coercion Bill, had made such statement to a *Cabinet* minister. His position was, he felt, peculiar, but he thought he should not act a manly part if he were to answer the question short. He had good reason to believe that some Irish members (certainly more than one), who voted and spoke with considerable violence against the bill, did in private conversation use different language." Of course this confirmation of the assertion made by Mr. Hill gave rise to a scene of great excitement. Nothing rouses the attention of the House so much as a personal question, and this was one, considering the persons whose honour was engaged in it, of more than ordinary interest. Mr. O'Connell and Mr. Finn demanded if they were the persons inculpated, to which lord Althorp replied in the negative; but when Shiel put the same question, the reply, "the honourable gentleman is one," caused a great sensation. Shiel, after a short silence, rose and said, with dignity and a firm voice, "Having heard the statement which the noble lord has just made to the House, I beg, on the other hand, to declare in the face of my country, and if I may do so without irreverence, in the presence of my God, that if any individual has said to the noble lord or others that I gave any approbation of the Coercion Bill in private, he has belied me by a gross and scandalous calumny; but as the noble lord has put the statement on his own responsibility, I shall say no more." The consequence would probably have been a hostile meeting, and the Speaker was called on to interfere; and as neither party would give a satisfactory assurance, they were both ordered into custody; but on pledging themselves to keep the peace, they were released. After some consultation, it was resolved to move for a committee of inquiry, and O'Connell gave notice of the motion for the 10th of February. Of course the interval was a most agonising one to Shiel; he could not fail to perceive a cold shade gathering upon the world, the pained fidelity of his friends, the withdrawing of acquaintances, and the steady non-recognition of those whose acquaintance was doubtful. His intense sensitiveness and

anxiety of temperament made him imagine much that was never intended. Supposing that he was being left alone, he isolated himself; and it is impossible to say what would have been the effect of the despondency, caused by this indefinite charge, so hard to be refuted,—false as he knew, but apparently supported by witnesses,—had not a friend, whom he accused of an intention to cut him in the Athenæum club, seen the state into which he was sinking, and with the assistance of another friend, kept him up during several days, and restored the tone of his mind to manliness and self-possession. The 10th of February came, and O'Connell having put in a copy of the *Examiner*, Sheil rose and said that, before his friend proceeded, he would for a moment ask the indulgence of the House. He had no intention of interfering in the debate, but wished to repeat, "with the simple strenuousness of one whose conscience was pure, that he was innocent of the charge imputed to him." He demanded an investigation, and threw himself upon the candour and justice of the House. O'Connell then moved that the paragraph should be referred to the committee of privileges. This was opposed by Sir Francis Burdett, who moved as an amendment, that the House proceed to the order of the day. Expressing his full belief in Sheil's denial of the imputation, which, after all, had dwindled away and shrunk like a phantom from their grasp, he thought that it might befall any one to speak in private, and vote on a question differently, maturer consideration often accounting for the inconsistency; and he did not think that gleanings from private intercourse should be made the subject of public charges among gentlemen. The matter had gone too far, however, and become too formal to be dismissed so easily, and after a considerable debate, the committee of inquiry was carried by 192 against 54. A most impartial and weighty committee was then selected, including Lord Granville Somerset, Sir Francis Burdett, Mr. Grote, Mr. Shaw Le Fevre, and Sir Robert Peel. Mr. Grote was elected chairman, and afterwards drew up the report. Mr. Hill was first called, and whilst refusing to give up the name of his informant, asserted his ability to prove the statement by other witnesses. Two of them were called, and failed to substantiate anything against Sheil; and at the conclusion of their evidence, Sir Robert Peel said he thought it clear that there was an end of the case. Upon this, Mr. Hill declared "that he felt convinced that this charge against Mr. Sheil, of having directly or indirectly communicated to the government any private opinions in opposition to those which he expressed in the House of Commons, had no foundation; in short, that such charge was not only incapable of formal proof, but was, in his present and sincere belief, completely unfounded; that he had originally been induced to make mention of it in a hasty and unpremeditated speech, under a firm persuasion that he had received it on undeniable evidence; but that now, being satisfied of the mistake into which he had fallen, and convinced that the charge was wholly untrue, he came forward to express his deep and unfeigned sorrow for having ever contributed to give it circulation." The report of the committee completely exonerated Sheil; it concluded—"The committee have no hesitation in declaring their deliberate conviction, that the innocence of Mr. Sheil, in respect of the whole matter of complaint referred to in their investi-

gation, is entire and unquestionable. Your committee feel bound at the same time to express their full confidence in Mr. Hill's declaration, that the statement impeaching Mr. Sheil's character, was made by him at Hull under a sincere, though mistaken, persuasion of its accuracy. They derive this confidence as well from the tone of generous regret which characterised his communication at the close of their proceedings, as from the candid admission, and the evident anxiety to avoid all exaggeration and misstatements, which they have observed throughout his testimony, as he delivered it in their presence." On the reading of the report, loud cries arose for lord Althorp, who expressed his satisfaction at the result, and said that his informants, whose veracity was undoubted, might have been mistaken, and that if Mr. Sheil would come forward and say it was untrue, he would be ready to apologise. Sheil had already said so, and it had been established by an inquiry, so that he need not have made his apology conditional. As the exonerated member arose, there was applause from all sides of the house, and then deep silence, as he spoke in a voice which he found it difficult to command—

"I stood before this House a few nights ago with no other sustinment than the consciousness of my own innocence; I now stand before it with that innocence announced in the clearest and most unequivocal language by a committee composed of men themselves above all suspicion to the world. I do feel my heart swell within me this instant, and almost impede my utterance. Justice has been done me: it has been done not only by my judges, but by my accuser. He preferred his charges in the House, he reiterated them before the committee, and having gone into the evidence and failed, he then offered me the only reparation in his power, and with a frankness of contrition which mitigates the wrong he did me, he came forward and announced that, not only could he not prove his charge, but that he believed it to be utterly destitute of foundation. The gentleman having made this acknowledgment, then turned and addressing himself to me, in the tone and with the aspect of deep emotion, asked me to forgive him. I had, I own, much to forgive; he had wounded me to my heart's core; he had injured me and given agony to mine; he had committed havoc of the feelings of those who are dearer to me than my life, and to whom my honour is more precious than my existence. He had furnished to the secretary for the colonies the occasion of addressing me in the language and with the gesture of solemn admonition, and of pointing out the results of inquiry in the tone of prophetic warning. I had indeed much to forgive, but I forgive him. We have heard much denunciations from ministers respecting the disclosures of private discourse; and yet the Chancellor of the Exchequer, representative of the government, who entertained such a horror of a practice detested by all honourable men, is the very first to make reference to the babble of clubs, to declare his belief of information to which he gratuitously attaches an injurious importance, and to announce that he will not give up his author, but would take upon himself the responsibility. This defiance having been given, the House interposed: no resource was left me but to protest that I never expressed myself in favour of the Coercion Bill, and to demand inquiry. I insisted on it. The secretary



for the colonies, out of regard no doubt for my reputation, pointed out the probable results. His suggestions had no other effect than to confirm me in my purpose, and to make me call more loudly for trial; that trial has proceeded, my private conversation at a club-house has been given in evidence, and the committee have declared me innocent of every charge which has been preferred against me. Did I shrink from the ordeal? Did I resort to chicane? Did I make my honour a matter of casuistry and special pleading? No, sir; I invited, I demanded investigation; and my private conversation at the Athenæum club having been detailed—a conversation after dinner never recollected even by the narrator for eight months—the accuser declared that his charge was totally destitute of foundation, and the committee at once resolved on my unqualified acquittal. One of the informants of the noble lord was produced—why were they not all brought forward? My accusers were welcome to have got together every loose phrase, every casual and giddy expression, uttered in the moments of thoughtlessness and exhilaration; they were welcome to have selected and collected every sentence uttered by me in convivial gatherings, and to have raked and gathered the sweepings of club-houses, in order to have made up a mass of solid testimony, and to have cast into the balance against me; they were welcome to have put me through an ordeal, such as not one of the ministers themselves could encounter. Which of you all would dare to stand the test? Which of you all would have the veil of his privacy rent to pieces, and all his thoughts uttered in the familiarity of common life divulged? But they were welcome to have got together all his whisperers and eaves-droppers of all their clubs against me; I should have defied them. I was prepared with proof to be given by the most intimate and confidential friends, the men with whom I have lived on terms of familiarity and of trust for upwards of twenty years, the companions of my early life who know me as I do myself, and to whom my thoughts and feelings are almost as well known as their own. I should have been prepared with their evidence, and have established that, whenever the Coercion Bill was glanced at, I condemned it in terms of unmitigated detestation. I denounced it as a violation of every one of those principles of liberty of which the Whigs were once the devoted, but not unalterable champions. I did not once, but one hundred times, express my horror of the atrocities perpetrated in parts of the north of Ireland. I did say, that to put ruffianism down, something ought to be done; I refer to the suggestions made by the committee which sat in 1832, in the Queen's county, and which was composed of men of all parties; but never, I repeat with emphasis, into which heart and soul are thrown, never did I express myself favourable to a bill which I reprobated in this House, which I denounced elsewhere in terms of equally vehement censure; and if, in place of standing here, I were lying on my death-bed, and about to appear in the presence of my God, I should not dread the utterance of these words, if they were to be my last, to appear before him."

The policy of non-interference in the affairs of the continent was followed by the effacement of Poland, and the virtual dismemberment of Egypt. It was supposed that nothing could move England from this magnanimous position, and the emperor of Russia acted accordingly.

Turkey was left at his mercy, and he took advantage of that country's position to make himself master of all its rights. Turkey had sought the disinterested aid of England in vain, and had been thrown back into the arms of Nicholas and his subtle ambassador count Orloff, who, having stripped, promised to defend it. Mr. Shiel moved for copies of the treaties in a speech which showed that his mind was not merely possessed of one chamber, but that he could, besides being the representative of Irish wrongs, speak with the same command and eloquence upon European affairs. His speech is too long and connected to make any quotation from it; and as it was not a subject which needed adornment, there are no peculiarly sparkling passages which would be worth selection. He was supported by a first-class diplomatist who has lately passed away, Sir Henry Bulwer; and although lord Palmerston replied with his usual judiciousness, Sir Robert Peel said that Shiel's remained "an unanswered speech." After events proved it to be unanswerable; but the ministers put the denial of papers upon the ground of confidence, and the motion was negatived. We cannot follow Mr. Shiel through all his political life in parliament, which would extend this memoir to a disproportionate length. The action of the king in calling in the Tories on the elevation of lord Althorp to the Upper House, after the numerous modifications that the Whig ministry had undergone, led to a dissolution and general election, in which Shiel kept his seat for Tipperary. The new House met, and Shiel had shortly the honour of leading a successful attack upon the appointment of lord Londonderry as ambassador to Russia, a post to which, in respect of abilities and the views he had recently expressed, he was considered extremely unfit. In the great debate on lord John Russell's motion for appropriating the surplus revenues of the Irish Church establishment, Shiel made a telling speech; ministers were left in a minority, and after two other divisions, by which it was emphasised, Sir Robert Peel resigned, and lord Melbourne returned to office. Under the new ministry, the union was formed between Irish and English radicals, upon which we have remarked elsewhere. Religious equality and the extension of municipal reform formed the basis of it; and at a meeting held at the house of lord Lichfield, Shiel expressed a hope that the alliance might be cordial and compact; and this phrase being distorted, gave rise to the appellation of the "Lichfield-house compact," which was frequently used as a taunt in the following years. Shiel was the principal author and fosterer of this alliance, and there was nothing dishonest in its inception. He was himself shut out from office by his unfortunate duke of York's speech, spoken under the influence of "the vintages of France;" but as a leader of the section, upon the support of which the Melbourne ministry depended, and as an orator acknowledged to stand in the first rank, and as a man of fortune, and one acceptable in society, with the back-ground glow of an old literary fame, he had everything to compensate for exclusion from the labours of state, in the highest political consideration and a considerable exercise of power. He now became a regular party man; he entirely threw aside the character of a political Ishmael, which had never been congenial, but had been forced upon him by his position: he spoke with the applause of a great party, and rose upon its



stimulating influence into a higher eloquence and ease than he had ever before seemed the possessor of in parliament. He spoke on many subjects, but Ireland was still his first thought. In 1835 he drew attention to the spread of Orangeism; and shortly after a committee of inquiry was appointed, which showed it to be a confederacy extending through the army, and presided over by the duke of Cumberland, the reversionary heir to the throne. The projects of the society at that time were so ambitious, that the House voted an address to William IV., praying him to discourage its introduction to the army and elsewhere, and the reply declared the king's determination to take measures for the purpose. The society, which was supposed to have meditated another "great and glorious revolution," was declared dissolved by the duke of Cumberland. On the introduction of the bill for extending Municipal Reform to Ireland, Sheil made a fierce address to Sir Robert Peel—the author of an amendment—whom he accused of giving Ireland, in emancipation, "a key which would not turn in the lock." He reminded him of the punishment which Ireland had inflicted on his ministry, which it had driven out of office, and taunted him with a policy of anti-O'Connellism. He had not legislated for a people, but against a man. "Granting him a life as long as Ireland can pray for, and his adversaries can deprecate, will he not be survived by the statute-book? Have you made him immortal as well as omnipotent? Is your legislation to be built on considerations as transitory as the breath with which he speaks; and are structures which should last for ages to have no other basis than the miserable antipathies with which we are distracted?" It was not often that the polished invective in which Sheil excelled was directed against Peel or Wellington; Stanley and Lyndhurst were the foes he generally aimed at; but he never entered into the lists with the lesser heroes of debate. In 1836 he took an important part in the two unsuccessful efforts of his party—one to reform Irish municipalities, the other to settle the tithe question. In the following session the same questions were brought forward, and Sheil made his greatest speech on the first mentioned subject.

In this speech he is said to have produced an effect upon the House unequalled since Pitt's denunciation of Napoleon in 1804. The most eloquent passage was a reply to lord Lyndhurst's description of the Irish as "aliens in race, in country, and in religion." He appealed to the duke of Wellington to say how Catholic Ireland had fought in the peninsula—to Sir Henry Hardinge, who was sitting opposite; and as he repeated the word "aliens," he pronounced it in a tone and with a gesture towards lord Lyndhurst, who sat in the gallery, which had the most dramatic effect. A storm of cheers and exclamations made a confusion quite strange in the English House of Commons, and which lasted for several minutes. A large proportion of the members rose to look at Sheil and Lyndhurst, that they might see as well as hear. The speaker was at length allowed to proceed, and when he concluded with another splendid passage, the applause lasted long, bursting out repeatedly as it died away, and no one rose to speak for some time, until at last Sir Robert Peel, like one laying his hand on a ringing eirele, stopped the applause by rising to reply.



On the accession of Queen Victoria, a general election took place, and Sheil, after a severe contest, was returned for Tipperary by a large majority. The obstacle to his taking office was now removed, and lord John Russell wrote to lord Melbourne suggesting that his wishes on the subject should be consulted. This was accordingly done; and he expressed his preference for a political office, as he had so much forgotten his law that he would no longer accept legal promotion; he wished also that the office should be of a permanent nature, as his income was dependent on the life of Mrs Sheil; and he had felt so much the misery of poverty in early life, that he could never, he used to say, quite get the chill of it out of his bones. It was at first intended that he should have the office of clerk to the Ordnance, but a commissionership of Greenwich Hospital falling vacant, he preferred this position, although it was one of small emolument, on the ground of its permanency. He was afterwards, with laudable straightforwardness, informed by Sir Robert Peel that being held by a political partisan actually engaged in the parliamentary arena, he should not consider it in this light in the event of his acceding to office.

His position as a speaker was now established as second to none but lord Stanley, and his speeches were hailed as green spots in the sterile desert of parliamentary prosaicism. It was seldom, indeed, that he spoke without exciting the pulse of the House; and although the substance of his speeches was all carefully prepared, and it was only the slight turn and brilliant ripple caused by the influence of the moment that were really extempore, no man had ever greater power of putting life and enthusiasm into carefully prepared matter. On one occasion, when the Jamaica Bill was before the House, he ventured to speak without preparation. The disappointment at the want of his ordinary brilliance was soon shown by the inattention and consequent buzz of conversation which arose about him, and which soon obliged him to sit down. A few nights after, he wiped out the recollection of this failure by one of his most successful speeches. When, after a brief retirement from office, lord Melbourne's ministry returned to office, there was a complete redistribution of places, and Mr Sheil was made vice-president of the Board of Trade. In both instances his acceptance of office exposed him to the taunts and insinuations of the democratic press in Ireland. He was stigmatised as a "place-hunter," and looked upon as a man who had sold himself; but nothing could be more unjust than such imputations. His place in the government made no alteration in his speeches, votes, or private conversation; and it was an absurd sacrifice to expect from their brilliant advocate that he should participate in their political sulks and for ever exclude himself from office. The sneers directed against the pettiness of the Greenwich commissionership were not applicable to his new position, which, considering that he was born and bred an Irishman, and had, in addition to this birth-sin, neither fortune nor family, was an office that by its importance evidenced most extraordinary merits. In his new and very altered position Sheil had a large number of applications from friends and kindred, or those whom they recommended, for the exercise of his influence in the disposal of patronage. He was externally a very embodiment of the man-of-the-world; and when he

felt that he could be of real service to the applicant, did his best with sincerity, and cut short professions of gratitude and lengthened explanations. But when he did not consider there were claims, he was equally short and decided in an opposite sense. This made him many enemies, and caused him to be set down as worldly and selfish, qualities which could not be excused in a *ci-devant* tribune of the people, in whom a gushing and warmly sympathetic manner and nature, hail-fellow with every kindred vagabond not equally favoured by fortune, might properly be expected. On one occasion he had an opportunity of returning good for evil, of which he did not avail himself. Sir William MacMahon, uncle of his first wife, who had sternly refused in early days to procure an appointment for the young radical, wanted to retire from the Mastership of the Rolls on a full pension. He appealed to his influential nephew to promote this object, but was repaid in kind. Sheil said that his yielding to the impulses of family affection might be called a job. "I do not set up for a purist myself," he said, "but *my* sense of public duty, Sir William, must prevent me from having the pleasure of complying with your request." Although so much more worldly than Christian in this instance, he was never wanting in exertions to assist men of talent and desert, particularly the members of his old profession, literature.

In Ireland Repeal was lifting a bold and broad front. It caused more disquietude in Liberal than in Conservative counsels. The English Tory knew that the people of England could never consent to it, and that it would only tend to convert England to Toryism the louder grew the cry across the Channel. He heard it rise, so to speak, with a good conscience. The English Liberal, on the other hand, recognised in it a cross influence, tending to the division of counsels, the necessary abandonment of supporters by whom the Liberal ministry existed, or a still more important secession of supporters in the larger island. When Repeal should be pressed to an issue, it would be necessary to break openly with the Repealers, and this meant the loss of power. Sheil, it must be remembered, joined the Repeal Association with the candid admission that he would only use it as a threat to obtain another object. He was perfectly consistent, therefore, in offering a decided opposition to it in 1840 when O'Connell began to move on again. He was very desirous that Ireland should think more of practical politics than waste its energies on what the English Commons, in whom the decision rested, would rather die than concede. There was a great struggle then being waged over Stanley's Irish Registration, which tended to contract the county constituencies and make them more manageable by the landlords, and he grieved to see the great waves of the people flinging themselves forward upon vast impassable barriers, instead of rising up against this mole which was about to be erected against popular influence. But in parliament he still used the agitation, which he regarded as an abuse. He said in the debate upon the Registration Bill—"Persevere in that policy by which this measure has been prompted, and Ireland will soon be in a condition more fearful than that which preceded Emancipation. You will enter again into an encounter with that gigantic agitation by which you were before discomfited, and by which (for its power is trebled) you will be again overthrown. For all those

consequences that will ensue from the excitement which you will have wantonly engendered, you will be responsible. You will be responsible for the calamities which will gush in abundance so disastrous from the sources of bitterness which you have unsealed. If Ireland should be arrested in the march of improvement in which she has been under a Whig government rapidly advancing—if Ireland should be thrown back fifty years—if the value of property should be impaired—if the security of property should be shaken—if political animosities should be embittered—if religious detestation should become more rabid and more envenomed—if the mind of Ireland should become one heated mass ready to catch fire at a single spark; for all this you will be responsible." Lord Stanley's Bill was for that year defeated.

In 1841 several changes were made in the ministry, and Shiel exchanged the vice-presidency of the Board of Trade for the more congenial office of Judge advocate-general, for which he had a sufficient legal knowledge and a superfluity of ability. In point of emolument the change was an advantageous one, and it was not an unpleasing feature of the change that it brought him into communication with the Queen, even though the business of their interviews was generally relating to court-martials. He, however, perceived clearly that he was not likely to enjoy the change long, as it was obvious that Protection would in the first tussle be victorious. His object was to acquire a stronger claim for office when his party came into power again. In the general election which ensued, and which wrought such an overthrow for the Liberal party, Shiel wisely declined to stand again for the county of Tipperary, preferring to be returned for the borough of Dungarvan. The threats of disappointed place-hunters, and the ruinous expense of contested county elections, which fell upon his wife's estate, were the determining cause of his descent from the county to one of its boroughs. The expulsion of the government did not take him by surprise; in the debates upon Free-trade he took an important part, and although not at all likely to be an authority upon such a subject, as an eloquent exponent of it, his services to his party were invaluable. Mr. Cobden, who was not likely to be carried away by ordinary rhetoric, and who, from his great knowledge of the subject, would necessarily regard the materials of such an advocate as commonplace, thus describes his impression of Shiel's speaking in the Corn-law debates: "As I listened to his thrilling voice, and watched the quivering of his whole frame, it was impossible not to believe that he was thoroughly in earnest; it was not like any other man I had ever heard making a speech—he seemed to me like one possessed."

In 1842, Mr. Charles Gavan Duffy, since then an Australian premier, was tried for an article in the *Belfast Vindicator*; and not only was the jury compounded of Protestants, with only one safe exception, but Chief-justice Pennefather's speech was considered to amount to a violent and unjudicial attack upon the traverser. Shiel took up the subject warmly, and was extremely anxious that such a return to the old abuses of justice in Ireland should be properly exposed in parliament. He was not, however, able to do so, owing to the slackness of other Irish members, and the want of sufficient information. Circumstances were soon to bring him again, as a pleader, to appear



before the very judge he had been so anxious to put upon his trial. The Repeal year at last closed with all its wonderful tableaux in Ireland, and the O'Connell trial stood for the commencement of 1844. Sheil appeared for Mr. John O'Connell, the son of the "Liberator." An enemy which we have not before noticed, but from the attacks of which he had long been a sufferer, was the gout, and he was laid up with it for some weeks previously to the trial. It was during this confinement that he composed his great speech, preparing it with extreme accuracy, not on paper but in his head. When the reporters of the English press requested him to allow them to transcribe his speech, in anticipation of the trial, that a full report of it might appear with the proceedings, they were surprised to learn that only a few notes and memoranda of it existed. Sheil offered, however, to speak his speech for them, and actually delivered, with much of his wonted fire and vehemence, the whole of that lengthened address, almost identical in language and arrangement with that which was heard in court a few days after. The speech was written out and transmitted to London, and printed copies were in the hands of the reporters when Shiel rose to speak, and they read in their slips almost verbatim what he was speaking. We cannot give any idea of this speech by quotations; it was a very powerful political address, and as such effective, but the same jury-packing which he had been so strongly desirous of dragging to light on the occasion of Duffy's trial made all advocacy perfectly idle. He had shortly afterwards an opportunity of commenting on this abuse in the House of Commons. The panel was first mutilated and then purged, until the residuum of bigotry was arrived at, and this was called trial by jury. "The judge in 'Rabelais' held a dice-box, and threw alternately for plaintiff and defendant; but he did not load the dice." He commented with severity on the names of the witnesses on the back of the indictment not being given to the defendant; and on newspaper citations, which he was neither proved to have seen or sanctioned, being accepted as evidence against him. When we recollect that Sheil's main charge against the administration of the law in Ireland was upheld by the House of Lords, we must regard his denunciation as perfectly justifiable. There was a new Irish topic introduced by the proposal to establish unsectarian colleges in Ireland, and this scheme Shiel, consistently with the views which he had always enunciated on education, heartily supported. It was opposed by the other Roman Catholic members of the House, as well as by the high-church representatives of the Church of England. O'Connell gave the proposed establishments the nickname of "Godless colleges," and Mr. Gladstone withdrew from the ministry rather than support unreligious education. The position of Shiel was peculiar. Though a sincere Roman Catholic, a champion of his faith in public and private, and a regular attendant at public worship, he had once gone through a stage of scepticism; and this left him for the rest of his life in a somewhat different position to religion from those who had always believed blindly. When the education of factory children had been before parliament some years previously, and the necessity of teaching the State religion in State schools, which would have virtually excluded Roman Catholic children, Shiel made an eloquent appeal for their not being, on religious grounds, excluded from education. Although

in the bill introduced again in 1843 a special exemption was introduced to relieve Roman Catholics from the obligation to read the Scriptures, Shiel argued against the children of Dissenters being compelled to receive expositions of the Bible from Church teachers. He was much interested in the Oxford movement, by which the Catholic element in the Church was asserted, and often introduced allusions to it in his speeches and conversation; and on this occasion expressed his sense of the injustice there would be in compelling Dissenters to come under the new influence. His arguments always pointed to the solution of what is now called unsectarian rather than denominational education. He spoke of teaching children the "common truths of Christianity," and was therefore quite consistent in coming forward as the advocate of mixed and "unsectarian" university education. In vindicating his consistency, we do not, of course, adopt or pronounce an opinion upon his views. The establishment of colleges without a religious complexion he considered did not go far enough. Without disturbing the divinity school in the university of Dublin, he was in favour of throwing Trinity College completely open, and depriving it of its Church of England character. He would have preferred doing this to creating the provincial colleges. "Your provincial academies," he said, "will be marked with all the characteristics of mediocrity, which will only render the elevation of Trinity College more conspicuous by the inferiority with which it will be surrounded. How stunted and dwarfed the groves of our new academies when compared with the rich luxuriance of the gardens of Trinity! I had a thousand times rather you had applied your £18,000 a year to the establishment of new fellowships and new professorships in the metropolitan and national institution." Sir Robert Peel declared the impossibility of conceding more than this bill conceded, and his disappointment that the leading Roman Catholic member of the House should have put forward such unreasonable demands.

In 1845 a great affliction threw Shiel back from public life. His son fell into a consumption, and the climate of Madeira was recommended as affording a chance for the young man's life. Mr. and Mrs. Shiel followed their son, and they took a house near Funchal. In that wonderful climate, where life is enjoyable even to its last hours, and sets with the same clear and sudden dip with which the sun goes down in lands where there is no twilight between day and night, the young man's life seemed wonderfully sustained. But towards the end of the year the physicians gave Mr. Shiel no hope of him; it was at length revealed to the youth himself, and most painful scenes followed, which for a long time made a terrible impression on the father's mind. For months after the event he continued residing in Madeira in deep and gloomy seclusion. The news of Peel's resignation in 1846 roused him for a while, and thoughts returned of mingling in political life once more, and perhaps losing the spectre in the bustle and cares of office. The next mail, however, informed him of the failure of lord John Russell to form a cabinet, and he relapsed into his former apathy. Mrs. Shiel at length saw the necessity of awaking him from this state, and induced him to return to England. Sir Robert Peel was once more in office, opposed by Mr. Disraeli and the main body of his own former sup-

porters, and upheld by his own former opponents. Sheil returned to find a new Coercion Bill before parliament. He urged upon the Liberal party to unite with the Protectionists in driving the ministry from power, and eloquently reviewed the Irish policy of Sir Robert Peel. His speech had an effect on the House which speeches seldom have, and which in any other position would have been impossible; it had an important influence on the division. Sir Robert Peel was so much chagrined that next day he retired from office, and lord John Russell occupied his place. Sheil expected to return to the post of Judge-advocate, which he had held for so short a time in lord Melbourne's ministry. His friends considered that he had claims to be in the cabinet, and urged him to refuse the minor appointment if it should be offered him; but he was too well aware of the barrier of prejudice that formed an invisible hindrance in the path of those not born to wealth or greatness, and too considerate to his party to make this stand they wished. As it turned out, the mastership of the Mint, which was one of the principal offices of state, and sometimes held by a member of the cabinet, was reserved for him, and he was much gratified at this unsolicited promotion. The office of chief-secretary for Ireland was shortly after vacant, and it was understood that Sheil might have had it if he pleased. He felt, however, that there was no toleration in Ireland for a man who had raised himself to eminence without being rich; and he gave an amusing sketch of how all his actions would be criticised by the people of Dublin. In the general election of 1849 he again stood for Dungarvan, being opposed on Repeal principles by Mr. J. F. Maguire, editor of the *Cork Examiner*, and after a close contest was once more returned. He had of late seldom taken part in the debates of the House, not being asked to do so, and it was contrary to etiquette to speak unasked in the presence of the ministerial chief. He was much chagrined at his light being thus hidden; but when the premier was informed of the offence, he was frequently called upon to speak. The issue of the new florin with the omission of "*Defensatrix Fidei, Dei gratiâ*," was made the subject of ridiculous attacks upon the Master of the Mint, who, being a Roman Catholic, was accused of a subtle design to overthrow the queen's supremacy, or to imply that the nation's religion was *Fides*. Sheil had no difficulty in repudiating sectarian motives. He quoted the precedent of the silver coinage struck at Calcutta, and "reminded the House that the title had been conferred by the Pope on Henry VIII. for having written a book in defence of transubstantiation. It had come to mean simply head of the English Church, a dignity which he trusted the sovereign would never cease to enjoy. And with regard to the words *Dei gratiâ*, no one could be more prompt than he to acknowledge that a queen adorned by so many virtues was a special gift to her people."

Sheil's parliamentary career closed in 1850. He had desired to be in the cabinet, but this wish was plainly not to be attained. He saw titled mediocrity ride in the ascendant, and he felt about his own neck the clog of an unpopular religion. His wife's health was failing, and he desired to exchange his official sinecure for diplomatic employment. By the death of Sir George Hamilton, the post of minister at the court of Tuscany became vacant, and it was offered to and accepted by



Sheil. He had still a prospect of many days before him, although the gout, which he had constantly battled with the dangerous virtues of colchicum, had much weakened his frame, still his intellect was as active and his speaking as eloquent as at his best. Leigh Hunt, who had been his early critic, and later on had owed to him his pension, saw him a short time before his departure for Florence, and thus described the impression left by their only interview:—"I then saw before me one of the little great men of whom one reads so often in history, and I thought how well, in spite of time and the gout, his conversation answered to the idea given of him by his speeches—I mean as to life and freshness—for he did not affect anything rhetorical. I little thought so much vitality was about to be extinguished, and this in the genial South." Sheil's life at Florence was uneventful; but he took the most perfect delight in the treasures of art with which he was surrounded, and which revived all the springs of poetry in his nature. There was an unworthy disposition in the diplomatic body to sneer at one not regularly introduced into the profession, and an expectation that his deficiency in the punctilio and etiquette of the little artificial court would give fine scope for amusement at his expense; but this soon proved to be an entire mistake. Sheil was simply himself, not an awkward imitation of the regulation ambassador; and his knowledge of French and Italian enabled his wit and geniality to tell in his favour. The only transaction of any importance in which he was engaged with the Tuscan court was relative to the arrest of an Italian nobleman for reading a Protestant version of the Scriptures. Sheil, both as the representative of England and as a man radically opposed to religious persecution, interfered effectively in Count Guiccardini's behalf. The count called upon his benefactor before leaving Florence and had a long conversation, in which he found the minister thoroughly acquainted with the Scriptures, from which he quoted many passages. "He seemed to me," said the count, "to be deeply impressed with sentiments of piety, devotion, and love to God; and when I heard that he died only four days after my interview with him, I was much pleased that I had known him, and I felt convinced that, through the true Christ, he had entered into life eternal." Mr. Charles Phillips relates a most interesting conversation with Shiel, in which he stated that he had carefully examined the evidences of religion, and had left no infidel book of note unread; the result was his solemn conviction of the divine origin and entire truth of the gospel revelation. To such a man sudden death, though few would have the confidence in their own preparedness to desire it, was after all far preferable. The news of the suicide of his son-in-law, Mr. Power of Gurteen, gave a shock to his enfeebled system. Mr. Power was a general favourite, a rival of the marquis of Waterford in daring horsemanship, and in the full prime of his life. We can remember to have seen in childhood one of his reckless feats at Gurteen; and a severe fall received in attempting a mad leap, inflicted some injury on the brain, and made him subject to excitement from very slight causes. The estate of Gurteen was somewhat encumbered; and the inconsiderate pressure of a creditor acted upon his mind, and made him, obviously under the influence of insanity, destroy his own life. Mr. Sheil felt the shock personally, and through

his wife. It brought on a sudden attack of gout in its most aggravated form, and in one hour after being seized he breathed his last. His body was, by his own desire, brought back to Ireland, and was interred at Long Orchard.

THE REV. THEOBALD MATHEW.\*

BORN A.D. 1790.—DIED A.D. 1856.

FATHER MATHEW'S work, in converting to temperance a generation of his countrymen, shows what a wonderful effect may be produced by a single voice lifted up in the world. Ireland was one of the most drunken countries in the world. The gentry had set the example of hard drinking, and the peasantry at a humble distance, as their means permitted, followed the example of their betters. The Roman Catholic clergy, a strong-headed class, though not intemperate, set no example of abstinence. Wakes, funerals, "patterns," and fairs were scenes of universal intoxication. Whisky was the wine of the country; adulteration added to its strength; a poor diet, to its potency. The peasants, fed exclusively upon potatoes and milk, were overpowered by a glass or two of the vitriolic liquor, which, acting upon their excitable nature, caused furious faction fights. Worse results followed than broken heads; the miserable poverty of the country was frightfully exaggerated, and the *morale* of the people lowered. The great apostle of temperance, who changed all this, and the effect of whose work still remains in the permanent elevation of the people, converted the majority of the nation to total abstinence. He had to deal with the most religious, and otherwise moral, people in the world, and this, of course, facilitated his mission; but yet the sudden conversion of a drunken to a sober country by the eloquence and enthusiasm of a single man, is one of the most remarkable facts in the history of morals. True, the people were being raised simultaneously by another great voice, and the moral resurrection was helped by the political. But when every detraction has been made, Father Mathew's achievment remains almost a miracle.

Theobald Mathew was the fourth son of James Mathew, a relation of Mr. Mathew of Thomastown Castle, afterwards lord Llandaff. James was adopted by his rich relation, and became, it may be assumed, a sort of unpaid steward to lord Llandaff; and his son Theobald was born at the castle. The boy grew to be a great favourite with their patron and his family; he was a constant companion to the lady Elizabeth, and acquired the manners, as he had the blood, and the appearance of a perfect little gentleman. It was natural that such a child should also be his mother's pet, and his intense devotion to her, which made him prefer her company to the sports and expeditions through the woods of his brothers and sisters, acquired for him the usual nicknames applied to children who are fond of the society of their

\* This and the following memoir, although of ecclesiastics, properly belong to the social and political division of this work. The importance of Father Mathew's life was social; of Dr. Doyle's, political.

elders. At the same time, he was a great favourite with the other children, over whom he had a peculiar influence, which became more acknowledged when he was devoted for the priesthood. He was extremely good-natured ; and nothing gave him such innocent delight as to use his influence with the good mother to give the materials of a childish feast, at which, on their return home, he received his rougher brothers and his sisters with great hospitality and bland dignity of manner. Though grave and studious, he was far from a gloomy boy ; on the contrary, he was a cheerful and delightful companion, and his face was very beautiful.

In course of time, the undefined position which he held at Thomastown Castle made James Mathew desire from his patron a large farm which was vacant upon the estate. He was made the tenant of it upon easy terms, and allowed the additional privilege of pasturing his cattle in the wide demesne, which extended over 2000 acres. It was the time when, owing to the war, farmers were making their fortunes, and Mr. Mathew, it may be supposed, with such advantages, was not slow in becoming a prosperous man. A family of twelve children, however, was growing up around him, and he was not sorry to accept from his rich relative an offer, won by the engaging qualities and high promise of Theobald, to place him at a first-rate Roman Catholic school in Kilkenny. From this school he was removed to Maynooth, and after the usual course was ordained. The following story is told by Mr. Maguire of Father Mathew's first sermon.

"He read and explained the gospel of the day, which proclaims the startling announcement that it is more difficult for a rich man to enter the kingdom of heaven than for a camel to pass through the eye of a needle. His principal auditor of this his first sermon was a village magnate and millionaire, Mr. Scully, considered to be one of the richest men in Tipperary. This rural Cæsus was much struck by the discourse, which was not a little enhanced by the singularly youthful and interesting appearance of the preacher, who rightly explained that it was not the possession of riches which was culpable in the sight of God, but the disposition or use made of them. Mr. Scully was a very large as well as a very rich man, and meeting the preacher at breakfast, he expressed his personal acknowledgment thus—'Father Matthew, I feel very much obliged to you for trying to squeeze me through the eye of a needle.' The old gentleman was at that time corpulent enough to have blocked up the Camel's Gate of Jerusalem." Mathew's voice was harsh, shrill, and weak ; but the intense earnestness of his manner, and the easy way in which his discourse flowed from the warm and pure fountain of his heart, made his sermons most telling with rich and poor. Later in life his voice strengthened and deepened with long practice, and the greater confidence he had acquired as a public speaker.

Kilkenny, where he had been educated, was the scene of his first mission. He attached himself there to the Capuchin order, which was the poorest and smallest in Ireland, but which his humility preferred on that very account. The chapel of the order, which previously had been poorly attended, soon became crowded to its utmost capacity. Father Mathew was always a great favourite in the most important function of a Catholic priest—that of a confessor and director. Parti-



cular priests acquire the same sort of reputation that is gained by a skillful physician of the body; and in advising in spiritual matters, and those concerns which lie upon their border, and upon which Catholics consult their priests, and in healing souls which were sick, none was considered more successful. The consequence was an immense increase of labour. From five o'clock in the morning until night the young friar was often in the confessional, with only brief intervals for necessary food. Surrounded by crowds of penitents waiting for their turn to be heard, and closely besieged by this unsavoury crowd, fresh from their various occupations, he listened to the monotonous disclosures, and gave wise advice, rebukes, and exhortations.

There was at this time great jealousy entertained by the secular clergy of Ireland towards the different orders of monks and friars, who were probably more active than the parish priests, and put them to shame with their parishioners, besides usurping much of their functions, and causing a pecuniary diversion of a still more grievous kind. In fact, this feeling rose so high that the interference of the Holy See became necessary. Time has since shown that the jealousy was unfounded, and that offerings have increased instead of diminished where the Regulars have established themselves; but at the time of Father Mathew's mission in Kilkenny the Capuchins were forbidden to celebrate mass at Easter, which is the time of offerings. A false complaint was made, that he had infringed this rule, and he received in consequence the bishop's inhibition whilst pursuing his daily avocation, and surrounded by a crowd of penitents. He bowed at once to this harsh act of authority, and told the people to go to their other clergy; but although the charge was easily disproved, he determined to leave the diocese, where he had been thus condemned without a trial. The bishop soon deeply regretted his rashness, but nothing would induce Father Mathew to forego the removal he had determined on.

He was transferred to a small chapel in Cork, in which he became the assistant of Father Donovan. The latter had narrowly escaped the guillotine during the Reign of Terror, having been actually brought out to execution, and seen several of the same tumbril-loads beheaded, and only at the last moment been rescued by an Irish officer, who rode forward, prompted perhaps by some instinctive recognition of a fellow-countryman, and asked if there were any Irish amongst the condemned. Father Donovan shouted, with an accent in which there was no mistaking the county of Cork, that there were seven of them. They were ordered to stand aside, and by the intercession of the officer released from their perilous position. Father Donovan was now a man advanced in years, and of rather a harsh and passionate disposition; but the gentle goodness of Father Mathew, who shared the cockloft in which the friars lived over their chapel, soon mastered his bad temper, and they became the most attached of friends. The elder priest had devoted himself to consoling the last moments of men in that terrible position from which he himself had been so wonderfully rescued. The Draconian code was still in force, and executions were of frequent occurrence, and followed so rapidly on the sentence, that the priest did not usually leave the convict for the day and night that intervened. Father

Donovan, besides devoting himself to such trying consolations, was in the habit of gratifying the intense desire of the dying men to appear in a clean shirt, in order to "die decently," as they expressed it, and the priest was often in consequence reduced to his last shirt. We are led to suppose that the Friary chapel was in a neglected condition, and but little frequented in the sole charge of this good but eccentric priest. A great change came over everything connected with it soon after the arrival of "your young apostle," as Father Donovan's friends termed his assistant. The beautiful soul spread beauty around it; the altar assumed all the splendour that Catholics, who look upon it as God's throne, desire to invest it with. Neatness and pious care were visible in all the interior of the chapel; and in course of time the cockloft, where the friars lived, was restored to its original use as an organ loft. Shortly after Father Mathew's arrival, his chief returned home one day with an ecstatic air, and declared that the wish of his heart was at length gratified, and that he had secured an organ which there was no trouble in playing, as it was only necessary to turn a handle and the instrument played of itself the *Adeste Fideles* and the Sicilian Mariners' Hymn in the most beautiful way, and those sacred pieces might be introduced with great effect in the mass. Sunday came, and the two pieces mentioned delighted every one in the simple congregation; but unfortunately the third tune was in startling contrast with the other two; at a most solemn moment the lively strains of "Moll in the Wad" filled the chapel with incongruous sound and the simple priest with horror. In 1820 Father Donovan died, and his young assistant was then able to carry out his own views more completely. It was during the deep impression which succeeded his companion's death that he one evening fancied himself to have been audibly tempted by the devil. Though fond of giving parties to his friends, and ready to drink with them himself, and to pass the decanter freely, he was always strictly temperate, and never sought the nepenthe of his woes in the bottle. As he sat gloomily over the fire, a still voice said to him, "Father Mathew, that cognac in the cupboard is delicious. You have not tasted it. Why don't you try it?" The idea suggested having possession of his mind, and the supernatural character of the whisper not for the moment occurring to him, he replied audibly, "Tea is much better." "But you did not taste the cognac; it is delicious—only try it," replied the voice. "No; tea is much better," sturdily asserted the Father; and then, becoming aware that he was holding a dialogue with some invisible interlocutor, he sprang up in alarm, and almost ran to the house of Dean Collins, to whom he stated what had occurred. The parish priest confirmed his opinion that it was a temptation of Satan, and next day the cognac was given away to a friend. This was a sort of shadow of the future.

Father Mathew became known as a preacher. His heart was the book from which he read his sermons. His Passion discourses were almost as realising of the great event of time as a wonderful dramatic representation. He seemed to stand with those at the foot of the cross; he was terribly affected himself, and cries and sobs broke from his audience as he described the sufferings of which he seemed to be a witness. In preaching for charities he was wonderfully successful. On



one occasion, like the celebrated Dean Kirwan, preaching for the orphans, he burst into tears as he pleaded for a Magdalen society, and described, with Irish pathos, the fall of a young girl to whom he had been a father in religion, and the result was similar to that great collection at St. Peter's in Dublin. In the confessional, also, the young Capuchin became a well-known director of souls; he was sought by men coming from great distances; and in Cork the jily lamp-lighters, the sailors, and the carmen crowded about his confessional. He took the deepest interest in the young; he could scarcely restrain his emotion in administering to them their first communion; and he took the greatest pains to keep them out of evil. For this purpose he established a literary society for youths, and acquired the influence over them which a loving heart and a genial manner never fail to attain. He frequently took them out with him on expeditions into the country; and was fond of giving entertainments to his boys, of whom a large number were attached to his chapel, and assisted in the services. The boys of the Josephian Society, as it was called, worked amongst the poor, as they grew up, distributing relief, and reading and praying with the sick, and teaching the catechism. With the assistance of a number of good ladies, he established a school for girls, in which about five hundred were taught needlework and the elements of education. Another work of his in Cork was the establishment of a Catholic cemetery, formed on the old Botanical Gardens. The difficulty which was made to the Roman Catholic clergy performing their service in the Church of England burial-grounds suggested to the peace-loving mind of Father Mathew that the best way to avoid discord was to have a cemetery of their own. In the midst of the beautiful grounds he reared a great cross, overshadowed by a real cedar of Lebanon, and under this shadow the founder himself is buried. One of the earliest monuments erected in this cemetery was one to his brother Robert. He was a boy of the greatest promise, and resided with Father Mathew, who had the most intense affection for him; but at the age of sixteen he had such a thirst for adventure, that his brother thought it best to let him have his way, and he accompanied his brother Charles on a voyage from which he never returned, being carried off by sunstroke in the Bight of Benin. For a long time Father Mathew continued in a state of heart-broken grief, in which only the strong arm of religion prevented him from sinking.

It is obvious that the offerings which he received at his chapel must have been very considerable to enable him to incur such heavy expenses as the schools and cemetery involved. He was also most munificent in his charity, often giving anonymous help; and he was most kind to young priests, and in many instances his liberality enabled promising young men to enter the priesthood, and many valuable recruits were thus obtained for his own order. When fever and cholera visited Cork, all his means were at the disposal of the sick poor, to whom he also gave his personal attendance day and night. In the terrible visitation of Asiatic cholera, he spent, by his own choice, the hours from midnight to six o'clock in the morning in the temporary hospital, not only ministering to the patients, but keeping an Argus eye upon the nurses and attendants. One night, on returning to the



ward of a man to whom he had just administered the last rites, he found the bed empty, and was told that the patient was dead already, and had been taken away to the dead house. Not believing that the change could have passed so suddenly, he hastened to the dreadful scene, where the half-intoxicated attendants were wrapping the corpses in tarred sheets, and thrusting them into their coffins. Father Mathew insisted on the young man's being uncovered, and great was his emotion and joy when he found that his heart still beat, and that he had saved him from being buried alive. In a few days the patient was well, and thanked the priest for his life. In such good works many years of ministerial life passed, and Father Mathew had reached his forty-seventh year before entering upon the work which has made him famous as "the Apostle of Temperance." The cause had already been advocated for a considerable time in Cork by a Church of England clergyman, a Unitarian, and a Quaker. It was not likely that such heterogeneous allies would make much way with the Roman Catholics of Cork, and their success had indeed been very limited. William Martin the Quaker was always entreating Father Mathew to come to their assistance. "Oh, Theobald Mathew, if *thou* would but take the cause in hand!—*Thou* could do such good to these poor creatures!" Such appeals were made to a tender conscience, in which no voice that he believed *might* be divine was ever unheeded or silenced. As an instance of this, one morning, after several hours of labour, he was leaving the chapel for breakfast, when four sailors came to make their confessions. The priest was tired and hungry, and told them that the hour was passed, and that he could not hear them. As they went away, a poor woman plucked him by the sleeve, saying, "They may never come again." Father Mathew ran after them, and heard their confessions; and he afterwards thanked the poor woman, "through whom," he said, "the Holy Ghost had spoken to him." The entreaty of William Martin the Quaker now seemed to be this voice to him, and long and deeply did he ponder it in his mind, and seek for guidance by prayer. There was much Roman Catholic prejudice to be divested from his own mind, much of the same to be encountered in others; and while he had much doubt as to the propriety of his, as an ecclesiastic, giving himself over to the advocacy of a single morality, he had still graver difficulties in making up his mind to co-operate with men whom he regarded as teachers of error on a platform consisting of only one plank. He had also many doubts whether it could be right to preach the entire giving up of what God had bestowed upon man, and even in a marked way sanctioned the use of. Was he to preach against the moderate use made of wine and spirits by all those whom he respected and loved? Was he to assail the great brewing interests, and the publicans, who were his friends and supporters? Even his own family would be injured by his success. Was not the sovereignty of strong drink too great to make more than the feeblest impression upon it? And if so, failing in the task, he would only have destroyed his influence for good in its legitimate province; and, besides, given up the great object of his life, which was to build a church to God. At last, however, his doubts cleared up; the way lay before him, not quite plain, but sufficiently so to determine him to enter it. A meeting was

called together in his school-room, at which he took the chair, and when he had made a short speech, in which, to the great delight of the veteran teetotallers present, he declared his adherence to the cause, he advanced to the table, and crying out, "Here goes, in the name of God!" signed the pledge. The effect of their own most popular priest taking it up and forming a society of his own, immediately drew the attention of the Roman Catholic populace, who would have nothing to do with it while it was a Protestant movement. The meeting became so large, that the loft was no longer considered safe, and a friend of Father Mathew's procured him the use of the Horse Bazaar, a large covered space capable of holding 4000 people, where for many years the meetings were held, and hundreds of thousands of converts were made to temperance. In three months from the day that Father Mathew signed, 25,000 names were enrolled; in nine months, the number swelled to 156,000, and as the movement grew its increase became still more rapid. Cork became a place of pilgrimage, to which thousands came, many of them on foot from distant counties, to see Father Mathew, to be counselled and advised, and to take the pledge under him. He never allowed one of those weary pilgrims to leave his door before they had partaken of food, and, if necessary, been supplied with the means to regain their homes. These spread abroad the fame of Father Mathew, and the movement which he headed: but the expense was very heavy, and soon involved him in debt to the amount of £1500. The amount of misery and squalor that floated up about him soon made him as firm in the faith of temperance as William Martin himself, who was delighted to be called "the Grandfather of Temperance." Scores besieged his door every evening, particularly Saturday and Monday, to have the pledge administered, many smelling strongly of whisky. Often a mother or wife would bring an unwilling son or husband in this condition, and just as the captive was effecting his escape, Father Mathew would come upon the scene, and lay hold of him with a cordial greeting, as if he had come of his own accord, "Welcome! welcome! my dear! Delighted to see you. Glad you are come to me. You are doing a good day's work for yourself and your family. You will have God's blessing on your head. Poverty is no crime, my dear child; it is sin alone that lowers us in the eyes of God. Kneel down, my dear, and repeat the words of the pledge after me, and then I will mark you with the sign of the cross, and pray God to keep you from temptation." With these words, and with the pressure of a hand, the magnetic power of love, the man would be pushed down upon his knees and take the pledge. The effects of this great movement soon became openly apparent: order and quiet reigned in the streets; dissipated and haggard-looking faces became rare; greater comfort prevailed amongst the artisans, and their children were more regular and clean at school. Crime also was sensibly diminished, and the police court almost deserted. Employers bore testimony to the better attendance and work of their people. Temperance rooms were established, in which the working classes were able to meet, with the comforts of a bright fire, a newspaper or friendly discussion, without the accompaniment of intoxicating drink. Four years after the inauguration of the movement, Father Mathew thus spoke of its origin and progress:—



"This great temperance movement which we witness was not lightly thought of by me; it was not the result of a sudden excitement; it was not the impulse of a moment that induced me to undertake the share I have had in it. I pondered long upon it: I examined it carefully; I had long reflected on the degradation to which my country was reduced—a country, I will say, second to none in the universe for every element that constitutes a nation's greatness, with a people whose generous nature is the world's admiration. I mourned in secret over the miseries of this country; I endeavoured to find out the cause of these miseries, and, if that were possible, to apply a remedy. I saw that these miseries were chiefly owing to the crimes of the people, and that those crimes again had their origin in the use that was made of intoxicating drinks. I discovered that if the cause were removed, the effects would cease; and with my hope in the God of universal benevolence and charity, reposing my hopes in the Omnipotent, I began this mission in Cork, with the cordial assistance afforded me by people widely differing in creed, and particularly by members of the Society of Friends in that city. Four years have passed away since the grain of mustard seed was sown; many perils were encountered; many objections had to be met; misrepresentation had to be combated; opposition had to be faced. I went on, notwithstanding all. The grain of mustard seed grew by degrees into that mighty and majestic tree which has overshadowed the land, and under whose peaceful and protecting branches we are met this evening."

In December 1839, Father Mathew went on a mission to Limerick, on the invitation of the bishop, Dr. Ryan. The news of his visit spread far and wide through the surrounding country, and almost the whole male population for a long distance round, besides multitudes from still farther away, crowded into the streets of Limerick, which soon became choked with the innumerable concourse. No conjecture could be made of the number who came to meet the missionary, but some idea may be formed of it from the fact, that in the three or four days of his sojourn he took the pledge from 150,000 people. To provide for the wants of the multitude surpassed the resources of the large and prosperous city, and provisions went up to famine prices. All the public rooms were thrown open to shelter the people at night. Mr. Maguire says,—“Father Mathew's reception was such an ovation as few men ever received; indeed, still fewer had ever excited in a people the same blended feeling of love, reverence, and enthusiasm. Though with a serious and solemn purpose in their minds, the people rushed towards him as if possessed by a frenzy. They struggled and fought their way through living masses, through every obstacle, until they found themselves in his presence, at his feet, listening to his voice, receiving his blessing, repeating after him the words which emancipated them, as they felt, from sin, sorrow, and temptation.” The next visit was to Waterford, which was the first city to invite him by its Roman Catholic bishop. Many of the people of Waterford had actually made their way to Cork to take the pledge, and some gentlemen had proposed to raise a subscription to send those who wished to go on cars. Dr. Foran very sensibly thought the best way was to bring Mahomet to the mountain. The invitation was willingly accepted, and the same scene was repeated



in Waterford. In a few days 80,000 people had taken the pledge in Waterford.

This tremendous crusade in which he had embarked by no means made Father Mathew forsake his priestly functions. He returned to Cork at Christmas, and spent some time looking after his flock and strengthening the temperance organisation in Cork, and then went out again on a three months' mission. An eye-witness relates the strange impression produced upon him by Father Mathew, when he attended the great meeting at Parsonstown. It was necessary to draw up in front of the chapel a large force of police, infantry, and cavalry, to keep off the immense multitude that stretched far away as the eye could see, fluctuating with the various impulses of their excitement:—"Within the vicarial residence, and in strong contrast to the stirring scene without, sat the mild, unassuming, but extraordinary man, round whom had collected this display of martial pomp and numerical force. He seemed perfectly unconscious of the excitement he had produced, and spoke and acted as if he regarded himself as the least remarkable man of the age." When Father Mathew was known to be in any town or country place, the people threw aside their employments—the plough was left in the furrow, and men, and women, and children rushed forward, breathless and fatigued, to take the pledge. "Standing on a stone seat under a venerable ash tree—now more venerable than ever," says a Roman Catholic clergyman who had asked him to spend the day, "he received in this small town, without any previous notice having been given, 7000 or 8000 souls." In March 1840, the Apostle of Temperance was ardently welcomed by the Roman archbishop, by whom he had been ordained, thirty-six years before. It had commonly gone abroad, from the habit that is so strong in Ireland of exaggerating, that the happy effects which were predicted to those in ill-health, who should become total abstainers, were miraculous cures which he had the power of working. In consequence, there were brought to him great numbers of sick and infirm to whom he could not deny his blessing, although he repeatedly declared in public that he had no power to work miracles. The charge of being an impostor—a worker of false miracles—was one of those many charges brought against him from time to time, and from which his proud and sensitive nature suffered much sharp pain. Accusations that he made enormous sums of money, to enrich himself and his family, by the sale of cards and medals; that he encouraged licentiousness and profanity by his temperance soirees and institutions, and many other imputations, probably originated in the trade which his success necessarily injured. It was honourable, however, to the publicans, distillers, and brewers of Ireland, that, in general, they not only abstained from injuring or opposing the cause, but even subscribed largely and supported it warmly. Very different, indeed, was their conduct from that of the London publicans, who, when Father Mathew visited England, continuing the mission to his countrymen outside their country, organised mobs to interrupt his meetings, and even made gratuitous distributions of drink to the jeering crowd. There was not the restraining influence of religion in England.

Father Mathew always rejoiced more in gaining a priest or student

than in many lay converts, because he knew that with the pastor, so great is his power over the people, he was gaining his whole parish. He therefore determined to pay a visit to Maynooth College, and was received in that important school of Roman Catholic divinity with extraordinary enthusiasm and veneration. In that hall, where he addressed the students, he stood at the fountain-head of the moral and spiritual future of millions. We must make a brief extract from the testimony of one who was present:—"I had the good fortune to be present in the great hall of the college when the professors and students knelt down with edifying humility under the inspiring eloquence of an humble priest. The scene was majestically grand; it threw back the mind upon itself; it drew forth in full light all that is high and all that is amiable in the Irish heart; and to a day dreamer, like myself, recalled in tender recollection the memory of other times, and looked for a while like their revival. On an elevated bench which extends along one side of the quadrangular room, stood the Apostle of Temperance, 'reasoning of justice, and temperance, and judgment to come.' . . . The words of wisdom which he uttered were followed by deep emotion—they won the heart and subdued the judgment. No pen can describe, and none but an eye-witness can conceive, the stirring effect produced on a thoughtful spectator by the appeal of Theobald Mathew—the conflicting emotions of joy and astonishment in his audience, and the thunders of involuntary applause that greeted each new accession of converts as they moved deliberately forward in successive files, and with eager emulation, to the arena of virtue and heroic self-denial." The converts among the people of Maynooth numbered 35,000: and within the college 8 professors and 250 students registered promises in heaven of perpetual abstinence. During the same year he paid a visit to Carlow, and was invited to the college, where almost the whole body of students joined his society. Never since the eloquence of Dr. Doyle astonished the company gathered to hear the first address of the odd-looking professor had such a sensation been created within those quiet college walls. A number of the ecclesiastical students were publicly received in the cathedral, in presence of an immense congregation, and took the pledge before the high altar. On this occasion great numbers of sick and crippled people were brought to receive a benediction, which was believed to effect the miraculous cures already referred to. An eye-witness says, that although Father Mathew disclaimed all such power, there were many extraordinary cures wrought, at all events for the moment, by the power of faith or imagination:—"In many instances, by a sort of preternatural effort, cripples were seen casting away their staves and crutches, as no longer needful; whilst they walked erect or nearly so, to the great astonishment of all present, Protestant as well as Catholics. In those instances pious ejaculations resounded through the cathedral, both from the afflicted patients themselves, and from the crowds that flocked around them, within and without the sacred building. For any restoration of this kind, Father Mathew invariably requested the people to give all praise and glory to God, under whom he was an unworthy instrument, permitted to exercise the duties of the holy ministry, and to effect only what he believed to be a great social reformation." Our

own opinion is, that in a country where the religious charity of the people created an enormous supply of impostors in the way of cripples, there may have been some of those that threw away their crutches whose recovery was as much a humbug as their lameness. The difficulty which Father Mathew experienced in the different places which he visited was not to make converts, but to stop making them. On this occasion, having remained with the people to the last moment in the cathedral, after several days of superhuman labour, the hour came for his departure by the mail coach; leaving off his vestments, he crossed the park at a run, but as he went was obliged to keep administering the pledge to a crowd that ran with him; and when they arrived at the place where the coach was impatiently waiting, the vehicle was imbedded in a dense mob, from which it had to be rescued by the driver, as a huntsman saves the trophy of the chase. The mail was once delayed for five hours on the road, while the pledge was being administered to a multitude in which the coach was firmly wedged. A striking testimony was borne by the Lord-lieutenant of Ireland about this time to the effects of the temperance mission. Lord Ebrington said:—"To the benefit which the temperance pledge has conferred upon Ireland, in the improved habits of the people, and the diminution of outrage, his excellency bears a willing and grateful testimony." When this official testimony of approval was attacked in the House of Lords by a bigoted Irish peer, several other high testimonies were borne by other peers well acquainted with Ireland. The earl of Devon observed, that the change had been effected "by perfectly legitimate means and legitimate exertions, and was as little connected with fanaticism, with party, or with appeals to religious feelings of a peculiar character, as could be imagined." The statistics of crime in Ireland afforded conclusive evidence of the good effects of Father Mathew's mission, and at the same time demonstrated how large a proportion of crime is caused by drunkenness; the diminution would of course appear most in unpremeditated crimes. The number of homicides, for instance, fell from 247 in 1839 to 105 in 1841. Assaults on the police diminished by one-third. The decrease in other kinds of crime showed that the people had become more orderly and law-abiding: for instance, the offence of "rescuing prisoners," which was represented in 1837 by 34, had no return in 1841. Robberies diminished in the same interval from 725 to 257. The total number of offences of various kinds committed in 1839 was 12,049, and it gradually decreased year by year until 1845, when it had fallen to 7101. This is quite sufficient to show the enormous social reformation that Father Mathew had effected in Ireland. How infinitely grander and more conducive to the happiness and progress of the nation was the life of this humble friar than that of the greatest political agitator or reformer! External laws can never work such a reformation as man may work in himself. The ingenuity of legislators is in vain to check crime or to improve society, while such a large proportion of it spends much of its leisure in artificial madness or imbecility. Of course, no statistics can measure the improvement in the condition of the people, the greater comfort, and the better food and clothes, and the increase of self-respect and of happiness in the mutual relations of families and



of neighbours. We may quote, as a complete description of the change, by a contemporary, the eloquent words of Dr Channing :—

“A few years ago had we been called to name the country of all others most degraded, beggared, and hopelessly crushed by intemperance, we should have selected Ireland. There men and women, old and young, were alike swept away by what seemed the irresistible torrent. Childhood was baptised into drunkenness; and now, in the space of two or three years, this vice of ages has been almost rooted out. In the moral point of view the Ireland of the past is banished—a new Ireland has started into life; 5,000,000 of her inhabitants have taken the pledge of total abstinence; and instances of violating the pledge are very, very rare. The great national anniversaries, on which the whole labouring population used to be dissolved in excesses, are now given to innocent pleasures. The excise on ardent spirits has now diminished nearly a million sterling. History records no revolution like this: it is the grand event of the present day. Father Mathew, the leader in this moral revolution, ranks far above the heroes and statesmen of the times. However, as Protestants, we may question the claims of departed saints, here is a living minister, if he may be judged from one work, who deserves to be canonised, and whose name should be placed in the calendar not far below apostles. And is this an age in which to be sceptical as to radical changes in society, as to the recovery of the mass of men from brutal ignorance and still more brutal vice?”

We must say, while entirely agreeing with this high estimate of the man, and differing from his Church, that the incredible success of the temperance cause was quite as much a triumph of the Roman Catholic Church as a triumph of the instrument by whom it was brought about; and we do not think it affords any analogy for Protestant countries, where the ardour of faith, which renders a people malleable in the hands of a divinely commissioned reformer, is entirely wanting. In measuring the success of Father Mathew by statistics, it must be remembered that some deduction is due to another cause. It is well known that in times of great political excitement and agitation there is a great diminution of ordinary crime. O'Connell's agitation deserves, therefore, if an unintentional result deserves any, some of the praise for the improved statistics. From this other leaven Father Mathew desired to keep his own entirely distinct; but O'Connell and he were leavening the same lump, and it was impossible to dissociate their influence. The Apostle of temperance had none of the narrowness of the fanatic, and was perfectly conversant with politics, while he studiously endeavoured to keep clear of them. It was with no little annoyance, therefore, that he learned the intention of O'Connell, who was then lord Mayor of Dublin, to join in one of his great Easter-Monday processions. The people, however, were delighted to see side by side their two idols, and it was impossible in any way to escape from the embarrassment. O'Connell attended, and bestowed on his fellow-worker for Ireland's welfare the most unbounded adulation, in which he was nearly as great an adept as in the reverse. On this, as on other occasions, Father Mathew, whose lavish generosity was a remarkable feature in his character, distributed money freely amongst those who had come from great distances

to join in the procession, and, with native recklessness, had made no provision for food or for returning home. This was only one of many occasions which drew heavily on his resources. Was a monster tea given in his honour—he had to pay a couple of hundred pounds in the shape of unpaid balance for the compliment thus offered him. Was a friend's carriage seized as he was driving in his company—he paid the debt. Did he make an important convert—he flung a silver medal round his neck. Such extravagance would have exhausted the exchequer of an Indian prince. His temperance bands, also, which were established in every part of Ireland, were a great source of expense to him. They delighted the people, however, and provided an innocent counter stimulant, and therefore they delighted the simple beaming friar, who would have spent his last shilling to secure their success. Tracts, placards, handbills, hotel-bills, formed also large items of expenditure. It was generally supposed that this extravagance was supported by the enormous sale of medals and cards; a calculation was made that he must have sold them to the value of £200,000; this estimate being based on the wildly false assumption, that every convert bought them; the fact being that scarcely one in ten possessed, and not one in twenty purchased either. In the full tide of his success, and the angelic happiness which it must have given him to see such extraordinary blessings bestowed through his ministry on the country, he had the terrible secret cares of debt; as he himself expressed it, his “heart was eaten up by care and solicitude of every kind.” The secret at last was revealed; a bailiff one day knelt among the crowd that asked his blessing, and showed him a writ upon his knees. It was well for him that Father Mathew did not betray him, or he would probably have been torn to pieces on the spot. A meeting was immediately held in Cork, to consider how to relieve him of his liabilities. In four years, printing alone had cost £3000; and with a great staff of assistants to keep up, it is only wonderful how his extravagance did not involve him more hopelessly. We may mention, in passing, that one heavy item of expenditure was avoided—Purcell the great stage coach-owner of Ireland, and Bianconi the proprietor of the long outside cars with which travellers on Irish roads are familiar, made him free of all their conveyances. The honourable nature of his debts was made perfectly clear by investigation, and by a grand impulse of public sympathy from every part of the country, Father Mathew's liabilities were for that time entirely cleared off. A short time previously he had received pressing invitations from England and Scotland. The invitation to the latter, he was obliged for a time to defer; but he made a most successful tour through Lancashire and Yorkshire, and, generally speaking, was enthusiastically received. In Norwich, the bishop took the chair at a public meeting, and while noticing the variance of their creeds, and recalling the doubts that he had once entertained, and the evil that he had formerly spoken of Father Mathew, he entirely retracted all, and bore the heartiest testimony to his long and splendid career of philanthropy. Considerable opposition was organized by the publicans in London; some of the meetings were successfully interrupted: at some, the Irish drubbed the English roughs; but the work, notwithstanding these annoyances, achieved what it aimed at, the conversion of the London Irish. At one of those meetings in the low neighbour-



hood of Golden Lane, St. Luke's, where a flourishing Temperance Society has its home to the present hour, and one of those temperance bands, in which Father Mathew delighted, still makes the locality harmonious with the music of life and drum, he observed among the crowd of Irish labourers that knelt around him, the future Duke of Norfolk, then lord Arundel and Surrey. Fearing that he might be acting on a momentary generous impulse, Father Mathew spoke to him privately, and to his questioning, the peer replied with tears, that he had received the sacrament that morning from the Father himself, with the resolution to take the pledge. The Temperance missionary was entertained not only by the Roman Catholic, but by the Anglican nobility; he essayed to convert the Duke of Wellington, and invested lord Brougham with a temperance medal, though he refused to take the pledge. Lord Brougham said he would bring it to the House, and put it on a certain old peer, who was generally the worse for liquor. He was as good as his word, and told his friend that it was a present from Father Mathew. "Then I tell you what it is Brougham, by ——! I will keep sober this night;" and so he did to the surprise of every body. The result of this English mission was an addition to the temperance ranks of 600,000 converts. It was commemorated by a tower, which an enthusiastic disciple built on the banks of the Lee, and which forms a picturesque feature in the scenery of that beautiful river. A more serviceable tribute to the conqueror on his return home was that which we have already noticed, a subscription to clear off his debts. It was the providence of God that raised up Father Mathew to make the people more fit in soul and body for the terrible potato blight, which would have been so much more destructive in the previous condition of Ireland. As it was, the unhappy people employed on the public works often, in their desperation, spent on drink the small dole granted for their support: and Father Mathew bitterly complained of the public-houses frequently opened in connection with the works, and in which the pay-clerks had their offices, and often a pecuniary interest. His remonstrance, addressed to Mr. Trevelyan, was at once attended to. He was, in that dark hour, all that one would expect: but fortunately the people had so many saviours, that in this noble work it was difficult to be conspicuous. It was not to be thought, that when the streets of Cork were filled with people dying of famine, Father Mathew would withhold his last shilling. He involved himself in new difficulties to relieve them, as did many of the gentry of Ireland, between whom and the peasantry, living in cabins, there had been but little sympathy. The profuse liberality to which he had more and more given way was probably the cause of a deep disappointment which befell him at this time. The Roman Catholic see of Cork became vacant, and by the suffrages of his brother priests he was named to the Pope as *dignissimus*. The recommendation of the diocese was generally adopted at Rome, and neither Father Mathew nor his friends, from whom he received the most joyous and enthusiastic congratulations, had any doubt of the result. But the decision was generally influenced by the advice of the Archbishop and his suffragans; and this was not likely, much as all men admired and loved Father Mathew, to be given in his favour. His weakness was too well known. While a most admirable administrator of charities, and the most practical



man on a relief committee, he was never able to keep his own finances in order, and had he been appointed to the bishopric, his extravagance would, no doubt, have been on a greater scale than ever. He was already in debt, after having had his debts so lately discharged, and he was never out of debt to the end of his life. It was not surprising, therefore, that another priest was preferred; but this decision, although he did not shew disappointment outwardly, must have destroyed many a splendid dream of what he would accomplish as a powerful bishop, who had already worked such wonders as a humble friar. Nothing, however, did the disappointment daunt him; he was not to be mitred in this world, but he seemed to become more intense in his exertions, as if he had been assisted by the failure to realise a nobler aim. "Ah, he *was* a man!" was the phrase of those who saw him work among the famine-stricken poor, lavishing a wealth of love, putting forth superhuman energy, and exhorting his disciples to stand fast to temperance in the temptation of their sufferings. Many great and influential persons had their attention much directed to Ireland at that time, and were struck with admiration of Father Mathew's merits, and sympathised with his embarrassments. Some of his friends proposed to buy him an annuity; but several members of the government being interested, a pension of £300 a year was conferred upon him by the Queen. Two years after, when he was on a visit to America, some expressions were attributed to him not very becoming in one who had received this state recognition of his achievements as a moral reformer. The truth was, however, that the disloyal words were put into his mouth by an Irish reporter. We have already said that Father Mathew took no outward part in politics; but he was at heart thoroughly attached to the empire. Some of his best friends were English; for instance, Mr. Rathbone, the great Liverpool merchant, and his family, were among his most valued friends. The mines of love which he possessed in Ireland were soon to have their wealth exposed by the first blow of severe illness he had as yet experienced. One morning, early in 1848, he was attacked with paralysis. To him it was a dealing of God, and he conversed with his physician and friends as calmly and smilingly as if he were in perfect health. Dr. O'Connor says:—"He remarked 'it was not much matter to him how it terminated. If a priest had done his duty and was prepared, the time of his death was of little consequence.' Of all the community among whom the news of his illness spread he was the only one that appeared unconcerned." Round his bed collected awe-struck and mournful crowds, who showed their grief in the expressive manner characteristic of the Irish; while the universal joy in his recovery, which was like the sun coming out of clouds, was a still stronger testimony of affection. The attack left so little effect that he was able to return to his work again as a priest and missionary of temperance; but Mr Rathbone mentions, that when he saw him after his illness, although "the goodness" of his appearance remained, the power was gone. He was no longer the same brilliant and animated speaker that he had formerly been, and the temperance cause itself, like its great advocate, was not what it had been before the famine. But with decreasing powers there was no diminution of zeal; and with the true apostolic spirit, he was determined, before his career closed, in spite of the warm remonstrances of his

physicians, to visit his countrymen in America. He was met at New York by the municipal authorities in a steamer and received by one of the largest assemblages which had ever met together in that city. The whole population turned out in holiday attire, and as the vessel steamed along the shore, one continuous cheer greeted it. Many an Irishman of the captivity, a prosperous and happy captivity, who had received the pledge from Father Mathew in his prime, far away in Ireland, was there to catch a glimpse of the well-beloved form, and greet him with a hearty cheer to his second country. His stay in New York was one continual reception, and he frequently returned to it during the next two years. The same prudent avoidance of politics which he had observed in Ireland was equally requisite in America; but it was much more difficult to keep disentangled from the abolitionists and the pro-slavery advocates, than from the political parties at home. His refusal to join the abolitionists, or even to express an opinion in their favour, was a subject of much irritation and invective. Nothing, however, could shake him in the determination to persevere in the single-handed advocacy of temperance. On another visit to New York, after extensive travels and great labours, he had some return of his former illness: but though weak and in pain, the labours he underwent were more than could be undergone by many in the full enjoyment of health. It was after the passing of this cloud that he visited Washington, and a proposition was made in the senate that he should be admitted to an honour which had never before been bestowed upon any one but Lafayette, viz., that he should be allowed a seat within the bar of the United States senate. This was opposed by the abolitionists, on the ground that Father Mathew having been reported (falsely) to have expressed pro-slavery sympathies, had refused to make an avowal to the contrary. After a long debate, which had a most important influence in assisting his work and bringing him into greater prominence, the proposal was carried by a majority of 33 to 18. So, until the December of 1851, he continued his mission, meeting everywhere the greatest success with his countrymen, delighting to see the good land and the pleasant to which they had passed over, and honoured by all. He then, after another warning, determined to return to Ireland, and go back to old scenes and the beggars of Ireland, whom he was charmed to see once more, not having beheld one in America for two years. The reverence and love of former times was now exalted into veneration for him as a saint. The old fancy of his touch and blessing working miracles of healing came back with greater force. There is undoubted evidence that they were effective in many cases, and medical testimony has borne this out. Of course a natural explanation will suggest itself to every mind sceptical of miracles in the later ages of the Church. Dr. Barter, the well-known hydropathic physician of Blarney, says that Father Mathew, many of whose cures he witnessed when he was residing at his establishment, "possessed in a large degree the power of animal magnetism." After his death pilgrimages were made to his tomb, and cures were said to be effected there of which magnetism could be no explanation. We must guard the reader against a suspicion that Father Mathew was anything of a charlatan; he always strongly denied, to those whom he blessed, that he had any power to cure.



Having been seized with another attack of apoplexy, he was recommended to go to Madeira, not only for the benefit of the climate but to escape the work which he was endeavouring to accomplish in his newly-consecrated Church of the Holy Trinity. The building of this church, which had cost £14,000, half of which he paid himself, had been one of the day-dreams of his life. He saw it realised, ministered at its altar, but was now forced to leave it for a time. On his return from Madeira he found it impossible to continue his duties as a priest. He took up his residence at Queenstown, and fondly the people watched "the white-haired venerable man, of a countenance noble in outline and sweet in expression" who might be seen creeping about with the support of a young lad. His concluding months he spent in a state of almost constant prayer. Visitors found him on his knees, and at his entreaty knelt and joined in prayer for him—for, as he answered their remonstrances, "Who can be pure in the sight of God." Weeping they knelt, and, at parting, promised "to remember him in the holy sacrifice." At last he passed away like a weary man falling asleep, having indicated his desire to be buried under the great stone cross in the cemetery he had established. Other communions may well envy the Church of Rome the one man in modern times who stands plainly forth as a saint of the old type—one, as the Protestant Dr. Channing said, "not far below the apostles."

RIGHT REV. JAMES DOYLE, D.D., R. C. BISHOP OF KILDARE AND  
LEIGHLIN.

BORN A.D. 1787.—DIED A.D. 1834.

ONE of the strongest points in the Romish Church is the freedom which she permits to genius of rising to the grandest positions. There is nothing to stay its flight; no network of prejudices, no social trammels. On the contrary, every facility is offered to the ambition of youth, even in the poorest station, to learn and to mount up. Instead of turning her great educational establishments, as the Church of England has done, into expensive and exclusive schools and universities for the rich and well-born, Rome has offered their advantages to all who could profit by them as well as to all who could pay for them, and so has drawn the good out of mankind instead of out of a class. She has consequently been served by far more talent than the Church of England could command in proportion; and that which she possesses has a freshness and new vigour which does not often shew itself on old and highly-cultivated stocks. This fidelity to the traditions of Christianity, of which the Founder was a carpenter and the princes were humble fishermen, has not only been a great source of strength, but gives a romantic attractiveness to the Church of Rome; she traverses the rank and greatness of this world with a rank and greatness not of this world; and what is admirable in the latter is, that it rests on a real, not on an artificial basis. Its princes and bishops rest on their own merits, not on those of their ancestors; and are God's nobility, as distinguished from man's. The two planes



have but a slender line of intersection, in which both kinds of nobility meet.

Dr. Doyle was one of those geniuses whom the Church of Rome rescues from obscurity. He was born in the county of Wexford about six miles from Enniscorthy, and was the fourth son of James Doyle, who occupied a large farm; but owing to speculations in land, was in reduced circumstances. Dr. Doyle's mother was a second wife; she was, though a Roman Catholic, descended from a Quaker family; and so narrow were their means, that she was obliged to walk into Enniscorthy before the birth of her son, in order to have medical assistance. The physician was her husband's half-brother; but she was too proud to ask him to drive out to see her, as she had not the means of paying him. The child born in lodgings in this little country town was christened James; and as he grew capable of instruction, his mother, who was a woman of masculine understanding, taught him the rudiments of book learning, besides imparting that character to his mind which a parent only can give. When the boy was nine years of age, an old hag, deaf and dumb, came one day to a farm house where young Doyle and an elder lad named Howlet were playing before the door. She wrote in chalk, upon a bellows, for Mrs. Howlet—"You intend that boy for a priest—he never will be one; but that youth yonder" (pointing to the future bishop) "will become a splendid ornament to the Church," and the old woman raised her hands in the form of a mitre. Prophecy has a tendency to fulfil itself; although young Howlet ducked the witch for his own share in the prediction, he probably received from it a turn which soon afterwards made him take to the sea; while Doyle, at the same time, saw the mitre before him glittering in the distance, and began to shape his steps accordingly. He was but eleven years of age when Wexford became the principal seat of a terrible civil war. He saw the battle of New Ross, in which the rebels fought with frantic bravery with the royal forces, but with the futility of men fighting with machinery. He was also present at an engagement on the banks of the Barrow. During the fight he and his companion lay concealed in some furze-bushes, while the volleys swept a horizontal hail shower over their heads. Doyle could not resist popping up his little black head now and then to see the effect of the firing, until his older companion was obliged to give him a thrashing with a hazel switch to make him keep it down, and it was probably only the smoke of the discharges that saved the boys from being piked or bayoneted. Having learned all his mother could teach him, James Doyle was sent to a school kept by Mr Grace, where he met many Protestant scholars, and received from this intercourse the beneficial experience, in which he wished all his countrymen to participate, by means of the national system. It is curious to think what immense results may have had their origin in little James Doyle being sent to a mixed school. Had he, from a purely Roman Catholic school, attained the same position as the negociator of an educational scheme for Ireland, it is most likely that for better or worse (for which we cannot venture an opinion) denominationalism would have prevailed in Ireland. In the year 1800, he was sent to a school kept by an Augustinian friar, the Rev. John Crane. He had already shewn, notwithstanding,

or possibly in some degree on account of, the jests of his Protestant schoolmates, a strong affection for his religion and exactness in its observances. In Father Crane's school he spent two years, and the death of his mother leaving him an orphan, in 1804 he adopted the monastic life in the Augustinian convent of Grantstown. In 1806 he made his profession, and took the vows of this Order after a noviciate of a year. He resolved to complete his education abroad, rightly believing that there is nothing which makes things at home appear in their right positions and proportions so unfailingly as for a time looking at them from the distance of a foreign country; and in after life he was able to set an enlightened value on the liberty enjoyed under the British constitution, which home-bred priests, nursed up in prejudices, could never set upon it. Coimbra was the great ecclesiastical metropolis and seat of learning in Portugal; and thither Doyle repaired with three other Irish students. He was received gratuitously by the Augustinian friars, whose wealthy convent was close to the *Collegio de Graça*, in which he was placed; it was one of twenty colleges, containing 2200 students, and into this ocean of learning and study the young Irish monk plunged with delight. Although very backward, on his arrival, in science and classics, and for some time unable to write a thesis, the sparkle of his talent was soon caught sight of by the professors, and he was given the unusual privilege of having the whole range of the university without payment. In the two years during which he remained at Coimbra, he made the progress that gifted men usually make in four; but he encountered a danger which would scarcely have been expected in that Catholic university, where no Protestant ever set foot save the victims of the Holy Office, and learning came, like light through the saints in stained glass windows, only through priests and friars. But some rays of the unholy and vulgar light of common day could not be excluded, and to eyes unused gave a strange sensation, awakening doubts and speculations which would not have been so startling in a secular college. Dr. Doyle went through a great mental struggle, in which no doubt many weaker men have gone down. We must quote his own account of this critical period in his life; but it is very suggestive, that while in a mixed school of Catholic and Protestant, his faith was confirmed, in a purely Catholic university it was shaken; and he afterwards (in 1822) expressed an opinion which is rather startling, and very condemnatory, coming from a Roman Catholic bishop, that "to suppress or secularise most of the convents of men in Portugal would be a good work." Dr. Doyle was one who, in his Episcopal position, spared no ecclesiastical abuse; he was a reformer in the right place, that is, set on high; and he probably saw enough in that Augustinian establishment, where two hundred people lived daily upon the leavings of the luxurious monks, to make him almost a reformer in the wrong place—we mean in the position of a subordinate, in which, as a reformer, he must have been a rebel.

Dr. Doyle thus describes his combat:—"I had scarcely finished my classical studies, and had entered college, when I found myself surrounded by the disciples and admirers of D'Alembert, Rousseau, and Voltaire. I frequently traversed with them the halls of the Inquisition, and discussed in the area of the Holy Office those arguments or sophisms



for the suppression of which this awful tribunal was ostensibly employed. At that time the ardour of youth, the genius of the place, as well as the example of my companions, prompted me to inquire into all things, and to deliberate whether I should take my station amongst the infidels, or remain attached to Christianity. I recollect, and always with fear and trembling, the danger to which I exposed the gifts of faith and Christian morality which I had received from a bounteous God; and since I became a man, and was enabled to think like a man, I have not ceased to give thanks to the Father of Mercies, who did not deliver me over to the pride and presumption of my own heart. But even then, when all things which could have influence upon the youthful mind combined to induce me to shake off the yoke of Christ, I was arrested by the majesty of religion—her innate dignity, her grandeur, and solemnity, as well as her sweet influence upon the heart, filled me with awe and veneration. I found her presiding in every place, glorified by her votaries, and respected or feared by her enemies. I looked into antiquity, and found her worshipped by Moses; and not only by Moses, but that Numa and Plato, though in darkness and error, were amongst the most ardent of her votaries. I read attentively the history of the ancient philosophers as well as lawgivers, and discovered that all of them paid their homage to her as the best emanation of the one supreme, invisible, and omnipotent God. I concluded that religion sprang from the Author of our being, and that it conducted man to his last end. I examined the systems of religion prevailing in the East; I read the Koran with attention; I perused the Jewish history and the history of Christ, of his disciples, and of his Church, with an intense interest; and I did not hesitate to continue attached to the religion of our Redeemer as alone worthy of God; and being a Christian, I could not fail to be a Catholic.”\*

This passage involved him in constant dialectic struggles with his fellow-students, among whom, after subduing his own doubts, he became a powerful champion of the faith; and he thus acquired a training which made him the ablest defender which the Roman Catholic Church ever had against Protestantism. But he was now to be engaged in warfare with carnal weapons, for Portugal was invaded by the French, and the students of Coimbra were converted into soldiers. The Irish students who knew the Portuguese language were useful as mediums of communication and confidential agents. They were employed to collect information for Lord Castlereagh and Sir Arthur Wellesley when he had taken the command. Doyle performed the most important services, and no doubt enjoyed his temporary release from the long robe, and active life in military uniform; though it did not in the least divert him from the path he had marked out for himself as a soldier of Christ. After the French had been defeated at Vimiero, he accompanied Colonel Murray to Lisbon with the articles of the Convention. The most brilliant offers were made to him by the Portuguese government, by which his diplomatic talents were fully recognised. He was received with great favour at court, and the most splendid career was open to him. But nothing could induce him to look back from that plough to which he had first put his hand, and in the furrows made by which he was to be

\* On the State of Ireland, vol. i. p. 24.



a faithful sower. He counted the cost—"all manner of distress, as well as the most alluring prospects, tempted his fidelity"—but he was resolved to complete the tower, of which he had laid the foundations amid so much mental doubt and difficulty, until its battlements should reach to heaven. "We have at an early period of our life," he afterwards said in a Pastoral, "rejected the favours of the great, and fled from the smiles of a court, that we might, in our native land, from which we had become an exile to procure an education, labour in the most humble departments of the sacred ministry." Humble in all human probability was the life he had chosen; for although his poverty and comparatively humble origin would not tell against him, the jealousy of the Regulars, which we have noticed in the preceding memoir, was very strong in Ireland, and not only prevented their being selected for preferment at home, but had great influence with the Pope. In fact, Cardinal Antonelli, the papal right hand, took a sort of pledge against friar-bishops.

Doyle returned to Ireland in 1808, and after another year in the convent at New Ross, where he was joyfully received by his old preceptor, he was ordained at Enniscorthy in 1809. He again returned to his convent, in which he was appointed to the chair of logic. He endeavoured to supply the great want which he felt of a thorough command of English language and style—a want very common amongst those who had left home as illiterate Irish boys and returned with even less of the language than they had taken with them to their foreign colleges,—and for this purpose he studied Blair, the predecessor of Whateley, and other masters of the art of logic and language. He was an apt pupil, and soon gained a command of English and logic, which made him comparable with the most cultured writers and speakers of the language. Dr. Doyle's talents were speedily to find a suitable frame: he was recommended by a priest, who knew his remarkable ability and learning, to fill the Chair of Theology in Carlow College during the absence of the professor. On the first appearance of the young friar, his quaint and shabby exterior produced an unfavourable impression. His hat was old and brown, his coat was of coarse frieze, and his feet were shod with awkward country-made shoes. His countenance wore a lofty expression unsuited to the humble position indicated by his dress; his figure was tall and ungainly, and his extremities large. The young men laughed, and the professors stared; but when he spoke, mind shone forth, and the superiority of intellect at once awed into respect the titting forms. On the return of Mr. Fitzgerald, Doyle proposed returning to his convent, but the president determined not to lose such an invaluable assistant, and appointed him the first professor of rhetoric. His inaugural address established his reputation not only in the college, but throughout Ireland, and other addresses which followed were fully up to the same high level of ability. Even his appearance seemed to be altered; the grandiose was found to be the grand. "Erect as a lath," says his biographer, "grave as a judge, reserved, dignified, and austere, he was feared by some, beloved by those who knew him intimately, and revered by all." Amusing anecdotes are told of Dr. Doyle in his professorial capacity. A student having gone up into the pulpit as if he were going to astonish his audience, could not com-

mence his oration, his ideas having forsaken him, and he descended in confusion. The Professor's witty comment was, "If you had gone up as you came down you might have come down as you went up." On another occasion, being asked his verdict on an oration which had been listened to with murmurs of applause, he replied, "My verdict is, guilty, Sir." "Guilty!" said the admiring priest, "of what?" "Of robbery and murder. The whole sermon may be found in Bourdaloue, and it has been murdered in the delivery."

The Roman Catholic bishopric of Kildare and Leighlin became vacant in 1819; and Dr. Doyle was selected by the vote of the clergy. Their selection was confirmed by the pope; but they were probably scarcely aware, when making it, of the terrible yoke they were putting upon their own necks. Dr. Doyle was extraordinarily young for a bishop; when Dr. Curtis, the newly-appointed archbishop of Armagh, and he met in Dublin, the former observed, "they sometimes do strange things at Rome." "Why, yes," said Dr. Doyle, "it occasionally happens so. What last?" "In nominating an old man, with one foot in the grave, and a beardless boy, bishops." But his youth did not make him a less strict shepherd over his erring clergy; he certainly allowed no man to despise it. Discipline had been much relaxed; the priests hunted, and farmed, and caroused at the "stations," which were in the nature of mission visitations, held at the houses of rich farmers. The young bishop proceeded at once with an unsparing determination to root up all these abuses. He forbade the practice of holding stations, and cut off all secular pursuits without mercy. The distant menace of a visit from the bishop galvanised a neglected parish into spasmodic activity. He held a Retreat, which was attended by nearly all the Irish prelates and an immense number of priests, and produced an extraordinary effect in reviving the life of the Romish Church in Ireland. In the defence of his Church's doctrines he was one of the most powerful controversialists Rome ever produced. Archbishop Magee's antithesis of "a church without a religion and a religion without a church," intended to be descriptive of Rome on one side and dissent on the other, awakened the ire of the bishop of Kildare, who replied under the signature of J. K. L. (James, of Kildare and Leighlin). He assaulted the Established Church with great vigour, and his vindication of the "civil and religious principles of the Irish Catholics" drew out so many rejoinders that he was obliged, under the same initials, to publish a defence. This was soon followed by "Letters on the State of Ireland." Those who from the time of the Reformation had regarded the Church of Rome as incapable of any good defence, as well as the Irish Roman Catholics themselves, who had never dared to make any, were struck with astonishment at the eloquence, force, and apparent success with which the professor-bishop defended his Church. Nor was he only weighty and powerful in his letters; but in his personal dealings with men he was equally effective. The writer of a sketch in the *Dublin University Magazine*, says:—"Savage-looking men of colossal frames, faction-fighters and ribbonmen, bowed like bulrushes under his rebuke." It is mentioned that "he made frequent use of his crozier whenever he wished to render an official rebuke indelibly terrible. An unfortunate female, who was one day kneeling



for pardon at his feet, fainted away from sheer terror as the bishop's crozier smote her on the neck." Such severity, although it might awaken the indignation of Protestants, was perhaps efficacious in rescuing her from a life of sin.

We must not forget, however, that we have introduced Dr. Doyle as a politician, not as an ecclesiastic; and before ceasing to view him in the latter aspect we would only observe, that to him was due a greatly increased circulation in Ireland of the Roman bible, and that he was the very man to clear off the incrustation of whatever was alien from the church's fabric, though further he would not venture. He wrote strongly in favour of the union of the Churches of Rome and England which he would have much preferred to emancipation. His words on this subject are so remarkable, as coming from a great and revered Roman Catholic bishop and doctor, that they are most worthy of quotation. The occasion of Dr. Doyle's letters on the reunion of the Churches was a declaration made by Robertson in the debate on Hume's motion for disestablishment, that he was anxious for this reunion to take place. The letters, which made a great sensation in England, were addressed to Mr Robertson. In one passage the bishop boldly declared in reference to the attitude of 6,000,000 Catholics in future wars, "the Minister of England cannot look to the exertions of the Roman Catholic priesthood; they have been ill-treated, and they may yield for a moment to the influence of nature, though it be opposed to grace. This clergy, with few exceptions, are from the ranks of the people; they inherit their feelings; they are not, as formerly, brought up under despotic governments, and they have imbibed the doctrines of Locke and Paley more deeply than those of Bellarmine, or even of Bossuet, on the Divine Right of Kings; they know much more of the principles of the constitution than they do of passive obedience. If a rebellion were raging from Carrickfergus to Cape Clear, no sentence of excommunication would ever be fulminated by a Catholic prelate, or, if fulminated, would fall as Grattan once said of British supremacy, like a spent thunderbolt, 'some gazed at it, the people were found to touch it.'" He then, after showing that Catholics of wealth and position could no more be depended upon to allay the people than the Catholic clergy and bishops, he proceeds thus:—

"Catholic emancipation will not remedy the evils of the tithe system, it will not allay the fervour of religious zeal—the perpetual clashing of two Churches, one elevated, the other fallen, both high-minded, perhaps intolerant; it will not check the rancorous animosities with which different sects assail each other; it will not remove all suspicion of partiality in the government, were Antonius himself the viceroy; it will not create that sympathy between the different orders in the state which is ever mainly dependent on religion, nor produce that unlimited confidence between man and man, which is the strongest foundation on which public welfare can repose, as well as the most certain pledge of a nation's prosperity. Withal, Catholic emancipation is a great public measure, and of itself not only would effect much, but open a passage to ulterior measures, which a provident legislature could without difficulty effect. The union of the Churches, however, which you have had the singular merit of suggesting to the Commons of the



United Kingdom, would altogether and at once effect a total change in the dispositions of men; it would bring all classes to co-operate zealously in promoting the prosperity of Ireland, and in securing her allegiance for ever to the British throne. The question of emancipation would be swallowed up in the great inquiry, how Ireland could be enriched and strengthened, and in place of the Prime Minister inventing arguments to screen an odious oppression, and reconcile an Insurrection Act of five and twenty years' duration, with the Habeas Corpus Act and Magna Charta, we would find him receiving the plaudits of the senate, the thanks of his sovereign, and the blessings of millions for the favours which he could so easily dispense. This union on which so much depends, is not, as you have justly observed, so difficult as it appears to many; and the present time is peculiarly well calculated for attempting, at least, to carry it into effect. It is not difficult; for in the discussions which were held, and the correspondence which occurred on this subject, early in the last century, as well as that in which Archbishop Tillotson was engaged, as the others which were carried on between Bossuet and Leibnitz, it appeared that the points of agreement between the Churches were numerous, those on which the parties hesitated few, and apparently not the most important. The effort which was then made was not attended with success, but its failure was owing more to princes than to priests, more to state policy than to a difference of belief. But the same reasons which on that occasion disappointed the hopes of every good Christian in Europe would at present operate favourably. For what interest can England now have which is opposed to such a union, and what nation or church in the universe can have stronger motives for desiring it than Great Britain, if by it she could preserve her church establishment, perfect her internal policy, and secure her external dominion." To procure a union, he said the clergy would be willing to make every possible sacrifice, and he himself would most cheerfully resign his office. The method which he proposed for arriving at reunion was as follows:—"It may not become so humble an individual as I am to hint even at a plan for effecting so great a purpose as the union of Catholics and Protestants in one great family of Christians; but as the difficulty does not appear to me to be at all proportioned to the magnitude of the object to be attained, I would presume that if Protestant and Catholic divines of learning and a conciliatory character, were summoned by the Crown to ascertain the points of agreement and the difference between the churches, and that the result of their conferences were made the basis of a project to be treated on between the heads of the Churches of Rome and of England, the result might be more favourable than at present could be anticipated. The chief points to be discussed are the canon of sacred scriptures, faith, justification, the mass, the sacraments, the authority of tradition, of councils, of the pope, the celibacy of the clergy, language of the liturgy, invocation of saints, respect for images, and prayers for the dead."

It is remarkable that while Dr. Doyle was in favour of such a discussion, he interposed his Episcopal authority to put a stop to the renewal of the public tournament of controversy in Dublin between the

clergy of the rival churches. He was a man who believed that his church could be defended, and his own writings and anxiety for the education of the people shewed the sincerity of his belief; but he considered that those pugnacious discussions, in which the most sacred mysteries are tossed about in the arena, amid applause or laughter, are in the highest degree unedifying, and result in victory only for the mocking infidel. We have said that he was a genuine advocate of education, but of course he wished religion to have its place in it; and he was therefore a great promoter of monasteries and convents, and encouraged the labours of the Christian Brothers in his own diocese. He was violently opposed to the Kildare Place Society, which had started with promises of not interfering with religion, and on that understanding had received the support of lord Fingal, O'Connell, and other Catholics of influence. It was found, however, that the promise was not faithfully kept; the Roman Catholics withdrew, and Dr. Doyle's attack on the Society, which afterwards, as the Church Education Society, became openly proselytising, procured the withdrawal of the government grant. At the same time, he was strongly in favour of united education under a system "which not only will not interfere with the opinions of any, but which will secure the religious instruction of all." Where Roman Catholics were immensely preponderating, he wished the schools to be under the superintendence and control of their clergy, whilst the rights of conscience of the minority should be strictly guarded, and in the opposite case *vice versâ*. In fact, what he proposed was exactly embodied in lord Stanley's education scheme; and all his ideas are carried out, even more in favour of his church than he demanded, in the national education system of Ireland. Cardinal Cullen, and others who have asserted of late years that Dr. Doyle, if now alive, would be opposed to the system of which he was, it may almost be said, the author, can scarcely have studied his opinions with much care. One of his great objections to the Kildare Place Schools was the book of extracts used in them from the Church of England bible, which he considered, in several hundred texts, garbled. He also dreaded the taint of Socinianism, which was just then spreading so widely amongst Irish Protestants, and has divided the Presbyterian Church into deists and believers in Christ's divinity. It was a time which put to a severe strain the principles of a Roman Catholic supporter of united education; any one who honestly supported it then would be very unlikely to oppose it now.

In 1822 Dr. Doyle may be said to have begun his political career as an opponent of the *Veto*. He went the length of saying that even if the Pope conceded this demand, he would rather resign his see than assent to a Protestant sovereign directly or indirectly meddling with the appointment and succession of bishops in the Catholic Church; he also defended the custom of the advice of the bishops of the province, rather than of the dean and chapter of a vacant see, being taken at Rome, and asserted the paramount central authority of the Pope. In 1824 he was summoned to give evidence before the committee of Lords and Commons on the state of Ireland, and was subjected to an examination which was very prolonged and searching, for he had quite established himself as the exponent of the Roman Church. The marquis

of Wellesley had considered that he worsted archbishop Magee, the illustrious grandfather of the present bishop of Peterborough, and his political writings had established his reputation in this world's affairs as his vindication of Rome had in polemical. He was many days under examination, and afterwards spoke of the feebleness and repetition of his examiners with the greatest contempt. The Duke of Wellington, who had left the committee room to refer to an authority, was asked by a peer if they were examining Doyle; "No," replied the Duke, "but Doyle is examining us." His great command of learning, the clearness, vigour, and correct and strong language of his answers, excited great admiration for him. "He was as much above O'Connell," said one, "as O'Connell was above other men." There can be no doubt that the effect of his evidence on the public, and particularly on the legislative and governing section of it, was one of the great predisposing causes which wrought out Catholic emancipation. O'Connell was examined before the same committee, and it has already been said how he wavered on the subject of "the wings." After his return, he endeavoured to throw the blame of this on Dr. Doyle; but besides that the latter distinctly repudiated payment of the priests in his evidence, and said he would prefer depending on the slender support his flock could afford him, it was proved that the date of his starting, which was the day on which O'Connell wrote to the Catholic Association his approbation of the proposed appendages of emancipation, made the excuse of being influenced by the bishops palpably mistaken. It was necessary to the bishop's influence and popularity that this charge, the truth of which would have been greatly resented in Ireland, should be refuted; and he appeared, to O'Connell's discomfiture, at a meeting where he had just repeated the statement and gave it a distinct denial. This drew from O'Connell a humble apology. In consequence of his admirable evidence before parliament, quite a ferment of affection was excited for bishop Doyle in his diocese and throughout Ireland; and at a meeting held in Carlow, it was resolved to purchase an episcopal residence for him and his successors in the see. In his reply he said, "Were I the sole object of the generous offering you propose to make, I should undoubtedly decline accepting it, for my soul abhors gifts, and I desire not to have here a lasting abode." There is a curious inconsistency in the feeling thus expressed, and the distaste which he expressed in early life for the position of the secular clergy, with his antagonism to a state provision.\* Braganza House, distant about a mile from Carlow, was the residence purchased. Dr. Doyle's twelve "Letters on the State of Ireland" were written in 1825, at the request of a friend in England. In them he reviewed the unfair system of government, the division of parties into Orangemen, Catholics, and the government party; religion, with reference to the Protestant establishment; the "moral chaos" of the laws; the increase of population in relation with the unreclaimed lands, which would render the country capable of supporting 18 or 20 millions of people; the necessity that government should disavow the proselytism of the Education and Bible Societies; Catholic emancipation; the disfranchisement of the forty-shilling

\* He agreed with Shiel in wishing for an educational parochial endowment.



freeholders; and a legal provision for the poor, of which, like Sheil, he was much in favour. These letters, signed with the celebrated initials, had a very great effect in educating public opinion, and were followed, in 1826, by his *Essay on the Catholic claims*, in the form of letters addressed to lord Liverpool.

One of the most lumbering and difficult-to-be-removed objections was met with particular force and authority by Dr Doyle as a Roman bishop; the objection that as Roman Catholics obey the Pope in spiritual matters they could not pay to the government the duty which as subjects they owed to it. "We, Catholics, think otherwise. Let our reasons for thinking so be dispassionately considered. It is, in the first place, quite clear, that to pay obedience to some person who is not the sovereign, does not of itself imply any division of allegiance, for we are all obliged to obey Almighty God, to obey His law, to obey the dictates of our own conscience, to obey our parents, to obey our civil, military, or ecclesiastical superiors; this truth is not disputed. We may, therefore, assume that it is consistent with our allegiance, or the duty we owe the government, to pay obedience to whomsoever it may be lawfully due." The bishop then argued that the obedience which they owed to the Pope, as in their opinion Christ's chief minister, was just of such a kind, and did not interfere with their obedience to the laws. In a pastoral to the Ribbonmen, published a year or two previously, he had held exactly the same position, that if the followers of a higher king were not absolved from paying tribute to Cæsar, no power could absolve them from obeying the laws of their country. He denied, in the *Essay*, that the Pope had any worldly domination, but simply administered the laws of Christ. The assumption by some popes of the right of deposition was an abuse, and was never proposed as a doctrine to the faithful. He quoted the oath in which the Irish bishops and priests expressly disclaimed the dogma that excommunicated princes may be deposed and murdered, or that any foreign potentate or prelate had temporal or civil authority in this realm. In more than one of his writings he declared that he would for his own part wholly disregard the papal authority if stretched beyond its spiritual limit; but we greatly doubt if Dr. Doyle could have maintained in old age, had he survived to see it, the principles and views of middle life consistently with his position in the Roman Catholic Church; and some of his liberal concessions as to the errors of bygone popes would certainly be inadmissible at the present day. From political essay writing Dr. Doyle was recalled to polemics by a second charge of Archbishop Magee's; this appeared just at a time when the Irish Church was assuming an aggressive attitude towards the Roman, and lord Farnham had put himself at the head of what was magnificently called "the Second Reformation," which some said would itself bear no fruits, but would lead to a "Third Reformation" in the disestablishment of the Church. Dr. Doyle had proposed as a substitute for emancipation a reunion of the churches; certain Protestants in Dublin thought they could work this problem in their own way, and that it would not be very difficult to protestantise the whole of Ireland. J. K. L., in a prophetic letter to lord Farnham, warned him that his crusade would result in the failure of its object, the embittering of sects, and the gain of the Roman Church. "Many

Catholics, be assured, my lord, anticipate, and not without cause, that a number of those trees which, as they say, are now twice dead, will be enlivened and take root again, that many wandering stars which now travel unrestrained by any law will be fixed again in their orbit—that great numbers of men who are now tossed about by every wind of doctrine, will come to bend in the temples and adore before the altars which their fathers deserted.” There can be little doubt that it was the battle provoked by Protestant polemics in Ireland and the ability of the Catholic defence, that gave rise to the Tractarian movement at Oxford, with its immense train of consequences, and the secession to Rome of many of the gentry of Ireland. Dr. Doyle presented Roman theology in quite a new light, in the shape of apologetic evidence and essays addressed to the intelligence of England; and it is well known that the foundation of the famous “Tracts for the Times” was Sancta Clara on the Thirty-Nine Articles. The reply to Archbishop Magee’s charge was very biting and very able; it was written at the request of Sydney Smith, who wrote thus to Dr. Doyle:—“My dear lord, have you seen Magee’s last pastoral, teeming with poison and polemics, instead of peace and goodwill? If not, get it at once and answer it, for you are the only man in Ireland competent to do so. *There* he will find his match in ‘J. K. L.,’ and I will immolate the beast in the *Edinburgh Review*.”

In the following years Dr. Doyle continued to be the literary champion of the Catholic claims as O’Connell was their champion in action at home, and Plunket in parliament. All three were unrivalled in the discharge of their functions, but we doubt if Dr. Doyle did not do the greatest work of the three in converting England to more enlightened views about “popery.” The atmosphere was cleared of the clouds of passion and wrath, and the light of reason and charity shone through. Public opinion, without being generally won over to Romish doctrines, perceived in Rome, whatever its errors, a holy and Christian Church; and with this change of feeling the age of martyrs passed by in England. Dr. Doyle saw the fruit of his labours in 1829, and he did not take a part in the Repeal Agitation, although he refused to join its opponents, and expressed the opinion that a federal union would be more lasting and beneficial than a legislative. In 1831–32 his political abilities were directed to a legal provision for the poor, of which, in opposition to O’Connell, he was warmly in favour, and to the then prominent question of tithes. In the latter year, his health was so much on the decline, that he was obliged, to a great extent, to retire from labours not belonging to his office. He, however, gave evidence before a committee on tithes, and in a private interview with the marquis of Anglesey, the lord-lieutenant, brought him over to his own opinions, and induced him to write a remonstrance to the ministry, which was procured by Mr. Hume in 1834, and read to the House amid universal astonishment. One of Dr. Doyle’s last literary labours was writing a preface to Butler’s “Lives of the Saints.” In character he was described by the Roman prelate who preached in his memory as “a stern and upright man;” but it was added that his severity was reserved for the proud and great, and that he was tender and loving to the poor and humble. His letters to female friends and nuns show a

very different side to his character—one of delicacy and tenderness. In the private circle of his friends, he was genial, good-natured, and delightful; to the outer world, austere, dignified, and repellent. His last illness was borne with the hope and patience of a saint. He would receive the last sacraments lying on the bare floor—"Take this body of flesh and fling it on the floor," he said to his servant. At an open window, where he caused himself to be removed, that he might look out on the glories of the autumn scene, he expired peacefully and with a collected mind, having made the preparations prescribed by his church. More than twenty thousand people attended his funeral; the face worn by thought, and the form overborne by forty-eight years in which had been compressed the labours of threescore and ten, were gazed upon for the last time with awe and veneration by clergy and people in the great black-hung cathedral which he had built, and then buried under the centre aisle opposite the altar. He was one of three or four political writers of the first-class that Ireland has produced.

#### LORD PLUNKET.

BORN A.D. 1764.—DIED A.D. 1854.

THE grandfather and father of the great Irish Chancellor were distinguished ministers in the Presbyterian body; the latter particularly had a high reputation in Dublin as minister of the Strand Chapel, which was then the wealthiest and most important dissenting place of worship in Ireland; and he was remarkable in his day as a wit and a critic. A place was always kept for him in the Strangers' Gallery in the House of Commons, which was known long after his death as "Dr. Plunket's Stall." William Conyngham Plunket was the youngest of four sons and two daughters; he derived his second name from his mother's family, who held a respectable position in the town of Enniskillen. His father died when he was but fourteen years of age, and left behind little provision for his widow and the three children yet remaining at home—being two unmarried daughters and the youngest son. It was resolved, however, by the Strand Chapel congregation and friends of all denominations to raise a testimonial to Dr. Plunket's memory, in the form of a provision for his family; a large sum was collected, and Mrs. Plunket was thus placed in the same easy circumstances she had enjoyed during her husband's life. One son—Patrick—had already acquired name as a physician; and William was sent to a good school in Dublin, kept by the Rev. Lewis Kerr, where he made rapid progress with his studies. He formed a close friendship with a son of Councillor Yelverton (lord Avonmore), and was often invited to the house of that rising lawyer, who, seeing the manifest abilities of the boy, took a great interest in him, and directed his ambition to the bar. He was described at this time as a hard-headed boy, very attentive to his studies, and very negligent of his person. In 1779 he entered the University of Dublin, and took a high place at the entrance examination. His competitors were men of unusual ability, but he twice took the prize from his class, and gained a scholarship with very high marks.



It was in the College Historical Society, however, that his talents were most conspicuous. This famous debating club was then brilliant with several speakers of great promise—Bushe, Emmett, Tone, Magee, Miller, and Laurence Parsons—amongst all, although the unfortunate Emmett may have cast out brighter gleams, Plunket was by far the greatest light. His future was not doubtful; he had long made up his mind for the bar, and he was, it was plain to be seen by all men, a Lord-chancellor at college. It was an eventful time—one to stir a young man's intellect to its depths. The year of Plunket's entrance into the Historical Society, which contained many members of the Irish House of Commons, was 1782; and night after night he listened from the gallery to the eloquence of Grattan, who was at the climax of success, and, although he was no copyist of Grattan, the benefit cannot be doubted of having the ear attuned to a high strain. The successes which he gained in the Historical Society are thus summed up by his most recent and authentic biographer\* :—"In his second year of membership (1783) he was twice elected president, opened the following session with an address from the chair, and obtained successively the medals for oratory, history, and composition. When a favourite member of the Society (the Rev. Mr. Cleghorn) died, he was requested to deliver an eulogistic oration upon his virtues, and received a special medal for this service. He was also awarded an extraordinary prize for his essay, *A Defence of the Age*, which the Society determined to print, but the copy of it has been unfortunately lost." Among his brilliant compeers Plunket formed life-long friendships (besides others broken by political necessity) with Bushe, Magee, and Peter Burrowes. With the last-named brilliant, but somewhat eccentric lawyer, he continued his student life in London after keeping his law-terms in Dublin. Several other young Irishmen lived and studied for the bar in the same cheap lodgings in Lambeth, and whetted their wits against each other's. Probably the best off among them was the Hon. George Knox, who was a man of learning and ability, and afterwards represented Dublin University in Parliament; he seems to have been Plunket's great friend at this period. The correspondence between them, when Knox went to the Continent, shows the warmth of their friendship, thrown into relief by a strong dislike to one of the Lambeth party named N——; this individual is spoken of with a terrible severity and sharp edge of bitterness, highly characteristic, and the more formidable from its perfect gravity. There was much in Plunket's circumstances in early life to lay a stratum of moroseness which would be laid bare in later life, in a character naturally severe and masculine. He was enabled to pursue his studies, even conducted as they were with great economy, only by the help of his father's friends, and great sacrifices on the part of his mother and sisters, which must have grated still more painfully on his feelings, and made him appear mean in his own eyes. At one time, indeed, he seems to have resolved to give up the bar, but was persuaded by his sister not to give effect to this desperate resolution. The sacrifices of his relative were in this case to meet with a very different return from that which so often disappoints the

\* Life, Letters, and Speeches of Lord Plunket, by his grandson, the Hon. David Plunket, M.P.

self-sacrificing. His time seems to have been devoted to the severest study; he filled many a note-book with close analyses of his reading, and laid up in his wonderful memory stores of precedent and legal knowledge, which gave him a complete mastery of his profession. The ignorance which he found among Irish lawyers on joining the bar was naturally accounted for by their habits of dissipation and pleasure, which he immediately resolved to eschew. He thus writes to his friend Knox:—"I have not been able to read a word since I came home, and, indeed, it is almost impossible for any man who shares in the dissipation that prevails amongst the legal men here to do so. The taste for idleness and debauchery which pervades the whole profession would, in my opinion, be alone sufficient to account for the difference in the legal information of the two countries. I have, for my part, been obliged to make a serious resolution against supping out and sitting up late, for besides the time actually lost in it, it leaves me in a state of entire stupefaction for the whole of the next day. I have a course of hard reading and early rising in view, which, whatever malicious sneers may think, I am in great hopes I shall be able to keep up to." With such resolves for his professional life, and the ample command of knowledge, and the iron two-handed sword of eloquence, which Plunket possessed, and, like Grattan, had practised upon the trees of Richmond Park,\* it would have been strange if he had not asserted immediate eminence amongst the easy-going, happy-go-lucky orators of the Irish bar, upon whose sluggish courts several men of similar calibre were just now breaking. He thus describes his professional *débüt* to his friend Knox:—"I made my first public exhibition about a fortnight ago in the Court of Exchequer, and gained a good deal of credit by it. I spoke after three on the same side had spoken before me, but was lucky enough to have the scheme of my argument, and most of the parts of it left untouched. R—— was present, and congratulated me very warmly."

The fame of the student made a stepping-stone for the man; there are many who fail to use it, or find it thrown beyond their reach, but Plunket stepped boldly over, and took the position of a first-rate and successful lawyer, whilst most men are living upon expectations. He was employed on the important election case of 1790, in which Provost Hutchinson was accused of having unfairly influenced the university election in favour of his own son. Two cases were clearly proved; one was an endeavour to bribe Plunket's friend Magee by permitting him to be a lay fellow and pursue his preference for the bar, a favour which had previously been denied him; the other was to procure the vote of Miller, author of the *Philosophy of History*, by promising the Provost's influence in his election to a fellowship, and a perusal of the questions which he intended propounding to the candidates. The latter was not so clearly brought home to the Provost. Hutchinson, owing to the absence of a member of the committee giving two votes to the chairman, besides his casting vote in the equality thus

\* He found the disadvantages of this kind of speaking:—"A man, you know, cannot throw out elegant personalities against himself; and, besides, to own the truth to you in confidence, I always found my first arguments so unanswerable that I never could produce a reply."—*Life by his Grandson*, vol. i. p. 44



established, had a fortunate escape; but Plunket and Burrowes did not leave him much upon which to congratulate himself beyond the bare acquittal, and both threw themselves out in great prominence. Plunket chose the north-west circuit, most of his connection lying in that direction, including Fermanagh, his native town. Strabane also lay in the circuit, and it was there that he formed an attachment to Catherine, daughter of Mr. John M'Causland, with whom he was already connected by marriage through the family of the Conynghams. The great success he had at once attained in his profession warranted him in marrying at the comparatively early age of twenty-eight, and the issue of this marriage was five daughters and six sons; he lived to see all his sons in positions of influence and emolument, and in his later years to find them the stalwart props of his old age.

For several years he seems to have abstained from politics, and devoted himself entirely to advancing in the road of his profession. Bad lawyers generally take to politics from the outset, but Plunket had no ignorance to supplement, and no need to seek an indirect path to the eminence to which he was so fully entitled to on his legal merits. From 1787, when he was called, to 1798, when his professional position was fully established, he showed his political opinions only to his friends in social intercourse. Lord Plunket's character was cast remarkably in the Presbyterian mould; it was grave, stern, and free from all flaming enthusiasm, though full of inward fire; it was strictly limited by logic, and undistracted from its conclusions by feeling. The course of such a man in the politics of Ireland was clearly marked out; it was widely separated from the path of his friends Tone and Emmett, and equally distinct from the baser path of those who sought place, and place only. Nor did it lie with that of the place-holders more than of the place-seekers—the aristocratic party, who lived in their little world of selfishness, containing a few hundred monopolists. Plunket's political course was that of a man whose springs of action were in his intellect. His feelings were completely subordinated, as was evidenced by his sternness in severing the ties which bound him from boyhood to the two brilliant rebels just alluded to. Nor did his personal interests turn him from the path dictated by a determined reason. He was a hard-headed man, as he had been a hard-headed boy. His actions were governed by a steadfast law of conscience, which never gains so much credit as the irregular impulses of patriotism or pride. With an intelligent interest in politics, and his eyes thoroughly open to all that was occurring, and by daily intercourse acquiring a better knowledge of the politicians of his day than if he had been engaged with them in their public intrigues, “lawyer Plunket” persevered in his proper practice, and received a silk gown from lord Clare in 1797, and practised thenceforth chiefly in the Courts of Equity. Two years afterwards he was offered a seat in parliament for the borough of Charlemont; and after two long interviews with the old lord, in which their only point of disagreement was the Catholic question, he accepted it unshackled by any condition, and joined that gallant band of patriots who were then rising up to fight behind Grattan, Ireland's last fight. We have already mentioned how the one difference with the patron of his seat was reconciled in the following



year, when lord Charlemont acknowledged to his son that Plunket had prevailed over an old prejudice. On the great exigency of the moment, which was to defend the legislative independence of the country against the destruction with which it was menaced, all true men were in accord. The first efforts of the government were directed to gagging the press, by amending the Act 23d & 24th George III. relating to the publication of libels. Although there was much in the seditious journalism of the day to justify such a measure, Plunket saw that the proposed amendment of the law had a wider object, and opposed it in a speech in which he entered upon his opposition to the government. He succeeded in making the government modify the most important section of the Act, by reducing the security required from the publisher of a newspaper from £2000 to £500. On Sir Laurence Parson's motion for an inquiry into the mode of allaying the rising discontent, Plunket spoke on the side of the minority of 19 which supported the motion. He urged that the government had too long met the discontent, which was now breaking into treason, with repressive instead of alleviating measures. "You have stopped the mouth of the public by a Convention Bill—have committed the property and liberty of the people to the magistrate by the Insurrection Act; you have suspended the Habeas Corpus Act; you have had, and you have used, a strong military force—as great a force as you could call for; and there has been nothing that could tend to strengthen your hands or enable you to beat down this formidable conspiracy that you have not been invested with. What effect has your system produced? Discontent and sedition have grown threefold under your management. What objection, then, can you urge against trying another mode? If on trial it shall not be found to do good, you are only where you were; if it succeed, you have secured an inestimable benefit." Possibly it was too late for this advice to be taken. In the abstract, Plunket was right in arguing that the true way with a sensible people like those of the province he himself represented, was to meet French principles with English liberty; in practice, it was a moment for forcible suppression of rebellion, not for inquiry into its causes. During the course of the terrible outbreak which ensued, Plunket endeavoured on every occasion when opportunity offered to mitigate the vindictiveness of the loyal. He urged an indemnity from the public purse for those who, though innocent, had suffered loss by the injustice of magistrates; but unfortunately was unable to give this other aspect to the bill, by which the magistrates were indemnified for their illegalities. He showed his anxiety that justice should be done even to those whose acts he reprobated by sifting the evidence of witnesses against the rebels, and at the same time expressed indignation at the ingratitude of those prisoners whose lives were spared, but who endeavoured, from their prisons, to excite the people by manifestoes. When the fever of the rebellion passed by, it left the country pale and powerless at the feet of a bold and determined minister; it was then, when she lay in this position, that Plunket threw aside his caution and the usual coldness and moderation of his character, and showed a courage in opposition equal to that of the most heated partisan. We have seen how Shiel purposed in after days to use the strong language of his anti-union speeches against himself.

It was not merely in speeches that he attacked the looming spectre. The Lord-lieutenant's secretary, Mr. Cook, had written an anonymous pamphlet, entitled *Arguments for and against an Union considered*, to which Bushe replied in an ironical brochure, entitled *Cease your Funning; or, the Rebel Detected*, in which he pretended to consider the former as written by a member of the opposition, or a United Irishman, to discredit the government proposal. At the end of 1798, a newspaper was started, called the *Anti-Union*, to which Plunket, along with Bushe, Burrowes, Grattan, Smyly, and others, was a chief contributor. In the third number of this journal appeared a letter to the editor, signed "Sheelagh," which is, we believe, the only article identified as Plunket's. In this composition Sheelagh, representing Ireland, is a young woman condemned to a union with an old gentleman named Bull. She is descended of an ancient family; but, owing to the folly of her ancestors, thrown upon the world with little but good health and temper. With this she has set up in trade, but encounters the jealousy and ill-nature of a distant relation, who has taken advantage of the condition in which she was left in infancy to assert pretensions to treat her as a dependant. The only foundation of his claims was that they held under a common landlord; but her better position for trade, and the probability of her taking away his customers, alarmed all his bad feelings. He insisted, therefore, on having the management of her affairs, in order that they might be carried on at a disadvantage. She successfully resisted such pretensions; but Mr. Bull's circumstances having become embarrassed by litigation, principally through the ill-temper of a head clerk, who had led his employer a dance of the wildest expenditure, he is reduced from a reasonable and affluent man to a wretched and beggared invalid. In this position the adventurer determines to conceal the effects of his own bad management by getting possession for the old gentleman of Sheelagh and all her property. He employs a scullion of Bull's, who calls himself a cook, to excite dissension amongst the family. "This person," Sheelagh says, "I was prevailed on to hire as a shop-boy, though he was very ragged, and had no discharge to produce; and notwithstanding his being very useless, and very saucy, yet having taken him through folly, I kept him through charity; but bitter cause, indeed, have I to repent my indiscretion in this particular, for I have discovered that this wretched creature, though he neither knows how to speak or write, yet by the force of impudence and cunning, and by means of a false key to my till, he has been able to corrupt many of my domestics." This being had sown dissensions among the servants, arraying them some in orange and some in green, and putting them one against another, and inciting them to deadly quarrels in order to reduce their mistress to such a wretched plight that she would be compelled to marry Mr. Bull; and most infamous of all, he had actually published an advertisement that she had been debauched by him, and lived for many years in gross prostitution. "But, Sir, conceive, I beg of you, the ridiculousness of this overture—I to marry Mr. Bull! Mr. Bull, whom, in the year 1783, when he was tolerably vigorous and reasonably wealthy and well reputed, I would have rejected with contempt! Mr. Bull, now that he has had repeated attacks of the falling-sickness, and that a commission



of bankruptcy is ready to issue against him! . I could not have believed the proposal serious, if the old gentleman himself had not gravely avowed it! Hear, I beg of you, the inducements he holds out to me. There is to be no cohabitation, for we are still to live on different sides of the water—no reduction of expenses, for our separate establishments are to be kept up—all my servants are to be paid by me, but are to take their orders from him—the entire profits of my trade are to be subjected to his management, and applied in discharge of his debts—my family estates to be assigned to him without any settlement being made on me or my issue, or any provision for the event of a separation. He tells me, at the same time, that I am to reap great advantages, the particulars of which he does not think proper to disclose; and that, in the meanwhile, I must agree to the match, and that a settlement shall hereafter be drawn up agreeably to his directions and by his lawyers. This you will say is rather an extraordinary *carte blanche* from an insolvent gentleman, past his grand climacteric, to a handsome young woman, of good character and easy circumstances. But this is not all; the pride of the negotiation is equal to its dishonesty, for though I am beset and assailed in private, and threatened with actual force, if I do not consent to this unnatural alliance, yet, in order to save the feelings of the Bull family, and to afford a pretext for an inadequate settlement, I am desired, in despite of all maidenly precedent, to make the first public advances, and to supplicate, as a boon, that he will gratify my amorous desires and condescend to receive me and my appurtenances under his protection. Still one of the principal features of this odious transaction remains to be detailed. Would you believe it, that this old sinner, several years ago, married a lady who, though of harsh features and slender fortune, was of honourable parentage and good character, and who is at this hour alive, and treated by him with every mark of slight and contumely; and it is worthy of observation, that many of the clauses in the articles which were very carefully drawn up previous to his marriage with this lady have been scandalously violated by him. The truth is, I am determined to live and die a maiden;" and she concludes by saying, that though she does not wish to listen to the advice of those who bid her fly into a passion, and break Bull's windows, and tar and feather his shop-boy (though the latter part held out strong inducements), she was resolved, if peaceable means failed, "to repel force by force."

In the debate on the Address in January 1799, ministers attempted to outface the accusation of bribery. When Mr. Barrington (afterwards Sir Jonah) implied that lord Castlereagh had been guilty of dishonourable practices, several ministerialists interrupted him, and threatened to move that his words be taken down; Plunket rose and promised to repeat the accusation in stronger language, but said that he had no idea of permitting the freedom of debate to be controlled by such frequent interruptions. Shortly after, Mr. Corry formally moved that a still more unmistakable expression should be taken down; but on Plunket's reminding him that the house would then be committed to an inquiry, the motion was prudently dropped. The promise of still stronger language was faithfully kept. It was between six and seven o'clock in the morning when he rose to reply to Castlereagh, in a



speech which, owing to the emotions of speaker and listeners, and the extraordinary importance of this question of national existence, as well as the intrinsic merits of the speech itself, and the surprise caused by the first display of his powers in the senate, produced a greater impression than any subsequent effort. He said he would make no apology for troubling them at that late hour, exhausted though he was in mind and body, and suffering though they must be under a similar pressure. Having congratulated the house on the certainty of victory which he derived from the words and aspect of his own side, and saw confirmed in the doleful and discomfited faces of the miserable group before him, he said that he must also congratulate them on the candour of the noble lord who had exposed the project in its naked hideousness and deformity. It was not the rebellion, or any temporary cause; but the condition of slavery was engrafted on the principle of their connexion, and by the decrees of fate Ireland was doomed a dependent colony from her cradle. Having repudiated this imputation, he cautioned the house against supposing that by adopting the address it would not be, as Castlereagh asserted, committed to the measure in any future stage; and he asserted that now, if ever, was the time to make their stand. He continued thus:—"But, Sir, the freedom of discussion which has taken place on this side of the house has, it seems, given great offence to gentlemen on the treasury bench. They are men of nice and punctilious honour, and they will not endure that anything should be said which implies a reflection on their untainted and virgin integrity. They threatened to take down the words of an honourable gentleman who spoke before me, because they conveyed an insinuation; and I promised them on that occasion, that if the fancy for taking down words continued, I would indulge them in it to the top of their bent. Sir, I am determined to keep my word with them, and I now will not insinuate, but I will directly assert, that base and wicked as is the object proposed, the means used to affect it have been more flagitious and abominable. Do you choose to take down my words? Do you dare me to the proof? Sir, I had been induced to think that we had at the head of the executive government of this country a plain, honest soldier, unaccustomed to and disdaining the intrigues of politics, and who, as an additional evidence of the directness and purity of his views, had chosen for his secretary a simple and modest youth, *ingenui vultus ingenuique pudoris*, whose inexperience was the voucher of his innocence; and yet I will be bold to say, that during the viceroyalty of this unspotted veteran, and during the administration of this unassuming stripling, within these last six weeks a system of black corruption has been carried on within the walls of the castle which would disgrace the annals of the worst period of the history of either country. Do you choose to take down my words? I need call no witness to the bar to prove them. I see two right honourable gentlemen sitting within your walls, who have long and faithfully served the crown, and who have been dismissed because they dared to express a sentiment in favour of the freedom of their country. I see another honourable gentleman who has been forced to resign his place as commissioner of the revenue, because he refused to co-operate in this dirty job of a dirty administration. Do you dare to deny this?

I say that at this moment the threat of dismissal from office is suspended over the heads of the members who now sit around me, in order to influence their votes on the question of this night, involving everything that can be sacred or dear to man. Do you desire to take down my words? Utter the desire, and I will prove the truth of them at your bar."

In the indignation excited by such means, he saw the defeat of the measure. He rejoiced that it was in the hands of one who might imitate the vices of his master, Pitt, but had not the towering intellect and the vastness of his resources. "I thank God that it is much more easy for him to transfer his apostacy and his insolence than his comprehension and his sagacity; I feel the safety of my country in the wretched feebleness of her enemy. I cannot fear that the constitution which has been founded by the wisdom of sages, and cemented by the blood of patriots and of heroes, is to be smitten to its centre by such a green and sapless twig as this." After urging the incompetence of parliament and other arguments with which the reader of previous memoirs is familiar, he concluded with a famous passage regarding himself, which reads curiously afterwards in the bathos of realities. "Yet, Sir, I thank the administration for this measure. They are, without intending it, putting an end to our dissensions. Through this black cloud which has collected over us, I see the light breaking in upon this unfortunate country. . . . They have united every rank and description of men by the pressure of this grand and momentous subject; and I tell them that they will see every honest and independent man in Ireland rally round her constitution, and merge every other consideration in his opposition to this unjust and odious measure. For my part, I will resist it to the last gasp of my existence and with the last drop of my blood; and when I feel the hour of my dissolution approaching, I will, like the father of Hannibal, take my children to the altar and swear them to eternal hostility against the invaders of their country's freedom. Sir, I shall not detain you by pursuing this question through the topics which it so abundantly offers. I shall be proud to think my name shall be handed down to posterity in the same roll with those disinterested patriots who have successfully resisted the enemies of their country. Successfully, I trust, it will be. In all events, I have my exceeding great reward; I shall bear in my heart the consciousness of having done my duty, and in the hour of death I shall not be haunted by the reflection that I have basely sold or meanly abandoned the liberties of my native land. Can every man who gives his vote on the other side this night lay his hand on his heart and make the same declaration? I hope so. It will be well for his peace. The indignation and abhorrence of his countrymen will not accompany him through life, and the curses of his children will not follow him to his grave."

This speech of the stern north country lawyer produced an immense effect at the time, and should be read in the light of the moment. As well might we expect a lover's passionate vows to tally exactly with the sober realities of his married life, or to bear quotation when the bride has changed into a middle-aged mother, as put Plunket's Union speeches in contrast with his after career. It was made a taunt

against him that, instead of leading his sons to the altar and devoting them, like Hannibal, to the disreputable calling of unsuccessful rebels, he led one of them to the altar to be consecrated an English ascendancy bishop, another to be a dean, a third a vicar, and others to hold valuable posts connected with the administration of the laws of the United Kingdom, while Hamilear himself mounted the woolstack. Such taunts may be good jokes; but as grave charges of inconsistency, they are simply absurd. The words were dictated by the feelings of the moment. The man who, at the time, was sacrificing his own prospects, and incorruptible by offers which Bushe said "bewildered" him, felt that he could devote his children to a similar resistance; but when resistance had failed, and the measure had long been carried, and it had become as hopeless to recover a separate legislature for Ireland as to bring back the shadow in the dial, those passionate promises were fortunately not equally irrevocable. Plunket, like a reasonable man, having nobly done his duty to his country in a crisis of great temptation, and passed through an ordeal which for ever established his political purity, was bound in the new order to provide for his family, and to take for them and for himself whatever he could honestly obtain. Kicking against the pricks of accomplished facts is dooming ourselves to an impracticable and useless, and probably mischievous, course of action, in which we are sure to be ourselves the principal sufferers. We cannot again go through the history of the Union; it is sufficient to say that, throughout of the whole struggle, Plunket led the van. For such a biting tongue there was terrible opportunity in the bribed ranks opposite, and the band of seducers that occupied the treasury bench. The traitors were thoroughly afraid of him; and when attacked by some too adventurous ministerialist, that keen visage assumed a "curled sneer, which, as a legion offensive and defensive, was prepared for any enemy," and made the assailant falter like a wounded man. Plunket stood arraiging the baseness and corruption of the last Irish parliament amid a storm of cries of "order" and noisy interruptions, at the final moment when the galleries were cleared and the public were excluded from the scene of tumult and recrimination. When strangers were once more admitted, all was over; the Union was carried, the opposition benches were empty, those great men who had but now been collected in a phalanx of genius and patriotism had seceded and were scattered for ever—some to reappear as units in the English parliament, others, who had had enough of politics, to rise in their professions or to seclude themselves in private life.

Plunket, as he had abstained from politics during his first ascent at the bar, determined to devote himself for the future entirely to the more profitable profession of using the laws instead of making them. He could not resolve upon this for a while. For some weeks he thought of canvassing the university of Dublin, and embarking in a struggle for repeal; but calmer consideration convinced him that repeal meant separation, and that this could only be achieved through the impossible success of a civil war. He was that kind of man who is seldom baffled, and showed the rage of a victor under defeat. In this instance, however, he soon saw that there was nothing for it but submission, and in this he was as resolute as in his resistance. Three years later, years



employed by Plunket in toils and excitements of a great lawyer, an attempt was actually made to sever the connexion. He was then, instead of being one of its partisans, engaged, in his professional capacity, on the prosecution. He was retained, with O'Grady and McClelland, the attorney and solicitor generals, on all the trials arising out of the *emeute* of 1803; and it was only as they advanced that it became evident that Robert, the younger brother by sixteen years of his old friend Thomas Addis Emmett, was the heart of the conspiracy. For ten years Plunket had not spoken to the elder brother; but it was undoubtedly painful to him to find himself obliged to take a part in this trial. He was entrusted with the task of speaking upon the evidence, and he ably fulfilled the object which he had in view of "pointing out the folly and wildness, as well as the wickedness, of the conspiracy that at the time existed." When, several months after, he accepted the office of Solicitor-general, which was conferred upon him solely on the ground of his extraordinary merits, this was made the occasion for opening upon him the floodgates of radical scurrility and abuse. Cobbett published a libellous account of the transaction, for which Plunket sued him, and obtained £500 damages. He completely cleared his conduct from all imputation; but amongst all the distinguished and illustrious men whose friendship he enjoyed, it had never for a moment obtained foothold. In 1805 he was appointed Attorney-general under Pitt's administration, and continued in that office under the ministry of "all the talents." Whilst he held it under the Tories, it was "simply," as his grandson states, "as the professional servant of the crown;" but "when under the administration of lords Grenville and Howick, the Attorney-generalship had assumed a parliamentary and party character, he did not hesitate to resign it, and followed his leader into fifteen years' exile from power." Lord Grenville was very anxious for his assistance in parliament, but Plunket felt how incompatible with a proper discharge of his office, and how derogatory to it in the truest sense, would be the precedent his compliance would create. He was obliged, however, to yield; and having become politically involved with the Whig government, could not accept the duke of Portland's offer that he should hold his place under the Tories. This is the substance of the reason which Plunket gave at the time for resigning office. The following extract from a letter of lord Redesdale shows the opinion which high-minded men formed of the justness of his conduct:—

"I cannot express to you the regret which I feel at your final determination to resign your office. I feared the consequences of your having been prevailed upon to accept a seat in parliament, from which it had been my particular wish that the law officer of the crown in Ireland should be exempted; and when urged by Mr. Wickham, I had strongly objected to it as highly injurious to the individuals, and tending to make the bar of Ireland again a field for political interest; and to render promotion the reward of political services, instead of being the reward of those professional labours which best qualify men for the highest legal situations."

Plunket's tenure of the seat in parliament, which thus compelled him to resign his legal office, lasted only for two months. He was elected

for Midhurst in 1807, by the influence of the Grenville party, but did not offer himself for re-election when the dissolution took place in April. In the short interval, he made one speech on the Catholic claims, of which there is no tolerable report; but Mr. Whitbread said of it, speaking in the following year, "that it would never be forgotten." He did not return to parliament until 1812; but gave himself wholly up to his profession, and was in receipt of the largest income ever made by an Irish lawyer. Little or no record remains of his many great speeches at the bar, which were almost entirely extempore, and often delivered with the least possible preparation. He had a great dislike to writing, and indeed to all drudgery of preparation. His briefs were read driving in from Old Connaught, his residence near Bray. There were instances in which he learned the facts of some heavy case in chancery from a junior, walking down to court; and then stood up and completely overwhelmed his opponents, convinced the chancellor, and amazed his own colleagues by arguments and points which they with diligent study and consultation had failed to see. His chief practice, we have before observed, was in the nobler task of arguing before the judges; but when he undertook to plead before a jury, his dignified, grave, and earnest manner made what might be commonplace in a report weighty and telling in delivery; and his power of cross-examination was something terrible—to undergo it was as it were falling into the hands of a grand inquisitor. Among the lawyers whom he had to encounter, Bushe was the compeer whom he met on the most equal terms. In the case of *The King v. O'Grady*, in which Plunket and Burton were opposed to Bushe and Saurin, Bushe defended his colleague from an attack which had been levelled at him for instituting the proceedings. They were directed against Chief-baron O'Grady for appointing his son to the clerkship of the pleas in his own court, which, they contended, was in the gift of the crown. After many compliments to Plunket, as one on whose accents the listening senate hung, and one of the most illustrious individuals in the country, standing on a height from which censure fell heavily indeed, he called upon him, if he believed the prosecution was really so revolutionary and Jacobinical, to proceed further, and to impeach it before the Commons. If he did so, and there contended that they were offering disrespect to what he called the adjudication of the Court of Exchequer, in a case where one party was not present and the other presided, the very walls of Westminster would utter forth a groan, and the shades of Mansfield, of Somers, and of Holt would start forth from their tombs to rebuke such an insult to their judicial character. If so, he predicted to this Wellington of the senate that he would do so at the peril of his laurels, for they would wither at the root. Plunket's reply to this counter attack is so excellent an example of his extempore power of rhetoric, which is the only quality that can be exhibited in such brief extracts as we have space for, that we offer it to the reader as a specimen:—

"The Solicitor-general having passed upon me some most extravagant compliments, which no man can suppose I would be such an egregious dupe of inordinate vanity as to receive as merited, then calls upon me to step over to Westminster Hall and to desire the House of Commons



to decide whether this was a judicial act or not ; and if, under the influence of this extravagance of praise, my head were to be so completely turned that I should actually go to St. Stephen's Chapel for the purpose, he then tells me that the very monuments would yield up their illustrious dead, and the shades of Mansfield and of Somers, of Holt and of Hale, would start from their tombs to rebuke the atrocious imputation. If I had been such a madman as to adopt the suggestions of my learned friend, and introduce in such a place the descriptions of a legal point depending in the Court of King's Bench in Ireland, the shades of those illustrious people, if they had any taste for the truly ridiculous, might have stepped down to amuse themselves by seeing an Irish lawyer performing the part of Malvolio, cross-gartered and in yellow stockings, the victim of egregious vanity and folly. But if they had thought fit to deny that the swearing in the officers by the Court of Exchequer was a judicial act, I should have prayed in aid the shade of Sir Joseph Jekyll, who calls such an admission, in terms, a judicial act ; I should have called on the shades of the learned judges who decided the cases in the Year Book of 9 Ed. IV. c. 6 ; in Dyer 149 A. 150, 6 ; and in 1 Anderson, 152. If these venerable spectres had not availed me, I should have called for the substantial assistance of the Solicitor-general himself, who, after a variety of splendid and figurative language, such as the rich imagery of his fancy supplied, ended at last by admitting it to be a judicial act. All these authorities I should have cited to the apparitions of lord Somers, lord Mansfield, and lord Hale. But to lord Holt I would say, You are the most impudent ghost that ever visited the glimpses of the moon, for you yourself did in your lifetime the very thing which you now start up to rebuke. My lords, the Solicitor-general has predicted that my laurels are foredoomed to wither at the root. I do not think I can lay claim to any laurels ; and I am conscious that if I ever put forth the leaves, they are already upon the sere. But, notwithstanding what has fallen from the Solicitor-general, I believe he would be disposed rather to regret their fall than to rejoice at any untimely blight which stripped them off before their natural decay. What he has said has not excited any resentment in my mind. As to the expressions 'revolutionary' and 'Jacobinical,' he must know that they were not applied by me, personally, against any individual, but to a proceeding that appeared to me wholly unwarrantable in its nature and tendency. As to the Solicitor-general personally, I had no reason (nor have I at this moment) to believe that the proceeding was at all advised by him."

During this interval of purely professional life, Plunket received several pressing invitations to return to parliament. In 1808 the Hon. George Ponsonby was authorised by lady Downshire to offer him the representation of the borough of Newry. In the following year lord Grenville conveyed the offer of a seat for one of his boroughs from the duke of Bedford. Plunket was resolved not to re-enter parliament until he should have amassed a sufficient competence to repose upon ; but by the death of Dr. Patrick Plunket, in 1812, he came in for a bequest of £60,000, which at once placed him in the position he desired, beyond the necessity of unremitting attention to business. This enabled him to accept a seat, but it was difficult to extricate him-



self from the tremendous trammels of legal practice; and he did not therefore take an active part in the House until the Catholic question came on again. This was in 1813. In the beginning of the year, lord Grenville had exonerated him from attendance; but in February Grattan moved for a committee to inquire into the laws affecting the Roman Catholics, and Plunket was in his place to support the motion. His speech was a memorable one; all the speakers who followed on both sides spoke of it with admiration; and lord Castlereagh, who, when they had last met in debate, thirteen years before, had received such a terrible punishment, and had been described as "a green and sapless twig"—a description which had a peculiar significance—forgot his injuries in generous praise of his opponent's speech, which, he said, "could never be forgotten." Plunket was a man to be touched by such nobleness; and afterwards, when writing to Sir Walter Scott, who, when in Ireland, had been his guest at Old Connaught, to acknowledge his *Life of Napoleon*, he expressed pleasure at his kindly treatment of "poor Castlereagh." Plunket's next achievement in the House was an attack upon the speaker (Abbott), in which he supported lord Morpeth's motion for a vote of censure upon that functionary. Grattan's bill had been carried; but in committee the speaker had got a clause introduced which made the bill worthless, forbidding Roman Catholics to sit in either House. In addressing the Prince-regent at the end of the session, from the bar of the House of Lords, the speaker had made observations on the Catholic question which implied that it was a cause finally lost, and were conceived to reflect improperly upon the advocates of the measure. Plunket's speech was made more personal by being directly addressed to the speaker, whom he, in his severest manner, rebuked for presumption in expressing unauthorised opinions as the mind of the House, and as it were inviting the crown to interfere in a subject which was under the consideration of the Commons. He concluded a speech, which in itself was a censure that no majority could efface, by remarking on the unhappy taste of mixing up congratulations on the peninsular victories of Wellington with those uncalled-for allusions to the bonds of his Roman Catholic countrymen. "When you adverted to the splendid victories of our illustrious commander, who has gained such transcendent fame, . . . was that a well-chosen moment, Sir, to pronounce the irrevocable doom of those who, under their immortal commander, had opened the sluices of their heart's blood in the service of the empire? It was the custom in Rome to introduce a slave into their triumphal processions, not for the purpose of insulting the captive, but to remind the conqueror of the instability of human glory. But you, Sir, while you were binding the wreath round the brow of the conqueror, assured him that his victorious followers must never participate in the fruits of his valour." The victors were in this instance made to do duty for the slave instead of sharing in their commander's triumph. Plunket soon asserted himself as a great power in the House, and by his gift of extempore speaking made himself a master of debate. He was a rather frequent speaker, without being so much before the House as to grow commonplace, or be dreaded as a lecturer. His speeches on the renewal of the war and the Peterloo massacre, as it is ridiculously called in history, were among the happiest of his

efforts, and on those occasions he spoke in alliance with the Tory party and against the extreme Liberals. On the latter occasion his powerful and judicial speech was exceedingly valuable to the ministry. Lord Dudley and Ward thus described it to the bishop of Llandaff:—"By-the-by, he (Plunket) has cut a great figure this year. His speech in answer to Mackintosh was among the most perfect replies I ever heard. He assailed the fabric of his adversary, not by an irregular damaging fire that left parts of it standing, but by a complete, rapid, systematic process of demolition, that did not leave one stone standing upon another." The critics of the day remarked the more than English plainness of his speeches; they had the severity which, when combined with strength, constitutes, to the taste of the Anglo-Saxon, the most perfect oratory. The Englishman loves strength rather than beauty, naked muscle better than grace of form. Lord Lytton's portrait of Plunket, in the poem called "St. Stephen's," from which we quoted another admirable description in our memoir of O'Connell, is particularly forcible and truthful:—

"But one there was to whom, with joint consent,  
 All yield the crown in that high argument.  
 Mark where he sits: gay flutterers round the bar  
 Gathering like moths attracted by the star.  
 In vain the ballet and the ball invite,  
 E'en beaux look serious: Plunket speaks to-night.  
 Mark where he sits, his calm brow downward bent,  
 Listening, revolving, passive, yet intent.  
 Revile his cause, his lips vouchsafe no sneer;  
 Defend it, still from him there comes no cheer,  
 No sign without of what he feels or thinks—  
 Within slow fires are hardening iron links.  
 Now one glance round, now upward turns the brow,  
 Hushed every breath, he rises, mark him now—  
 No grace in feature, no commanding height,  
 Yet his whole presence fills and awes the sight.  
 Wherefore? you ask. I can but guide your guess—  
 Man has no majesty like earnestness.  
 His that rare warmth—collected central heat,  
 As if he strives to check the heart's loud beat,  
 Tame strong conviction and indignant zeal  
 And leave you free to think as he must feel.  
 Tone slow, not loud, but deep-drawn from the breast—  
 Action unstudied, and at times suppress;  
 But as he neared some reasoning's massive close  
 Strained o'er his bending head his strong arms rose,  
 And sudden fell, as if from falsehood torn  
 Some grey old key-stone, and hurled down with scorn.  
 His diction that which most exalts debate,  
 Terse and yet smooth; not florid, yet ornate;  
 Prepared enough, long meditated fact,  
 By words at will made sinuous and compact,  
 With gems the genius of the lamp must win,  
 Not scattered loose, but welded firmly in,  
 So that each ornament the most displayed  
 Decked not the sheath, but hardened more the blade.  
 Your eye scarce caught the dazzle of the show  
 Ere shield and cuirass crashed beneath the blow."

The same instinctive power which lord Brougham remarks he possessed of "marshalling his propositions in such an order that you must

assent to them successively, and were not aware how you had been drawn on to the conclusion he desired to make you adopt, until you found it in the last stage of the process"—a process which amounted to a sort of natural crystallisation of arguments—accompanied him into parliament, and made him recognised as more than an initiated member of the guild of genius—a great man amongst the great, the admiration of the admired. What particularly pleased the critical was that he did not speak to win admiration; his brilliancies were, as Brougham again observes, "sparks thrown off by the motion of the engine, not fireworks to amuse by their singularity or please by their beauty." And this unconsciousness generally receives its reward, for it does not awaken the jealousy of those who are themselves seeking after fame. We have already noticed the effect upon the Catholics of the peace of 1814. Mr. Plunket says, "that class of politicians whose ears were open to arguments based upon expediency, but deaf to those founded upon justice, relapsed into indifference on the question of emancipation. There was no longer reason for apprehending that the discontent of the Irish Catholics might develop any consequences physically formidable to the empire; and a complete apathy regarding their claims settled down upon a large portion of the English people." The split upon the subject of the *Veto* deprived the Catholic board of its aristocratic leaders, and it was in a short time cast away amid the noisy surges on which it rushed when left to its own guidance. Grattan had the discouragement of advocating a bill not accepted by those in whose interest it was framed, and the opponents of Catholic relief had in this a powerful vantage-ground. Plunket and other friends of emancipation were held back by the hopelessness, under such circumstances, of advancing the cause, and by a strong opinion in favour of the rejected *Veto*. In 1820 Grattan expired, and almost his last words were with regard to the paper on the Catholic claims drawn up by his son. He said, on hearing it read over, "It will do; I should wish it to be read over in the House; give my love to Plunket—he will do it." Well and truly did Plunket perform the bequest of his friend, of whom he long afterwards said, reviewing the intimacies of his past life, that Grattan was the "greatest and best man" he had ever known. In proposing young Grattan to succeed his father in the representation of the city of Dublin, Plunket showed an emotion which was startling in such an outwardly stern and self-controlled man. He burst into tears when commencing his speech, and was several times stopped in it by an emotion shared by his audience. He did not, however, see any chance of carrying the measure which had thus devolved upon him as a sacred trust; but in 1821, on the question being again brought forward, he delivered a speech which Sir Robert Peel said stood the highest in point of ability of any ever heard in the House, combining the rarest powers of eloquence with the strongest powers of reasoning. We cannot give any idea, by extracts or summary, of this speech; for although speeches are the events in the life of a public speaker, detached passages are not sufficient, like geological specimens, to bring before us a stratum of eloquence, and the skeleton of a speech is unsightly. The following is, however, so interesting, as bearing on questions which more and more occupy the attention of the present day, that it is worthy of quotation on its own account:—



"Again, if we are to denounce, why denounce only one particular sect of Christians? Why not Socinians? Why not those who deny the divine nature of our Lord? Why select those who believe all that we do, merely because they believe something more? Why not Jews, Mahometans, pagans? Any one of these may safely make the declaration, provided he is willing to commit the breach of good manners which it requires. He may not only deny our God and our Redeemer, but he may worship Jupiter or Osiris, an ape or a crocodile, the host of heaven or the creeping thing of the earth; let him only have a statutable horror of the religion of others, and agree to brand with the name of idolatry the religion of the great part of the Christian world. But further, if the Roman Catholic religion is to be singled out as that, by the common bond of hatred to which we are all united in the ties of brotherly love and Christian charity, why select only one particular article of their faith, and say that the sacrifice of the mass is impious and idolatrous. Why leave them their seven sacraments, their auricular confession, their purgatory, all equally badges of superstition, evidences of contumacy, and causes of schism? Why make war exclusively upon this one article? We all declare solemnly that we consider the sacrifice of the mass as superstitious and idolatrous. Now I entreat each member of this House to suppose that I am asking him as a private gentleman, does he know what is said or meant or done in the sacrifice of the mass; or how it differs from our own mode of celebrating the communion, so as to render it superstitious and idolatrous? If I could count upon the vote of every member who must answer me that upon his honour he does not know, I should be sure of carrying by an overwhelming majority this or any other question I might think proper to propose. Were I now to enter on a discussion of the nature of these doctrines, every member would complain that I was occupying the time of statesmen with subjects utterly unconnected with the business of the House or the policy of the country. Can there be a more decisive proof of its unsuitableness as a test? Still, even at the hazard of being censured for my irrelevancy, I must venture one or two observations on the point denounced. It is important that I should do so, because the truth is that at the Reformation the difference between the two Churches on this point was considered so slight and so capable of adjustment that it was purposely left open. Our communion service was so framed as to admit the Roman Catholics; and they accordingly, for the first twelve years of Elizabeth's reign, partook of our communion, and there is nothing to prevent a conscientious Roman Catholic doing so at this day. The sacrament of our Lord's Supper is by all Christians held to be a solemn rite of the Church, ordained by its Divine Founder as a commemoration of His sacrifice, and most efficacious to those who worthily receive it with proper sentiments of gratitude and contrition; so far all Christians agree, and we are on the grounds of Scripture and of common sense; but beyond this the Roman Catholic is said to assert that the body of our Lord is actually present in the sacrifice. Now, this in the only sense in which I can affix a meaning to it I must disbelieve. It is contrary to the evidence of my senses, and to the first principles of my reason; but the Roman Catholic states that he does not believe the body of our Lord to be

present in the eucharist in the same sense in which it is said to be in heaven, for he admits that the same body cannot be in two places at the same time, but it is present in a sense—the council of Lateran says sacramentally present. Now what this sense is, I own, baffles my faculties. The proposition which states it I can neither affirm nor deny, because I cannot understand it any more than if it was laid down as a dogma that it was of a blue colour, or six feet high. I feel satisfied, as a sincere Christian, resting on Scripture and reason, that it is not necessary for me to involve myself in these mysteries; and of this I am sure, that I should act a very unchristian as well as a very ungentlemanlike part, if I were to join in giving foul names to the professors of this to me incomprehensible dogma. Whether it is a fit subject for polemical controversy I will not pretend to say. Queen Elizabeth certainly thought it was not, and forbade her divines to preach concerning it; and they thought her judgment too good on such points not to render an implicit obedience to her commands. I will beg leave, Sir, to read a short extract from Burnet's *History of the Reformation* bearing on this point:—‘The chief design of the queen’s council was to unite the nation in one faith, and the greater part of the nation continued to believe such a presence (the Real Presence), therefore it was recommended to the divines to see that there should be no more express definition made against it; that so it might be as a speculative opinion, not determined, in which every man was left to the freedom of his own mind.’ Such were the opinions of Queen Elizabeth, the founder of the Reformation. Perhaps no monarch ever swayed the British sceptre who had so profound an acquaintance with the royal art of governing. To the Protestant religion certainly no monarch ever was more sincerely and enthusiastically attached. On the truth of these opinions she hazarded her throne and life. But she respected the opinions and the sincerity of others, and refused to make windows to look into the hearts of her subjects. She (Queen Elizabeth), the founder of the Reformation, altered the Liturgy, as it had been framed in the reign of Edward the Sixth, striking out all the passages which denied the doctrine of the Real Presence; and this for the avowed purpose of enabling the Roman Catholics to join in communion with the Church of England; and I am to be told that this was done in order to let in idolaters to partake of and to pollute our sacrament? But it seems some of the divines of our day are better Protestants than Queen Elizabeth. If she were alive, I should be curious to see them tell her so. Indeed, Sir, these things are calculated to injure the cause of true religion. The Christian is a meek and well-mannered religion, not a religion of scolding and contentious reviling; it is an outrage on that religion, and a dangerous attack upon its evidences, to say that the mission of its Divine Founder has hitherto served only to establish superstition and idolatry among mankind, and that, except for a favoured few, His blood has been shed in vain. In whatever point of view we turn this question, the absurdities increase upon us. We have legalised their religion and the sacrifice of the mass; and if that is idolatrous, the King, Lords, and Commons are promoters of idolatry. By the same Act we excuse him from coming to our Church only on condition of his going to mass; that is, we inflict on him penalties

which are to be remitted on the express terms of his committing an act of idolatry. By the same Act we inflict penalties on any person who disturbs him in the exercise of his idolatry. In Ireland, we admit him to the magistracy and to administer the laws of the Christian country, requiring from him, as a preliminary condition, his oath that he is an idolater. When we reflect on this, we remember that we have established their religion in Canada, and that we are in close alliance for the purpose of protecting religion and morals with great nations professing the Roman Catholic religion, is it not obvious that the perseverance in such a declaration is calculated to bring our religion and our character into contempt, and to make thinking men doubt the sincerity of our professions? Whatever may be the fate of the other part of this question, I cannot bring myself to believe that this outrage upon the religious decencies of the country will be suffered to remain on our statute-book."

"I wish you had heard Plunket," said lord Dudley and Ward to his friend the bishop of Llandaff. "He had made great speeches before, but in this he far surpassed them all. I have not for many years heard such an astonishing display of talent. His style is peculiar for its gravity and severity. I prefer it to all others of which I ever heard a specimen. If he had been bred in parliament, I am inclined to think he would have been the greatest speaker that ever appeared in it." The committee for which he moved was carried by a majority of six. The Catholic Relief Bills were brought in on the 16th of March, and a Roman Catholic petition against them, which was signed by the celebrated Dr. Milner, and took the ground of the danger which would accrue to the Roman Catholic religion from bridging over the gulf of hatred that divided Romans from Protestants, gave Plunket occasion for a famous invective against bigotry, whether Protestant or Catholic:—"True to its aim, though besotted in its expectations—steady to its purpose, though blind to its interests—for bigotry time flows in vain. It is abandoned by the tides of knowledge, it is left stranded by the waters of reason, and vainly worships the figures it has imprinted on the sands, soon to be washed away. It is inaccessible to reason—it is irreclaimable by experience." The two Bills, one containing the boon, the other the securities, passed their second reading under the management of Plunket; but at this stage the death of his wife obliged him to return suddenly to Ireland, and made him unfit to undertake any public business for many months. His love for Mrs. Plunket had that intensity which is usually found in the affections of such iron characters. Although in later life we have understood him to have been somewhat morose and gloomy in the home circle, his attachments to all the members of his family were deep and rooted. Meanwhile the bills passed the House of Commons, and sailed for the icy passage of the Peers. An agitation in Ireland against the securities, founded on a belief that the Catholic Relief Bill itself was sure to pass, had a most prejudicial effect upon its fortunes in the House of Lords, and great was the revulsion of feeling when the news arrived of its having been thrown out by 39 votes.

The weakness of lord Liverpool's government, in 1821, compelled him to call in the assistance of Peel and the Grenville Whigs, who



believed that they would be better able to subserve their political objects as an element of the government than as an impotent section. Plunket became Attorney-general under the vice-royalty of lord Wellesley, while Mr. Goulburn was sent over as chief Secretary, to counteract the too great liberality of such colleagues. During the following year (1822) the Catholic question was not brought out, the distracted state of Ireland, torn asunder between the Orange and Catholic factions, and the hesitating condition of parliament, not rendering it advisable in the opinion of lord Grenville. Plunket, however, had occasions of showing in the debate of the House that his accession to office had not altered his position or opinion. His conduct in "the Bottle Riot" also proved to those who had been disposed to brand him as an apostate that he was faithful to his past career. The Orangemen had been intensely annoyed by some restrictions upon their loyalty to their Dutch demigod; they had been forbidden to propose their pious toast at a banquet given to George IV. at the Mansion House; and they were prohibited from dressing up the statue of their idol in College Green on the 12th of July. Accordingly, when lord Wellesley visited the Dublin theatre, the pit and gallery were packed with these amiable Christians, who showed their devotion to true religion by seditious cries and a fire of whisky bottles and other heavy missiles directed against the Lord-lieutenant's box. Several of the ringleaders being apprehended, acknowledged their complicity with all the pride and satisfaction of martyrs. Notwithstanding this, the grand jury ignored the bills; and Plunket rightly and courageously issued *ex officio* informations against the delinquents. In the courts of Irish justice the Orangemen had hitherto had it all their own way, as the perverse finding of the grand jury had exhibited. Mr. Sheil has described the scene which the court presented on the day of trial; the scowling brows of the Orange partisans who crowded the galleries, and the flushed faces of the barristers contracted into fixed sneers or expressive of angry political resentment. It was in vain that Plunket, in the course of his speech, pronounced a glowing and sincere eulogium on William III., for whom he had the natural admiration arising from some affinity of character. The jury, after a protracted trial, was discharged without coming to an agreement; and the press teemed with furious attacks upon the prosecutor for what was called unconstitutional straining of authority to carry out political aims and gratify Roman Catholic clients. Saurin was a main instigator of the outcry against his successor in office, although it was afterwards discovered that he had himself some years previously done exactly the same. The general feeling was decidedly against the Attorney-general; the opposition, which he had left, had no disposition to stand by him; the ministry itself was divided and cold in its support; his enemies were confident of a victory which would irrevocably damage the reputation of their most powerful antagonist, besides driving him from office, and giving the Orangemen the most gratifying triumph. As he walked down to the House with his friend Mr. Anthony Blake, he was so affected by his emotions that he was obliged to lean on him for support, and several times exclaimed "that he felt like a man going out to execution under an unjust sentence." Mr. Brownlow's speech was just

what it should have been, moderate, but conclusive; and when Plunket rose to defend himself, the case had almost been deemed to have gone by default. He began with the labour and stumbling which sometimes we are told preluded his greatest displays of eloquence, and the House listened with obvious coldness and disfavour. But what would have quenched a lesser fire of eloquence, made Plunket's leap up with a brightness and vigour that soon changed the appearance of the House. He gained the most complete triumph, and in a short speech not only completely exonerated himself, but by the simple manliness of its tone and temper carried with him the whole sympathy as well as sense of his audience. Plunket continued in the same impartial and firm course which had so enraged the Orange party when the curb was put upon their own political licentiousness. He was as determined in the interest of the cause he had so long championed as well as in strict fairness to keep a firm hand over the Roman Catholic agitators. Any excess might at that critical time, when their cause was in the balance, have made the anti-Roman side preponderate. He was obliged, in 1825, to support the Bill introduced by his party to put down the Catholic Association. It was probably his sincere opinion that such a power within the state as the association had asserted was dangerous and intolerable, supported as it was by a large revenue and with its reins entirely in the hands of one violent and turbulent man. He considered that he was serving his cause in forcibly putting down this dangerous machinery, which was more likely to defeat than to gain the end that both the association and he had in view. In his speech he explained the reasons which actuated him in joining an administration divided on Catholic relief, and now impelled him to support its views with regard to the association. He supported Sir Francis Burdett's Bill in the same year, in a speech which Lord Brougham often assured his grandson was the greatest of all the parliamentary efforts at which he was present. In this speech he reviewed the history of the Established Church in relation to the other religious bodies, argued that emancipation could not endanger it in Ireland, and showed that the historical precedents were mere bugbears. A fine passage on this latter subject is worthy of quotation; abstract philosophical passages were rare in Plunket's speeches; but when they occurred, were sure to be striking:—\*

"Time, as has been said by the wisest of men and the most sagacious observer of its effect, is the greatest innovator of all. While man would sleep or stop in his career, the course of time is rapidly changing the aspect of all human affairs. It is the province of human wisdom to wait upon the wings of time—not with the vain hope of arresting his progress, but to watch his course—to adapt institutions to new circumstances as they arise, and to make their form reflect the varying aspect of events. Unless we do this, of what value is it to go back to former periods? Unless we draw lessons of wisdom from the facts which we recall, experience will become a swindler, who thrusts upon us an old coinage at a value which it has long since lost. Our knowledge will dwindle into pedantry, our prudence into dotage, and history itself will be no

\* *Life and Speeches*, vol. ii. p. 190.



better than an old almanac. When I admit that the present danger is serious, do I therefore inculcate dread? Far from it. Were the Catholics to come to your bar claiming their rights with shout and tumult, I would laugh at their idle clamour. Were they to utter threats and defiance, I would despise their impotent menace. Were they to come with force and arms, I would meet their insolence with force, and easily subdue them. But when they come before us imploring an equal participation in the blessings of the British constitution, I confess I have no weapons left with which to oppose them. I have no mode of dealing with them, but to take them to my bosom as allies and equals—to admit them to all the benefits, and join with them in the defence of the constitution—be it against foreign or domestic enemies—be it in peace or be it in war.”

It is curious how in the following passage Plunket seems to justify Milner’s petition against the measure as dangerous to Roman Catholic orthodoxy. At the same time, it seems to suggest another way than proselytism:—“Some may perhaps tell me that we are to trust to time and to proselytism. I admit that much may be expected from proselytism, if it be fairly effected by argument and sound reasoning; and I know that nothing is so likely to increase it as the pious and exemplary lives, the kind and charitable behaviour, and the religious example of the Protestant clergy; and I am of opinion that the time will come when the religious differences between Protestants and Catholics will be much lessened; and, though we may not see it, that our children’s children may be witnesses of it. But, Sir, this prospect is distant and uncertain; the dangers which surround us are pressing and imminent. So long as you continue a line of demarcation between the Protestants and Catholics, so long do you hold up the latter as an alien to the State. And, while you do this, let it be considered that your proselytism will be at a stand-still; for any man who should become a Protestant under such restrictions would be considered an apostate, a wretch who changed his religion only for purposes of gain.” It is needless to tell the reader that this Relief Bill also terminated its existence in the House of Lords, through which its “wings” did not suffice to carry it. The debate in which it closed its career was remarkable for the duke of York’s vow. In 1826, the question remained in the same position, apparently no nearer a settlement. The House of Commons was lukewarm; the King and Lords hostile. Many who in their consciences could support the settlement, would not on grounds of consistency. As George Canning said, writing to Plunket, “Pride, consistency, character, the dread of being supposed to compromise for the sake of office, and the shame of turning round upon followers whose opinions may have been formed and fostered by the example of their leader—all these feelings are as strong upon one side of the question as the other.” He wished to introduce the measure by a preliminary resolution, which, by being made wide and vague, might comprehend many who could not, in the first instance, assent to a Bill point blank. A decent process of conversion was necessary, he thought, to save their pride. The dissolution of parliament and general election were followed by efforts to relieve the prevailing distress in England and other important business. Lord Liverpool’s resignation, in February 1827,



further delayed the consideration of the Catholic question; but in March it came before the House. The reader is aware how Sir Francis Burdett was defeated by a majority of four on this occasion; and shortly after matters took a turn which seemed to place the Catholic question quite out of the field of politics. An attempt to form a purely Tory ministry having failed, Mr. Canning was commissioned to obtain the co-operation of the more moderate Liberals, and in this number Plunket would naturally have been included. The king, however, who had been vacillating upon the subject of emancipation from the moment he got possession of power, now announced that he had positively made up his mind to follow his father's example. Having desired the formal attendance of the archbishop of Canterbury and the bishop of London, he commanded them to make known his determination in the Established Church. It was inconsistent, he thought, with the reassurance which he wished to give to the Establishment to retain the Roman Catholic champion in high office in Ireland. Accordingly, lord Manners was desired to retain the chancellorship for a year, and Plunket was appointed to the office of Master of the Rolls in England, without prejudice to his further claims. It is probable that he soon received an intimation of the feeling of the English bar that the appointment of an Irish barrister would not be acceptable; for he resigned after only a few days' tenure of the office, and gave as a reason to his friends the opinion that offence would be taken by the profession. Considering that it had been the uniform custom to place English lawyers over the heads of the Irish bar, and English ecclesiastics over the Irish Church, this single act of reciprocity might fairly have been allowed to pass. Ireland may well congratulate herself that England did not in the case of Plunket appropriate to herself the glory of the most powerful reasoner and speaker of the day, as in Wellington she assimilated the greatest general. This cool system of sucking the brains of Ireland in private and ridiculing her in public, is one of the most curious traits of the English connexion. On resigning the Mastership of the Rolls, Plunket was appointed Chief-justice of the Common Pleas, lord Norbury having been induced to resign. At the same time he was raised to the peerage of the United Kingdom by the title of baron Plunket of Newton in the county of Cork. His presence in the House of Lords was considered by Canning as very important whenever the Roman Catholic question should come on again. On the break down of the Goderich ministry, in January 1827, the Tories came into office; but it was only to yield all they had opposed. They have on several occasions had the good fortune to be able to give away as a boon what their opponents had vainly endeavoured to wrench from their grasp by violence. We must confess to thinking that in thus doing they have saved, rather than forfeited, their honour. The repeal of the Test and Corporation Act and the Roman Catholic Relief Bill, were instances of this happy fortune. The duke of Wellington and Peel, being deserted by the Canningites, proceeded to bestow what they thought necessary, without any Liberal or Whig interference. Sir F. Burdett's Bill passed the Commons, and Wellington showed his favourable disposition by proposing a conference between the Houses; but notwithstanding a more favourable reception being accorded than on any former occasion to this periodical visitor, it was sent back upon

another voyage into space. Lord Plunket made his first speech in the Upper House, and it was considered equal if not superior to any previous effort; but we are unable to judge of its merits except by hearsay, for there is only a meagre sketch of it in existence. At last the hour came when the old opponents of the measure he had so long advocated became its friends, and Plunket stood up beside Wellington to deliver his final argument. He reserved himself to answer lord Eldon, who fought against the Bill to the last in the king's closet as well as in the House of Lords. He did not claim to have been the source of the change that had come over the fortunes of the cause. One of lord Eldon's arguments had been, that the common law of the country afforded a remedy for all the evils of Ireland:—"When I see the evils of Ireland in their full extent before my eyes, am I to be told, my Lords, that the common law of the country affords a remedy for the mischief? Whilst temples are throbbing and veins consuming with the unassuaged hectic, are we to be directed to the common law as a remedy for the disease? It is fallacious and idle to talk of it. The present state of things cannot be allowed to go on. When we consider the scenes that took place last year, no government in its senses can permit them to continue—no government can so expose the most valuable institutions of the British empire to the constant and imminent hazard of destruction from these perpetual and interminable divisions, distractions, and feuds among the population. The tenant was taken out of the hands of his landlord—the bonds of society were dissolved—discontent became a force fitted to accomplish anything—all things were sucked into the whirling vortex of a body which existed beyond, in spite of, and against the state. I do not say it now exists; a law has been passed to put it down, but was this suppression owing to that law? No; it was due to the prospect of the measure now debated—it fled like a guilty thing before the dawn of this wise, just, expedient, and magnanimous measure. But if this Bill be not carried, believe me, my Lords, that, sleeping or waking, in action or repose, there does and will exist a force beyond the government of the empire, holding the elements of society in a state of solution; it being uncertain what principles will rise, or what be precipitated—a whirlpool drawing talent and imbecility, vice and virtue, knowledge and ignorance, wealth and poverty—sucking all into its own overwhelming vortex. In one word, we come to the alternative of either employing military force to govern the country, or governing it by just laws."

Lord Plunket having "gained his suit," did not by any means withdraw from the debates of the Upper House; but his chief motive for exertion was gone. He spoke upon Reform in 1831, on the Tithe question in 1832, and advocated National Education in 1833, with all his old power and naked eloquence. But his appointment as Lord-chancellor of Ireland confined him chiefly to the duties of that high office, although he attended in the House of Lords when his advocacy was required. Far happier was he now when, with his family gathered about him at Old Connaught, and in the pleasant outer ring of friends who also assembled to enjoy his hospitality, he rested after his judicial labours. From 1830 to 1840 he enjoyed much influence with the government, and his opinion was regarded as infallible on all the affairs

of Ireland. With regard to the character which he left behind as Chancellor, and the circumstances of his resignation, we cannot do better than allow his grandson to speak :—"It might perhaps have been expected that his age, his political habits long confirmed, his constant intimacy with great affairs of state, would have rendered him inattentive and careless in the discharge of his judicial functions, and impatient of the stale and unprofitable squabbles with which his time was sometimes occupied. But such was not the fact ; there he sat, day after day, with calm dignity and sedulous care, disposing of all kinds of business, and applying the masculine vigour of his mind to every detail of the smallest case, occasionally breaking his habitual silence with short epigrammatic sentence, expressing in a few words the meaning which it cost others hours of laboured argument to convey, and reminding the able lawyers who practised before him of the intellectual supremacy which they were all proud to acknowledge. Courteous and forbearing to all, he was especially ready to encourage the efforts of any young aspirant in whom he recognised talent and industry. If it be asked, what was the peculiar quality which distinguished his 'judicial mind,' and which appears most prominently in his recorded judgments ? it may be said that he was remarkable for the boldness with which he grappled difficult problems, the rapidity with which he arrived at a conclusion, and the decision with which he afterwards adhered to it. Indeed, in the few instances in which his judgments were questioned or overruled, his error consisted always in a departure from narrow authorities, and a disposition to use too freely his privileges as an equity judge, in straining the law to the actual requirements of justice in particular cases. It was his fortune, as Chancellor of Ireland, once to succeed in that office, and twice to be succeeded in it by one of the most eminent English jurists of modern times—Lord St. Leonards (then Sir Edward Sugden)—and their judicial and lawyer-like qualities were often contrasted and compared by the men whose advocacy then adorned the Irish Court of Chancery ; but opinions were nearly evenly divided in adjudging the preference for one or the other. . . . It is now my painful duty to refer to the circumstances under which lord Plunket resigned the Great Seal of Ireland. Lord Brougham has, in a spirit of generous friendship, recorded his opinion of that transaction. . . . When the rumour was first circulated in Dublin, in 1839, that it was intended to supersede lord Plunket as Chancellor, in order to make room for Sir John Campbell, the story was not credited, as it was believed that lord Plunket, quite apart from personal motives, would not submit to such an insult to the profession in Ireland. He did, in fact, refuse to lend himself to the arrangement ; and the government, having obtained a short renewal of their lease of power, the rumour was for a time forgotten. But one day in June 1841, Mr. Connellan, the Chancellor's secretary, came into the hall of the Four Courts, and announced that lord Plunket was about to retire from the bench, in order to make room for the English Attorney-general ; but that his lordship wished it to be understood that he was not in any way responsible for the change. I have only to add, that lord Plunket felt that the peculiar circumstances under which the request had been made that he should resign, rendered it impossible for him to refuse to do so, and



were also of such a kind as to close his lips to any public reproaches, and it was not in his nature to indulge private and unavailing complaints. After retiring from the bench, he never again mentioned the subject, nor would he allow it to be referred to in his presence."

The first intimation that lord Plunket received that it was desired by the government that the seals should be transferred to Sir John Campbell, the English Attorney-general, was a letter from lord Ebrington, pretending to be based on a report that he had expressed a wish to retire. Lord Plunket, in a manly and dignified letter, denied having done so, but signified his willingness to resign if required. The next step was a letter from lord Melbourne, written probably under the influence of a proper shame, desiring lord Plunket to retain the seals and forget what had occurred. To this lord Plunket acceded. These letters passed in October 1839. In June 1841, lord Melbourne re-opened the subject, explaining the difficulty of the government to provide for the English Attorney-general, and their wish that, if not repugnant to his feelings, lord Plunket should then seek the repose to which his "long, able, and distinguished services" entitled him. If, however, he was unwilling to resign, he was desired not to do so. Lord Plunket in reply, expressed his willingness to serve his party, but insuperable objection to be the mover in any such arrangement. He explained his reasons in a private interview with the Lord-lieutenant; then the government became more pressing; lord Ebrington urged it as "a personal favour," and cynically promised that he would undertake the responsibility. Under the apparent courtesy of the government, there was evidently a determination to take no refusal. But one course remained—lord Plunket gave in a memorandum to the following effect, to be forwarded to lord Melbourne:—

*" June 17, 2 o'clock.*

"When called on by lord Ebrington, as a personal favour to himself, to resign my office for the purpose of appointing sir John Campbell to succeed to it, I feel it impossible for me, under the weight of the obligations which I and my family have received from lord Ebrington, to refuse compliance, even were the proposal made still more objectionable on public grounds, and more repugnant to my feelings, than stated by me in my letter to lord Melbourne. It therefore remains for me to request that I may be as soon as possible relieved from the discharge of duties which under the present circumstances become very irksome to me."

The scene of his withdrawal from the Court, where for forty years he had pleaded and for ten years sat as a judge, was necessarily a very painful one. It evoked the most intense feeling on the part of the bar. The address was spoken by serjeant Greene, as the senior member of the bar present:—"I presume, my lord, it is not your lordship's intention to sit again in this Court; I therefore rise, as the senior in rank of the members of the bar now present, and with the full concurrence of my brethren [here all the members of the bar rose simultaneously], to address to your lordship a few words before your retirement from that bench which your lordship has for many years occupied. [Lord Plunket rose from his seat, and advanced to the front of the bench.] My lord, we are anxious to express to your lordship the sense we

entertain, not only of the ability, the learning, the patience, the assiduity which have marked your lordship's administration of the high and important functions committed to your lordship's charge; but also, my lord, of the courtesy, kindness, and attention which we have all personally experienced at your lordship's hands, in the discharge of our professional duties in this Court. We gratefully acknowledge, my lord, the disposition you have ever shown to accommodate us all—a disposition by which we all admit your lordship was ever actuated, without regard to personal circumstances or to our political feelings. We trust, my lord, it will be known that this feeling on our part is as general and as universal as the kindness on your part has been uniform and uninterrupted. My lord, it is needless for us to dwell here, for the purpose of commenting upon the talents and endowments which have raised your lordship to the high position from which you are about to retire. They are, my lord, recorded in our history, and they will long live among the proudest recollections of our countrymen. From a sense of these, we offer to you our present tribute of the profoundest admiration and respect; and, my lord, it is gratifying for us to add, that at no period of your lordship's career have they ever shone in greater lustre than at this moment. My lord, with warmest wishes for your lordship's happiness in that retirement, which none is more fitted than your lordship to adorn, we respectfully bid your lordship farewell."

The Attorney's address followed, and lord Plunket then made the following reply, in the delivery of which he was deeply affected, in common with his audience:—"It would be great affectation on my part if I were to say that I do not feel to a considerable degree at the prospect of retiring from a profession at which I have for a period of more than fifty years of my life been actively engaged—a period during which I have been surrounded by friends, many of them warm ones [his lordship then paused, visibly much affected], without exception. Many of them are now no more; some of them, nay, many of them, I see at this moment around me. This retirement from the active scenes in which I have been so long engaged, and which have become as it were incorporated with my life, I cannot help feeling, and feeling deeply. It has, however, in some degree been alleviated by the prospect of the repose which is probably suited to this period of my life, and which perhaps would have earlier induced me to retire, but for events of a particular description which have lately occurred; but independent of this, I must say that any pain I would have felt has been more than alleviated by the kind and affectionate address which has been offered to me by my friend serjeant Greene, and which has been so cordially assented to by the members of both professions. I am not unconscious that in the discharge of those duties, my ability for which has been so overrated by my friend serjeant Greene, I have been led into expressions of impatience which had been much better avoided. For any pain that I have given in doing so, or any feelings that I have hurt, I sincerely apologise, and I am grateful to the profession for not having attributed to inclination any such observations. And I must say, that whatever any such expressions may have been, they have never influenced me. It is a sentiment that I trust never



will influence me; and I am now able to say, that in retiring from my profession, I do not carry with me any other feeling than that of affectionate consideration for all and every member of the profession. With respect to the particular circumstances which have occurred, and the particular succession which is about to take place in this Court, it will become me to say very little. For the individual who is to occupy the situation I now fill, I entertain the highest political and personal respect—no one can feel it more so; but I owe it as a duty to myself and the members of the bar to state, that for the changes which are to take place I am not in the slightest degree answerable; I have no share in them, and have not, directly or indirectly, given them my sanction. In yielding my assent to the proposition which has been made for my retiring, I have been governed solely by its having been requested as a personal favour by a person to whom I owe so much, that a feeling of gratitude would have rendered it morally impossible that I could have done otherwise than resign. When I look at the bar before me, and especially the number of those who might have sat efficiently in this judicial place, I am bound to say that for all those great ingredients which are calculated to enable them to shine, and as members of the bar, or as gentlemen for candour, for courtesy, for knowledge and ability, I challenge competition. I challenge the very distinguished bars of either England or Scotland, and I do not fear that those I have the honour of addressing would suffer in the comparison. To them, for their repeated kindnesses, I am deeply indebted. I do assure them that when I retire into quiet life, I will cherish in my heart the affectionate kindness and attention which I experienced at their hands."

Lord Plunket remained for some years after his retirement in the full exercise of the faculties which, when it took place, had not been in the slightest degree impaired. He spent some time abroad, and particularly enjoyed a sojourn in Rome. On his return, he spent the remainder of his life at Old Connaught, surrounded by his family. We can remember in childhood seeing the historic figure of this grand old man, long after his retirement, and the impression produced by his countenance of massive intellect. At last the shadow of ninety years darkened his mind, which grew lax from idleness. His sons took in turns the painful duty of attending him in this state, and it was thought that one of them, from good-naturedly undertaking his brothers' turns in watching the tottering of this grand and beloved ruin, ultimately fell himself into a similar condition. Lord Plunket's iron constitution still testified to a temperate life, and he wandered through the pleasure-grounds of Old Connaught, often in the earliest morning, delighting particularly to sit under the wide shadow of a favourite oak-tree. He died in January 1854, and was buried in Mount Jerome cemetery, and was succeeded in the peerage by his eldest son, the bishop of Tuam. His second son, the Hon. John Plunket, a man of the most noble and lovable character, whose virtues were illustrated by the fidelity with which, in a trying illness, he was attended for long and painful years by the truest of wives, inherited the title on his elder brother's death, the bishop having no sons. He was married to the third daughter of Chief-justice Bushe, and had a family of five sons and seven daughters. Much might be expected from the mingled line



of two of Ireland's greatest orators; and William, fourth lord Plunket, who married the only daughter of Sir Benjamin Guinness, the great brewer of Dublin, has done much, by his moderation and wisdom, to guide the counsels of the disestablished Church of Ireland, to which he has devoted his life and talents; while the fame of such a descent has already been worthily upheld in parliament by the member for Dublin University. We were witnesses of the interest excited in the House of Commons—an interest which extended from the Premier to the very doorkeepers—when another Plunket rose to address the House; this interest was deepened when it was found that he had learned the spell by which his grandfather had often enchained the senate; and although he spoke in a cause which his party did not entirely espouse, the cheers that burst out on all sides were loud and enthusiastic. He spoke from where a Grenville Whig would probably have spoken—the Conservative benches. Mr. Gladstone, who followed, said that Mr. Plunket had shown that the art of oratory was in his case hereditary. We happened to overhear another curious testimony to the effect produced by this speech from a very different quarter. A grey-haired attendant of the House observed to another in the lobby, "They say the old lord Plunket has come back again to the House; but lord Plunket comes only once in a hundred years." It may be of interest to state that an alliance sprang up between the families of lord Plunket and serjeant (afterwards baron) Greene, who conveyed to him the affectionate farewells of the Irish bar. Mr. Richard Greene, son of the baron, married one of the present lord Plunket's sisters, who has written several books for young people, full of inherited power of narration and that pure youthful sentiment which is the most enviable in an author. The Hon. Isabel Plunket has also been highly successful in the same department of literature.

#### THE DUKE OF WELLINGTON.

BORN A.D. 1769.—DIED A.D. 1852.

ARTHUR WELLESLEY, fourth son of the earl of Mornington, was born in Dublin, as Sir Bernard Burke has proved, about the end of April 1769. The Wellesleys or Westleys, like three-fourths of the people of Ireland, were of English extraction. The massacres and drivings of the Celtic race left it in but a small minority to the Saxon and Scotch settlers, as the great preponderance of English and Scotch names would prove in the absence of history. As, however, the Westleys came to Ireland in 1172, nearly six hundred years before the duke of Wellington was born, there was time for them, by eating the fruits of the Irish soil, and by the process of acclimatisation, to become thorough Irishmen. We do not think, therefore, that England can rob Ireland of the honour of giving her a military leader, as from the fact of his having been born in England, she has deprived her of an almost equally great genius in politics; we mean George Canning. We have not presumed to include the latter in our Irish memoirs, although he himself said, "After all, I can never forget that I am an Irishman." It is true, as

O'Connell observed, that although the tiger's cub be dropped in a fold it does not make it a lamb; but he forgot in this polite figure that the great Duke was not only born in Ireland, but, however he might himself dislike the fact, his ancestors had been in Ireland for a period of six hundred years. The founder of the family was standard-bearer to Henry II., and received large grants of land from that monarch. The Duke's grandfather was raised to the peerage for being a country gentleman of wealth and position, and having sat a number of years in parliament. He was succeeded by his son Garret, who was elevated to an earldom, and married the eldest daughter of lord Dungannon, by whom he had six sons—Richard, marquis of Wellesley; Arthur Gerald, died in infancy; William Wellesley Pole, viscount Maryborough; another Arthur, the subject of our memoir; Gerald, in holy orders; Sir Henry, G.C.B.; and three daughters—Frances, Anne, and Mary. Lord Mornington was an amateur musical composer of much celebrity. He wrote anthems and Anglican chants of great beauty: his songs and glees were popular in their day: he was an accomplished violinist, and received the honorary degree of Mus. Doc., in recognition of his merits, from the University of Dublin. Probably this light glory did not conduce to real wisdom: the marquis of Wellesley called his parents "frivolous," and it was an advantage to the boys when they were removed from Dangan Castle to the calm bracing classical severity of Eton College. There Richard distinguished himself as a brilliant scholar, and Arthur passed for a slow boy—too dull for learning, and too quiet and moping for football. The brothers were good examples of the two kinds of intellect—one, that which forthwith grows up and spreads its branches abroad; the other, that which grows down and takes an immense root, and thus becomes the greater in the end. When the marquis of Wellesley went to Oxford, Arthur went to the military school of Angers. At this time Napoleon, who had been born in the same year as Wellington, was at the military college of Brienne. It is curious to think of the two boys unconsciously preparing for their great competition—such opposite extremes too; one the representative of Toryism, the other of Revolution. Thus it probably is that the great players of the human chessboard are at school to-day. It is not recorded of Arthur Wellesley, as of Napoleon, that he displayed his talent in the construction, attack, and defence of snow fortifications. We can scarcely imagine the stern, practical, sober-minded general of the Peninsular wars indulging in such freaks of genius, or, indeed, playing at war at all. War to him was a reality; to his rival it was a game to the last. In 1787 the younger Wellesley received his ensigncy in the 73d regiment; in the same year he became a lieutenant in the 76th, then exchanged into the 41st, and was soon after appointed to the 12th light dragoons. In a little over four years from the date of his joining the service, he obtained his company in the 58th foot, and the following year (1792) a troop in the 18th light dragoons. He was thus being rapidly carried by the breeze of official favour and the under-current of family influence towards the broad open where genius can show itself; and the fact of his elder brother being already a member of Pitt's government, and soon after one of the commissioners for India, helped the onward



career of the young officer. In 1790 he was returned to the Irish parliament for his father's borough of Trim. He is described by Barrington as having been at that time "ruddy faced and juvenile in appearance," "popular among young men of his age and station." He took some modest part in the debates; but his address is described by the same clever sketcher as "unpolished; he spoke occasionally, but never with success; and evinced no promise of that unparalleled celebrity which he reached afterwards." Maxwell quotes an anonymous authority to rebut this testimony:—"The first time I ever visited the gallery of the House was on the opening of the session of 1793, and I was accompanied by a friend, a barrister of high standing and a person of acknowledged judgment. He was one of a celebrated society, termed 'The Monks of the Screw,' and consequently was on intimate terms with all the leading men of the day, including Grattan, Cuff (afterwards Lord Tyrawly), Langrish, Parnell, Wolf, &c., &c. As each member entered the House my friend named them in succession, and generally at the same time rapidly sketched their characters. A young man dressed in a scarlet uniform, with very large epaulets, caught my eye, and I inquired who he was. 'That,' replied my friend, 'is Captain Wellesley, a brother of Lord Mornington's, and one of the aide-de-camps of the Lord-lieutenant.' 'I suppose he never speaks,' I added. 'You are wrong; he does speak sometimes, and when he does, believe me it is always to the purpose.' The subject which occupied the attention of the House that night was one of deep importance in Irish politics. A farther concession to the claims of the Roman Catholics had been recommended in a speech from the throne, and an animated debate resulted. Captain Wellesley spoke on the occasion; and his remarks were terse and pertinent, his delivery fluent, and his manner unembarrassed. I particularly recollect a casual allusion to parliamentary reform produced from him the parenthetic observation, 'By-the-by, were such a measure introduced, I should most strenuously oppose it.' On another occasion I was present when a property qualification for members of parliament was first brought under the consideration of the House. The Hon. John Monk Mason opposed it. He held a large roll of papers in his hand, which he flourished vehemently, to the manifest alarm of the members immediately beside him. In winding up his speech he emphatically concluded by saying, 'I give my determined opposition to this invidious measure in the name of all the younger brothers in the House,' striking Captain Wellesley, who sat beside him, so sound a whack between the shoulders with his parchment baton, as to be heard distinctly in the gallery. The occurrence produced an instant and uproarious burst of laughter through the House."

Captain Wellesley was appointed aid-de-camp to the lord-Lieutenant, and spent probably the happiest years of his life in the then gay, dashing, and reckless capital of Ireland. He was, however, by no means up to the mark of such a life in point of income, and at one time was obliged to accept a loan, kindly and delicately offered, from his landlord, who was a prosperous bootmaker on Arran Quay. In after years he did not forget to give an ample return to the lender. During 1791, 1792, and 1793 he sat in the Irish Parliament as a supporter of



the Government, and in the last mentioned year was chosen to second the address. At last, however, an opportunity of action presented itself; he had been promoted to the lieutenant-colonelcy of the 33rd regiment, and was ordered to proceed with it to the Netherlands to join the army under the duke of York. We cannot go into the miserable particulars of that inglorious campaign; it is enough to say that the young Irish colonel was the means, by his able handling of his regiment, of saving Abercrombie's column from being destroyed on the retreat from the Boxtel. During 1794-5 colonel Wellesley and his regiment shared the terrible sufferings of the British army, took part in many desultory engagements, and at Meteren, where he repulsed the enemy and took two guns, and at Geldermansel, where he performed a similar exploit, won the general admiration of the army. On the terrible retreat into Westphalia, in which the sufferings of the army resembled on a small scale the retreat of Napoleon from Russia, colonel Wellesley commanded the brigade which formed the rear-guard. The French Convention had decreed that no quarter should be given to the British troops, and the men were as desperate in their retreat as starved wolves; but it was principally owing to the admirable generalship of Wellesley that many a man reached the Weser and re-embarked on English oak, who would never have seen England again if a lesser commander had been at their back in that retreat. Some were destined a few years after to follow him in campaigns of victory, in which under his glorious command the fortunes of the combatants were finally reversed. Such soldiers only wanted such a commander. Nothing could possibly be imagined more disgraceful than the generalship under which British soldiers were always on the retreat, and were never led to battle. The biographers of Wellington are probably correct in supposing that he learned more from the errors of his superiors than he could have done under a Marlborough or a Wellington himself. On his return to England, in 1795, he was ordered with his regiment to the West Indies; but, the admiral having delayed his voyage until the tempestuous month of December, the fleet was driven back after a severe battle with the waves and winds, lasting for six weeks, and Wellington was possibly saved from the yellow fever. The 33rd was disembarked, and spent the remainder of the winter at Poole. The following spring it sailed for India, but its young colonel was detained by ill health, and after spending part of the summer in England, he succeeded in catching it up at the Cape, and proceeded with it to Calcutta. He had now attained the rank of full colonel. In 1797 colonel Wellesley and his regiment formed part of the expedition directed against the Spanish settlement of Manilla; but owing to the threatening attitude of the Sultan of Mysore, he was recalled on reaching Penang. The brief struggle with Tippoo Sultan has already been detailed in our memoir of the marquis Wellesley (then Lord Mornington), who had just been appointed Governor-General. In November 1798, colonel Wellesley was put in command of the forces assembled at Wallahabad, to discipline and prepare them for the anticipated work that lay before them in the spring. When General Harris arrived in February, he found evidences, in the

perfection of the troops, that they had been under a determined disciplinarian, the machinery of supply was admirably arranged, and the troops had been practised in combined field movements so well, as to be thoroughly in hand by their commander. In the campaign which followed, colonel Wellesley had the command of the Nizam's forces, and in the battle of Malavelly his own regiment bore the brunt of the engagement. It was the charge of the 33rd that made Tippoo's best troops fly, and the cavalry completed their destruction. The siege of Seringapatam followed the victorious battles of Seedaseer and Malavelly. In one of the preliminary attacks which was ordered to take place at night under colonel Wellesley, the 33rd was forced to retire with some loss, but next morning renewed the attack in daylight, and by carrying the outwork, proved that on the previous night their failure arose from the darkness. In the taking of the city Wellesley bore a prominent part, and was left in command of the fortress after its capture. His strictness in maintaining discipline, and protecting non-combatants, soon restored perfect order and confidence. One of the released captives of Tippoo, Doondiah Waugh, a Mahratta trooper, who had acquired the reputation of a famous robber, had collected a large band out of the wreck of armies, and now began to give trouble by his incursions. In fact he was rapidly assuming the dimensions of a sovereign chief, having subjugated many towns and forts, and a considerable extent of country. Flying columns were accordingly despatched in pursuit of his army, and a small portion of it overtaken and defeated. Doondiah rapidly retreated, as rapidly pursued. An attack upon his camp was so far successful that his forces were driven in and crushed, but Doondiah managed to escape with a considerable body. Crossing into the Mahratta country, he was defeated by the troops of the Peishwa, and the King of the Two Worlds, as he styled himself, was again obliged to fly with a few followers. This irrepressible freebooter, however, was soon again as troublesome and well attended as before; and after he had inflicted a defeat upon the Peishwa's troops under Goklah, the same officer who had defeated him before, colonel Wellesley considered it necessary to adopt larger measures. He took the command himself, and after surprising the camp, pursued Doondiah across a river over which he had withdrawn with his troops and artillery, and drove the robber before him. It was well that colonel Wellesley, instead of taking the Batavian command which was offered him, and would to all appearance have been far more honourable and profitable, had determined, partly on the entreaty of lord Clive, and partly from his own sense of the rising dangers, to stay in his command at Mysore. It only needed a standard to collect a vast army of the scattered materials which overran the country; and there were clouds on all the borderlands, and unsettled indications in the wild surrounding tribes, which Colonel Wellesley rightly interpreted. So pressing was Clive that he should remain, that Lord Mornington advised him not to accept his own offer, and observed, "Your conduct there (in Mysore), has secured your character and advancement for the remainder of your life, and you may trust me for making the best use of your merits in your future promotion." The following account of the final engagement in which

Doondiah was killed, is described with a stern, warrior-like humour :—  
“I have the pleasure to inform you that I gained a complete victory yesterday, in an action with Doondiah’s army, in which he was killed. His body was afterwards recognised, and was brought into camp on a gun attached to the 19th Dragoons. After I had crossed the Malpoorba, it appeared to me very clear that if I pressed upon the King of the Two Worlds with my whole force on the northern side of the Dooah, His majesty would either cross the Toombuddra with the aid of the Patan chiefs, and would then enter Mysore; or he would return into Savanore, and play the devil with my peaceable communications. I therefore determined, at all events, to prevent his majesty from putting those designs into execution, and I marched with my army to Kauagherry. I sent Stevenson towards Deodroog, and along the Kistna, to prevent him from sending his guns and baggage to his ally, the Rajah of Soorapoor; and I pushed forward the whole of the Mahratta and Mogul cavalry in one body, between Stevenson’s corps and mine.

“I marched from Kauagherry on the 8th, left my infantry at Nowly, and proceeded on with the cavalry only; and I arrived here on the 9th, the infantry at Channoor about fifteen miles in my rear.

“The King of the World broke up on the 9th from Mulgherry, about twenty-five miles on this side of Raichore, and proceeded toward the Kistna; but he saw Colonel Stevenson’s camp,—returned immediately, and encamped on that evening about nine miles from hence, between this place and Burmoo. I had early intelligence of his situation, but the night was so bad, and my horses so much fatigued, that I could not move. After a most anxious night I marched in the morning, and met the King of the World with his army, about five thousand horse, at a village called Conahgull, about six miles from hence. He had not known of my being so near him in the night,—had thought that I was at Chinnoor, and was marching to the westward, with the intention of passing between the Mahratta and the Mogul cavalry and me. He drew up, however, in a very strong position as soon as he perceived me, and the victorious army stood for some time with apparent firmness. I charged them with the 19th and 25th dragoons and the 1st and 2nd regiments of cavalry, and drove them before me till they were dispersed and were scattered over the face of the country. I then returned and attacked the royal camp, and got possession of elephants, camels, baggage, &c., &c., which were still upon the ground. The Mogul and Mahratta cavalry came up about eleven o’clock, and they have been employed ever since in the pursuit and destruction of the scattered fragments of the victorious army.

“This has ended this warfare; and I shall commence my march in a day or two towards my own country. An honest killedar of Chinnoor had written to the King of the World by a regular toppal, established for the purpose of giving him intelligence, that I was to be at Nowly on the 8th, and at Chinnoor on the 9th. His majesty was misled by this information, and was nearer me than he expected. The honest killedar did all he could to detain me at Chinnoor, but I was not to be prevailed upon to stop; and even went so far as to threaten to hang a great man sent to show me the road, who manifested an inclination to



show me a good road to a different place. My own and the Mahratta cavalry afterwards prevented any communication between his majesty and the killedar."

When the baggage of this famous robber-prince was captured, his son, a child of four years old, was brought to Colonel Wellesley's tent. He took him under his own guardianship, and when about returning from the East left several hundred pounds for the provision of the boy. He was afterwards put into the rajah's service, and did honour to his generous guardian. Colonel Wellesley was sent to command an expedition from Trincomalee against the Dutch settlements. The admiral, however, never appeared after a month, and the colonel determined, on his own responsibility, to bring back his force to Bombay. He was naturally apprehensive of the effect this might have on his reputation, although, fortunately, the governor-general acknowledged the soundness of his judgment. He thus wrote to his brother :—

"I shall consider these expeditions as the most unfortunate circumstances for me, in every point of view, that could have occurred;" he thus continues:—"I was at the top of the tree in this country; the government of Fort St George and Bombay, which I had served, placed unlimited confidence in me, and I had received from both strong and repeated marks of their approbation. Before I quitted the Mysore country I arranged the plan for taking possession of the Cedel districts, which was done without striking a blow; and another plan for conquering Wynaad and reconquering Malabar, which I am informed has succeeded without loss on our side. But this supercession has ruined all my prospects founded upon any service that I may have rendered. . . . I have not been guilty of robbery or murder, and he (the Governor-General) has certainly changed his mind; but the world, which is always good-natured towards those whose affairs do not exactly prosper, will not, or rather does not fail to suspect that both, or worse, have been the occasion of my being banished, like general Kray, to my estate in Hungary. I did not look, and did not wish for the appointment which was given me; and I say that it would probably have been more proper to give it to somebody else; but when it was given to me, and a circular written to the Government upon the subject, it would have been fair to allow me to hold it till I did something to deserve to lose it.

"I put private considerations out of the question, as they ought, and have had no weight in causing either my original appointment, or my supercession. I am not quite satisfied with the manner in which I have been treated by Government upon the occasion. However, I have lost neither my health, spirits, nor temper in consequence thereof."

The anticipated loss of reputation did not follow. On the contrary, Clive was most anxious for him to return to Mysore, while his brother wished him to accompany Sir David Baird to Egypt. The latter would probably have carried the day, had it not been for a fever and breaking out over his body, which obliged him to remain at Bombay and take a course of nitrous baths. In April 1801, he was able to return to duty, and placed himself under lord Clive's orders. For a time he devoted himself simply to civil and military organisation; in

fact, for a year and a half his sole occupation was with the internal affairs of the province under his government, and we may, therefore, pass over this period. Meanwhile he gave proofs of the foresight and honest study by which he paved the way to victory, by drawing up plans and memoranda for a possible Mahratta war. He was not deceived in his anticipations. Under the nominal head of the vast Mahratta empire five great feudatories possessed the substance of power. The three most powerful were Scindiah, the Peishwa, and Holkar. Of these Scindiah possessed the most powerful army, chiefly officered by French, and was decidedly hostile to England. The Peishwah had taken no part against Tippoo, but had been brought into alliance by the gift of a portion of his territory. But these two chiefs, divided between French and English interests, were united against Holkar. The latter defeated them in a great battle near Poonah. The Peishwa fled and appealed for English help; this was promised, and an agent was sent to Scindiah to make him a party to the engagement. It was resolved to detach a small army of 7000 men from the large force collected under general Stuart, and at lord Clive's desire this was placed under the command of major-general Wellesley, for to that rank he had now honourably won his way. Lord Clive thus stated his grounds for selecting the young commander of Mysore for this detached expedition into the heart of that "great and terrible wilderness" of enemies, the Mahratta country:—"The practical experience obtained by major-general the Hon. A. Wellesley on the immediate theatre of the intended operations, combined with the personal intercourse established between that officer and the Mahratta chiefs on the frontier, and supported by the great ability uniformly manifested by that officer in various situations of difficulty, render me solicitous that he should be selected for the command of the advancing detachment." He was accordingly appointed, under the following instructions:—To endeavour to obtain the co-operation of the two Mahratta princes not engaged in the war—the rajahs of Guzerat and Berar; to form a junction with the Peishwa at Meritch; to extend an arm of communication to colonel Stevenson, who was with the Nizam's forces; and eventually to proceed to Poonah, and restore the Peishwa to his musnud. The reputation which general Wellesley had already acquired with the Mahratta chiefs proved of the greatest service to the expedition. The immense preparations he had been making told at every step. Every river was provided with a fleet of large boats, and the stores which he had long prepared in Mysore were ready to the moment, the marquis of Wellesley having ordered that he should continue in the government of that province though absent with the army. He had a valuable agent to act for him, from this long prepared basis of all supply, in Purneah, formerly prime minister of Tippoo, but a most able and trustworthy steward notwithstanding. The position of Stevenson at Perinda, about 150 miles from Poonah, caused the general considerable uneasiness whilst he remained in doubt of Holkar's movements. However, the junction of the British corps was safely effected on the 15th of April 1803, about seventy miles from Poonah. The British had been reinforced by eight or nine thousand men, under the Peishwa's tributary chiefs, and now moved forward in



respectable force. Holkar was discovered to have retreated northwards, leaving two detachments of his army to observe the invaders. Strong doubts were now entertained of the good faith of Scindiah, and these doubts were soon confirmed by that chief openly joining his late successful opponent against his late ally, the Peishwah. Wellesley learned that Amrut Rao was in possession of Poonah, and intended, on the approach of the English army, to burn that great city. This threat alarmed the Peishwah, whose family was there, and Wellesley, putting himself at the head of the cavalry, undertook a rapid night march to save it, and very nearly succeeded in the capture of Amrut Rao, who had to fly with precipitation, unable to carry out his terrible menace. In this cavalry march sixty miles were accomplished in thirty hours; the army rapidly followed, and so far the object of the expedition was accomplished. Colonel Stevenson, whom we find all through this campaign in command of a detached force co-operating with Wellesley, and generally, by mistakes and delays, in entire contrast to his commander, acting as a good dark background to throw out the achievements of the latter, had been ordered to post himself some way down the Beemah river. In consequence of information received of Holkar's movements, he was now ordered to advance up to Aurungabad, which city was threatened, as well as the strong fortress of Dowlutah. General Wellesley, after waiting for the arrival at Poonah of the Peishwah, who was waiting for a lucky day to enter his capital, to be reinstated on his throne, moved towards the Godavery. It was reported that Scindiah had violated the territory of the Nizam by crossing the frontier to hold a suspicious conference with the Rajah of Berar, and the general considered it possible he might attack Hyderabad. To the demand that he should withdraw from his position, and retire beyond the Nerbudda, he had returned unsatisfactory replies, and it became evident that nothing but the strongest dealing would break through the webs of deceit and evasion which those crafty despots wove across one to another. Even the Peishwah was in secret communication with his brother tyrants, from whom he had just been saved; and as if to complete the difficulties of the British commander, an incapable governor at Bombay thwarted all his plans, and, like a shrunken sinew, cramped the action of the striking arm. Mr. Duncan was one of those men who are for halting measures, and obstinately bent upon ineffectual plans. He was backed up by the incapacity of a certain major Walker, who gave a military *imprimatur* to the civil generalship of his chief, and the large forces which should have co-operated from Guzerat in the north-west were broken up into detachments, and unable to move for want of proper supplies and equipment. Other European officers were guilty of such remissness in duty, that general Wellesley, looking to all these difficulties and delays, suggested to his brother, the Governor-General, that it would be wise to arm him with plenipotentiary powers over the whole operations and all concerned in them. But even when this full authority came, he found it necessary to repudiate all responsibility for Bombay, owing to the impossibility at that distance of enforcing his will, and the feeble obstinacy that thwarted it. In his dealing with the great Mahratta chiefs that lay with their armies in his path, he at once exerted his



absolute power to put an end to their subtilities and intrigue, and held out peace and war in his two hands for immediate choice. Finding it impossible to get them to pronounce, he declared war against Scindiah and the Rajah of Berar, those chiefs not having acted upon his demand that they should separate and lead back their troops to their usual stations. They expressed their willingness to withdraw a little way, if the English would entirely clear the coast. Accordingly, the general despatched his ultimatum:—"I offered you peace on terms of equality, and honourable to all parties; you have chosen war, and are responsible for all consequences." He had now under his immediate command an army of 43,000 men; but a large proportion of this force consisted of the irregular cavalry of the Peishwah, the Rajah of Mysore, and the Nizam. The European and disciplined native troops he had worked up to the highest point of military perfection; and the whole army was able to march as no other army had ever marched before on the soil of India. The great object that general Wellesley aimed at was mobility, and this was most difficult to attain in India, when the fighting part of an army marched under the shadow of a huge swarm of non-combatants. He was so successful, however, that on long marches his army was able to cover three miles in an hour. In providing supplies and everything necessary to progress, the general showed an almost superhuman foresight. Perfectly quiet and self-possessed, and never apparently in a hurry or excited, he set every wheel in full motion, and imparted to every person around him to the utmost circumference of his army the greatest activity of which they were capable. He was thus sketched by a military biographer:—

"General Wellesley was a little above the middle height, well limbed, and muscular; with little encumbrance of flesh beyond that which gives shape and manliness to the outline of the figure; with a firm tread, an erect carriage, a countenance strongly patrician, both in feature, profile, and expression; and an appearance remarkable and distinguished. Few could approach him on any duty, or on any subjects requiring his serious attention, without being sensible of something strange and penetrating in his clear light eye. Nothing could be more simple and straightforward than the matter of what he uttered; nor did he ever in his life affect any peculiarity or pomp of manner, or rise to any coarse, weak loudness in his tone or voice. It was not so that he gave expression to excited feeling. A biographer says, writing of this particular period, 'With the vast responsibility resting at this time on general Wellesley, the multiplicity of calls on his time and attention, occasioned by an extensive correspondence, which regulated distant affairs; the presence of formidable enemies; the necessity of conciliating and overawing doubtful friends; who, we ask, reflecting on the situation in which he was placed, would not imagine him to have betrayed some anxiety of mind—shown outward signs of busy thought within? On the contrary, not a man in his army seemed more devoid of care. Full of animation and urbanity, no reproving look checked the joke or suppressed the laugh of those about him. "Come away," he would call out; and off he went at full speed after his gallant greyhounds, who commonly obtained much of his attention during a march; and, game abounding, the general and officers not

required to be with their regiments, who felt disposed to enjoy the coursing, were able to beguile the time by this exhilarating sport. With an astonishing facility of getting through business, aided by a rapid pen, he found leisure for everything; and, the ordinary hours of employment past, was ready to give his opinion on the shape and qualities of a dog or a horse with all the acumen of a connoisseur. If we add that he was temperate in his habits, particularly as regards what are termed the pleasures of the table, enough will have been said."

If the reader will consider the army of Colonel Stevenson, which was now ordered to advance between Aurungabad and the enemy, as the guarding arm, and the army of general Wellesley, which was drawn back lower down on the Godavery, watching the motions of the vast cavalry army of Scindiah, which it was suspected might suddenly descend on Hyderabad, as the striking arm, he will form a good idea of the relative functions throughout this campaign of these two divisions. It is remarkable that the enemy seemed to have the distinction very plainly before them; for while they made every effort to avoid Wellesley's force, they freely approached Stevenson's, cut off his foragers, and even caused alarms in his camp. Perhaps for the same reason, the Nizam's cavalry serving under him were not, it was supposed, perfectly reliable. This made general Wellesley extremely desirous of delivering an effective blow himself. He accordingly marched up towards Bokerdun, where the confederates were encamped, and planned with Stevenson, with whose division he was now converging, to make a combined attack. Taking different roads, they were to advance simultaneously upon the enemy, who had risen from Bokerdun and encamped in a strong position at Assye. Stevenson, however, by delays upon the road, maintained his position of the guard arm. He closed the way, but Wellesley's division struck the great and decisive blow. This was partly owing to false information. The general imagined that the enemy were twice the distance; and suddenly, as he rode with his staff to the top of an acclivity, he saw a wide plain before him animated with an army of fifty thousand men, the greater part of whom were cavalry, drawn up in the gorgeous picturesqueness of eastern battle array. The infantry were disciplined like European troops, and under the command of skilful French officers. A hundred guns were drawn up in front of the host, and round the village of Assye, while an immense moving mass of cavalry occupied the right. The general paused, and calmly surveyed this fine spectacle. Behind him were moving up 8000 men, of whom but 1700 were Europeans. Perhaps he underrated the army before him, and deemed it merely a dramatic force, which a little real lead and iron would dissipate. Had he known the cost of a battle with such unequal forces, he might, it is supposed, have waited for Stevenson. The enemy lay in the angle of two rivers, one of the legs of the angle stretching in front of the general. It was the Kaitna, a river impassable by artillery owing to the steepness of its banks, save at a ford near the apex. Towards the apex, in which lay the village of Assye, with the artillery and infantry drawn up on that side, general Wellesley directed a flank march, covered by the irregular cavalry. His quick eye at once discovered that the ford at this angle was unguarded, and



that by getting his little army into the angle it would have the enemy on the flank, and its own flanks would be protected from the thirty thousand horsemen of Scindiah. The ford of Peepulgaon was gained without loss; the infantry and artillery crossed, covered by the cavalry, and formed on the other bank, under a fire that now grew hot and telling. The general, in the course of this battle, lost two horses, one piked, the other killed by a round shot, and nearly every one of the staff was hit or had a horse killed. The onset is thus described by a military eye-witness:—"The order of battle being thus skilfully changed, the infantry of Scindiah was compelled to present a new front. They did so with greater ease than was expected. The line they now formed reached with its right up to the Kaitna, and its left upon the village of Assye, on the Juah. The front now presented by the enemy was one vast battery, especially towards the left, so numerous and weighty were the guns, and so thickly were they disposed immediately near the village. The fire was rapid, furious, and terrible in execution. The British guns, few in number, opened as the line advanced, but were almost on the instant silenced. Their gunners dropped fast, and the cattle fell, killed or lacerated, beside them. With the fierceness of the struggle and the fearfulness of the hazard, the undaunted spirit of the general rose. He at once abandoned the guns, and directed an advance with the bayonet. With the main body he soon forced and drove the enemy's right, possessing himself of their guns by a resolute charge. The pickets, with the 74th as a supporting regiment, were on the right of the two lines of infantry, and their attack was distinguished equally by the gallantry it exhibited and the loss it produced. With unquestioned bravery, but bad judgment, the officer commanding, when he might have covered his men in a great degree by a circuitous movement, pushed forward directly against the village of Assye, thus of necessity crossing 'a space swept like a glacié by the cannon of the enemy.' Overwhelmed by a murderous fire, the gallant band left half its number on the field. The men fell by dozens, and one company of those forming the picket was almost annihilated; it went into action with an officer and fifty men, and in the evening four rank and file were all that survived that bloody day. No wonder that the line, under this tremendous fusilade from the village, supported by continuous showers of grape, was in many places fairly cut through, and that with difficulty it still maintained its ground. Perceiving its disorder, a cloud of Mahratta horsemen stole round the enclosures of Assye unperceived, and charged furiously into ranks already half destroyed. The moment was most critical. The Mussulman sabres were crossing the bayonets of the 74th, and 'feeble and few, but fearless still,' that gallant regiment was desperately resisting. Colonel Maxwell, who had watched the progress of the fight, saw that the moment for action had arrived. The word was given—the British cavalry charged home. Down went the Mahrattas in hundreds beneath the fiery assault of the brave 19th and their gallant supporters, the sepoy; while, unchecked by a tremendous storm of grape and musketry, Maxwell pressed his advantage, and cut through Scindiah's left. The 74th and the light infantry rallied, re-formed, pushed boldly on, and, the second line coming forward to their support, completed



the disorder of the enemy, and prevented any effective attempt to renew a battle the doubtful result of which was thus in a few minutes decided by the promptitude of that well-directed charge. Some of Scindiah's troops fought bravely; the desperate obstinacy with which his gunners stood to the cannon was almost incredible; they remained to the last, and were bayoneted around the guns, which they refused, even in certain defeat, to abandon. The British charge was resistless; but in the enthusiasm of success, at times there is a lack of prudence. The sepoy's rushed wildly on—their elated ardour was uncontrollable; while a mass of the Mahratta horse were arrayed on the hill, ready to rush upon ranks disordered by their own success. But general Wellesley had foreseen and guarded against the evil consequences a too excited courage might produce. The 78th was kept in hand; and, supported by a regiment of native horse, they were now led forward by the general in person. The guns on the left were carried, and the village stormed with the bayonet. In this short but sanguinary attack the 78th were highly distinguished. Their loss, from the severity of the enemy's fire, was severe, and general Wellesley had a horse killed under him. A strong column of the enemy, that had only been partially engaged, now rallied and renewed the battle, joined by a number of Scindiah's gunners and infantry, who had flung themselves as dead upon the ground, and thus escaped the sabres of the British cavalry. Maxwell's brigade, who had re-formed their ranks and breathed their horses, dashed into the still disordered rank of these half rallied troops. A desperate slaughter ensued; the Mahrattas were totally routed, but the British cavalry lost their chivalrous leader, and in the moment of victory Maxwell died in front of battle, pressing on the pursuit of a mingled mob of all arms, who were flying in disorder from the field. The rout was now complete. The sun at noon had shone on a proud array of fifty thousand men drawn up in perfect order—to set upon a broken host, flying in dispersed bodies from a field on which the whole *materiel* of an army remained abandoned. Under more desperate circumstances a battle was never fought; and, opposed by overwhelming masses, a victory was never more completely won.\* There can be little doubt that general Wellesley was never nearer to defeat than in his first battle, and that it was a dangerous mistake to engage without the co-operation of Stevenson. It may be asked if the mistake did not date further back—to the division of the army into two; but the impossibility of passing with the whole force through the same defiles, and the dread lest the enemy might move round by one whilst Wellesley and Stevenson were coming round by the other, must be held to justify the separation. But if Stevenson was only eight miles from the field of Assye when the battle was being fought, it is open to question if such a desperate hazard was necessary. The sacrifice of life on the British side was probably greater than would have resulted from a combined attack; but perhaps the very desperation of the assault gained a more decisive success than a scientific procedure. The enemy left on the field two thousand dead, and their wounded probably amounted to six thousand. They lost almost

\* Maxwell's Life of Wellington, vol. i. ch. viii.

their whole artillery—ninety-eight guns were taken,—and several stand of colours; but what was more than numerical and material loss, the moral effect was tremendous. That day could never be forgotten, when the best army that India by possibility could ever produce, drilled and officered by Europeans, with a large and scientific artillery, was stormed and routed from the field by a fifth of its force, with a valour and fighting energy unknown to Asiatics. After the necessary detachments were made in the evening—when the wounded were sent away and the dead buried, fourteen hundred men kept the field of battle at night, on which nearly sixty thousand had contended during the day. The army of Scindiah, after a rally and short rest at twelve miles from Assye, pursued its flight over the Ghauts, alarmed by the advance of Stevenson's fresh troops. The victory of Lassawarree, and the taking of Delhi by Lake, inflicted ruin in another direction upon Scindiah and his auxiliaries. With the rajah of Berar and his cavalry army he had made a couple of marches, as if to cross the Casserbury Ghaut, having replenished himself with guns drawn out of Burhampoor. Wellesley considered that by marching upon Asseerghur and Nagpoor he might now conclude the war by cutting through the roots of the confederates; but he found it impossible to move for some time, owing to the hostility of the country, the difficulty of getting supplies, and the heavy incumbrance of the wounded. He was also afraid by moving north he should leave the road open southward to the Nizam's dominions, and this was particularly undesirable, because so long as the enemy could live upon the plunder of territories not their own, so long would it be profitable to them to continue the war. At last, when he was in a position to move, he adopted his former plan of dividing the army into two—an offensive and defensive force. His own division now became the defensive arm, whilst colonel Stevenson was ordered to attack Asseerghur. We have lit upon the following passage in the Wellington despatches, in which the general describes his present operations under the figure before made use of in reference to those preceding the battle of Assye:—"Since the battle of Assye, I have been like a man who fights with one hand and defends himself with the other. With colonel Stevenson's corps I have acted offensively, and have taken Asseerghur; and with my own I have covered his operations and defended the territories of the Nizam and the Peshwah. In doing this, I have made some terrible marches, but I have been remarkably fortunate; first in stopping the enemy when they intended to pass to the southward through the Casserbury Ghaut, and afterwards, by a rapid march to the northward, in stopping Scindiah when he was moving to interrupt colonel Stevenson's operations against Asseerghur, in which he would otherwise have undoubtedly succeeded." It will be seen from this that colonel Stevenson had been successful in his enterprise against Burhampoor and Asseerghur, taking possession of the former without opposition, and of the latter after an attack of only three or four days. But nothing could have enabled the colonel to obtain this great advantage but the wonderful marching power to which his chief had brought the troops, and the skill with which they were manœuvred to counteract the rapid cavalry movements of the enemy, and make vain his diversions and attempts to get



past. At length, learning that considerable desertion was taking place in Scindiah's army, general Wellesley thought the time had come to move forward and strike another blow against his half-spent foe. Accordingly, on the 25th of October 1803, he broke up his camp near Aurungabad, and moved past that city to the south-eastward, the rajah of Berar moving in the same direction on a parallel line. An attempt of the enemy to cut off a large convoy of cattle was defeated by the bravery of the native infantry and cavalry of Mysore. General Wellesley was now convinced that the rajah was only desirous to regain his own territories; and he was glad, when Scindiah sent a vakeel to negotiate for a truce, to grant it on certain conditions, in order that he might be at liberty to follow the other confederate on his homeward retreat. As it turned out, however, Scindiah's object was only to deceive; and when it was found that he had no idea of withdrawing to a position in Berar, twenty coss (*i. e.*, forty miles) east of Ellichpoor, the truce was not observed by the British general. The division under colonel Stevenson was now considerably to the north, and was ordered to attack the strong fortress of Gawilghur, and Wellesley marched north to cover him. Scindiah, instead of being forty miles to the east, was in close communication with the forces of the rajah, and they were both hovering like gloomy clouds over the small army of Stevenson, when the covering division came up, just in critical time, and the enemy were seen—a countless host, glittering through volumes of dust—moving off in the distance. The vakeels or envoys of Scindiah now endeavoured to dissuade the English general from attacking the rajah, on the ground of the truce; Wellesley replied that there was no truce with Ragojee Bhoonslah, the general of Berar, and that Scindiah, being where he was, himself could not claim its protection. Stevenson's force now effected a junction with Wellesley's, and as they approached Argaum, the Indian army was distinguished, drawn up in battle array, stationed before the village. It was late in the day when the battle commenced; Wellesley was too glad to be able to take advantage of the enemy's temerity to put off the engagement to the morrow, and he accordingly marched on in one column, covered by the British cavalry, on the flank exposed to the enemy as it marched across their line into a position immediately opposite Argaum, and on the other flank by the native horse of Mogul and Mysore. When in position over against the enemy's line, which stretched over five miles, the British wheeled round and faced Scindiah, being drawn up in two lines. The general briefly describes what ensued:—

“When formed, the whole advanced in the greatest order; the 74th and 78th regiments were attacked by a large body (supposed to be Persians\*), and all these were destroyed. Scindiah's cavalry charged the 1st battalion, 6th regiment, which were on the left of our line, and were repulsed; and their whole line retired in disorder before our troops, leaving in our hands thirty-eight pieces of cannon and all their ammunition. The British cavalry then pursued them for several miles, destroyed great numbers, and took many elephants and camels, and much baggage. The Mogul and Mysore cavalry

\* Arabs, it was found afterwards.



also pursued the fugitives, and did them great mischief. Some of the latter are still following them, and I have sent out this morning all of the Mysore, Mogul, and Mahratta cavalry, in order to secure as many advantages from this victory as can be gained, and complete the enemy's confusion. For the reason stated in the beginning of this letter, the action did not commence till late in the day, and, unfortunately, sufficient daylight did not remain to do all that I could have wished; but the cavalry continued their pursuit by moonlight, and all the troops were under arms till a late hour in the night." This victory, which was not attended to the victors with the same tremendous loss which they suffered at Assye, was a finishing stroke to the confederate princes. Both divisions of the British army marched to the siege of Gawilghur, Stevenson being allotted the principal attack on this hitherto impregnable place. The outer defences of the fort were soon breached and taken, and the inner fort was escalated without difficulty, the garrison being paralysed by the British mode of taking a fortress, which in native siege would have stood out for many months. Great numbers, however, although they did not defend their walls, fought and died at the gates and in the streets with useless bravery, among the rest the gallant Rajpoot commanders. It was now at last evident to the native princes that they had no alternative but unconditional submission; and negotiations were therefore renewed for a treaty. So thoroughly was the rajah of Berar frightened into sincerity that in two days the treaty was agreed upon. That with Scindiah followed, and was concluded with the same precipitate rapidity. There was a considerable cession of territory to the British and their allies; foreigners were not to be retained or taken into the rajah's service; and he entirely withdrew from the Mahratta confederacy. Scindiah ceded all that lay between the rivers Ganges and Jumna, being the fertile territory of Dooab, besides lesser but important and valuable possessions; he also gave up all rights over Shah Allum, in the possession of whose person he held in his hands the claims of the old traditional sovereignty, and he agreed to employ no Frenchmen in his service, nor the subjects of any power hostile to Great Britain. This treaty was ratified on the 4th of January 1804. The applause which greeted the general was not the less gratifying that his brother, as governor-general, was the medium of expressing it. We have not considered it necessary to go into the exact particulars of the treaty; but it was justly described as "in the highest degree advantageous, honourable, and glorious to the British Government." As a diplomatist in dealing with those astute princes, as a general in cutting with the sword through their web of silken deceptions, as an administrator in his government of Mysore, he had been equally fortunate and deservedly successful. We cannot help feeling, as we read Arthur Wellesley's biography, how much the brilliant talent of his elder brother pioneered his own, and provided him, in fact, with a ready-made career; he had opportunities of exhibiting his powers, upon the road to attaining which perhaps a hundred equally gifted soldiers fall, but at the same time fortune and opportunity seldom find in those on whom they are bestowed such rare merits to match them, and to justify their bestowal. It was fortunate for our Indian empire that there was such a conjunction at a time of extreme peril;

and this conjunction of the brothers Wellesley, which saved our Indian empire, was afterwards destined, its happy effects having been thus tested, to save Europe. The great Mahratta war was now at an end, but not so general Wellesley's labours; for the disbanded armies resolved themselves into bandittis, which for a long time kept the country in the condition of the sea after a storm—uneasy, and covered with froth and surf. The territories of the Nizam, which, during the wars had been protected by that little shield-like army that kept covering them from the enemy, were now extremely disturbed, and compelled the general to keep up a force on the Godavery; and the feeble Peishwah had not established his authority more than five miles from his capital; beyond that distance the country was overrun with thieves. The feebleness of the latter's government made general Wellesley almost despair of Indian princes; but he had such a determined will for putting things right, and reducing chaos to order, that with such a state of things he could not rest content, or leave it to time to absorb the mischievous elements cast abroad by war. Even Scindiah besought his assistance against his own discharged soldiers; and the unfriendly servants of the Nizam, who had treated him as an enemy when he came before to deliver them, now cried out for him to rid them of the banditti; but on his arrival he found that the latter had decamped, and that the killadars and amildars had succumbed just before his arrival, and had sent away these troublesome vermin fat with tribute. However, he determined that he would not let them escape him, particularly as they had been successful in an attack upon one of his corps, and an appearance of success might suddenly rear them into an enemy of vast dimensions. He had already experienced, in the case of the King of the Two Worlds, how an army of banditti might roll along in India until it became, by attraction, a moving, first-rate barbaric power,—a great army unconnected with any territory, and headed by a king whose dominions were all he could overrun, and his revenue all he could plunder. Leaving his camp in the neighbourhood of Ahmednuggur, he advanced by forced marches to near Perinda, where he came up with the predatory army, and, although they beat an undignified retreat on his approach, he was able to inflict severe punishment upon their rear, and captured guns and baggage, besides cutting up the rearguard. A spirited pursuit followed, and at length the retreating force broke up and dissolved itself over the country, leaving fine booty for their dusty and blood-stained pursuers. General Wellesley speaks of this as the greatest feat he ever saw performed by infantry. They marched sixty miles between the morning of the 4th of February and noon of the 5th, and were in with the cavalry at the attack upon the freebooters. It is a specimen of the success with which General Wellesley had taught his soldiers to march; and it was as much by good marching as by good fighting that his whole military career was so glorious. We may mention, in drawing near the close of this section of the life of the great Irish general, that his conduct of the campaigns in which he had led them was appreciated as much by the officers of his command as by the authorities at a distance. A very warm and flattering address, accompanied by a service of plate worth two thousand guineas, was presented to him as a memorial of his Indian wars. These were now nearly at an end. Holkar still gave



uneasiness, and the conqueror of Scindiah rightly predicted the course the other great Mahratta chief would be likely to adopt. General Wellesley, however, felt that there could be no difficulty in dealing with this last of the confederates, and, being personally an object of dislike to the Peishwah, who refused to adopt measures, although obviously advantageous, simply because suggested by him, he obtained leave to return to England, with an instinct perhaps of greater work before him. In writing to colonel Stevenson shortly before, his expression of a wish that by transference to England the colonel might have the satisfaction of serving in a war "which goes to the existence of Great Britain as a nation," obviously reveals his own desire to share in the grander struggle with the revolution. Indian glories, though gorgeous, were distant; they have never fired the enthusiasm of the English. Indian foes were contemptible. The spectators of the war were only the thin circle of official and mercantile English in India—at home the world was gazing. General Wellesley had given proofs of the possession of military talents and force of character which rendered him certain of an opportunity of exhibiting them in Europe. Lord Camden wrote thus to the Marquis of Wellesley from the colonial office:—

"The brilliant and decisive success that has attended the progress of the armies which have been employed in the East Indies, under the command of general Lake and major-general Wellesley, is justly appreciated by his Majesty; and I have, in consequence, received his Majesty's commands to inform your lordship, that in consideration of the meritorious services and gallant conduct of general Lake, his Majesty has been graciously pleased to create him a peer of the United Kingdom of England and Ireland; and that, in consideration also of the eminent and brilliant services of major-general Wellesley, his Majesty has been graciously pleased to direct that the insignia of the most honourable order of the Bath should be transmitted to that officer; and that he may immediately evince his sense of major-general Wellesley's merits and services, his Majesty has further directed that he shall be created an extra knight companion of that order, and that his creation and investiture shall not wait for a succession to a regular vacancy therein."

In addition to this recognition from home, Sir Arthur Wellesley, as we must now call him for a while, received a splendid sword from Anglo-India; and when his intention of returning to England was announced, addresses were presented to him from native communities which had enjoyed unusual peace and security under his firm and wholly conscientious rule, and from numerous public bodies. There followed, on his return, a short interval of ordinary life; he received a staff appointment; he commanded the troops at Hastings, in Sussex; he became colonel of his regiment on the death of Lord Cornwallis; he was returned to Parliament for the borough of Rye; he took to himself a wife in the person of the third daughter of the Earl of Longford. In parliament he had an opportunity of defending his brother, who was pertinaciously assailed by a Mr Paull, who accused him of misappropriation and lavish extravagance. The accuser was very unsuccessful, and shortly lost his seat. When the charges were further pressed by Lord Folkestone, Sir Arthur urged that the



house should take them into consideration at once, and give an immediate vote upon them. This course was pursued, and after a long and hot debate, the conclusion was, that a motion, ascribing the marquis's acts to ardent zeal for his country, was carried by 180 to 29. In 1807 Sir Arthur Wellesley accepted the post of chief secretary for Ireland under the Portland administration, making it a condition that it should not impede or interfere with his military promotion or pursuits. This appointment was very satisfactory to the Protestant corporation of Dublin, as it was well known that the stern disciplinarian in the army was the equivalent of this in civil affairs—a firm Tory, as Toryism then read. He was presented with the freedom of the city in a silver snuff-box, while his chief, the Duke of Richmond, received the same honour in one of gold. Although belonging to a professedly Protestant administration, Sir Arthur was studiously just and conciliatory to the Roman Catholics; what he had taken in hand, however, the task of keeping Ireland quiet, and forcibly preventing the Catholics from giving trouble, he carried out with cool determination. His first prescriptions were borrowed from the outgone government of the Duke of Bedford, and were therefore really Whig measures which, for want of time, had not been passed. They were an "Insurrection Act" and an "Arms Act." The former gave the lord-lieutenant the power of proclaiming disturbed counties, and the magistrates had, in proclaimed districts, extreme powers of surveillance conferred upon them. The Arms Act was to be universal, and was intended completely to disarm the peasantry, and reduce them to the condition of the Jews under Philistine rule. It fell to Sir Arthur's unfortunate lot to defend Dr. Duigenan's appointment as a privy councillor, on the ground of his conversance with ecclesiastical matters. His statement in the debate that he did not care what religion a man was, so long as he was useful, was a very just and liberal sentiment. Dr Duigenan was useful as an ecclesiastical lawyer, though terribly damaging to his own opinion when he got upon his Roman Catholic Rosinante. The passing of the Dublin Police Bill was the only other important act in Sir Arthur's secretaryship. This was the germ of that splendid force which has more than once saved Ireland without the dreadful intervention of what is called martial law, and by nipping insurrection in the bud, has prevented the necessity of extreme measures with rebels. It has not been so successful in coping with crime as in keeping down rebellion, but it was for the latter purpose that Sir Arthur Wellesley, who had earned such valuable experience in the Deccan, originated the force in Dublin. The city had previously been guarded by obsolete watchmen.

It is highly to the credit of this stern military chief secretary, that in those uncharitable histories which have been written from the nationalist point of view, nothing whatever to the discredit of Sir Arthur's administration of Ireland can be adduced. No doubt it was a most grateful change when he found himself for a while relieved from his irksome post by being appointed to a command under Lord Cathcart in the Danish expedition. In this service he gained fresh distinction, being sent to attack a body of Danish troops which was hovering near for the relief of Copenhagen, and daily receiving reinforcements

of regulars and militia. He conducted his force with great skill, and in a smart action near Kioge, obtained a complete victory over the Danes, more than 1000 prisoners were taken, many were killed and wounded, the rest were scattered, and ten guns were captured. When Copenhagen was ready to capitulate, Sir Arthur Wellesley, who had remained in the interior of the country to prevent an insurrection of the population, and had performed this duty with his usual efficiency, taking care to guard against all unnecessary violence or annoyance to non-combatants, was called by Lord Cathcart, with two other officers, to draw up and carry out the terms of the capitulation. This great and necessary, but thoroughly unscrupulous achievement, having been carried out with complete success—indeed, with the co-operation, in such leading positions, of Nelson and Wellington, failure would have been impossible—the young general returned to driving the plough of Irish government. If the seizure of the Danish fleet was reprehensible—and in the stupendous war that our little England was then engaged in, we confess to the opinion that her necessity had no law,—the general who covered, and the admiral who effected England's will were in no degree responsible. Sir Arthur Wellesley was frequently obliged to speak in parliament on Irish questions during the interval that ensued; and there, as well as in his bureau in Dublin, he was the general all over—quiet, decisive, keen, perfect in judgment, and never behindhand or ill-informed in any business of his department. In his home duties he was distinguished by a pleasant courtesy. The grey eye, albeit keen, was friendly and single; the firm mouth, although the lips were thin and compressed, could smile with a healthy spring sunshine; from putting a just value on time, his manner sometimes seemed brusque, but it was never violent or offensive. He was altogether most admirably suited for an Irish chief secretary, for which post it is usual to select some Irish gentleman of family and capacity, or an Englishman connected with Ireland by the ties of property. When, however, it was determined to send an army to the Continent, there was obviously no man more fitted for the command of it than the Irish secretary; for his civil duties he easily found an efficient temporary substitute, while his unmatched genius for war was wasted upon the desert airs of Dublin. Although so youthful, he had already saved an empire, and proved his ability by the true test of unfailing success. In his first European skirmish he had given a good omen of what the Indian general could do in civilised warfare, in which England, since the days of Marlborough, had been singularly unfortunate. Besides the testimonial of a brother's splendid talents, already proved in the service of the state, he was himself the man who possessed most of the confidence of the army, and so far as his merits and name had percolated through English density, the faith of the country reposed in him. But it will be seen that, even in his case, the disgusting love of retardation which prevails in the high official mind, and overpowers every other consideration, until national indignation or necessity intervenes, stopped him for a while in his career; Sir Arthur having been removed from the civil office he filled so well, to the military office he filled better, when he had turned the European tide by two victories, with the prevalence of a jealous after-thought, was followed and superseded by two of England's usual muddling



generals. Fortunately, however, these incapables did not come up in time to prevent the junior they were sent in pursuit of from showing, before their arrival, that England could still win a battle, reviving the glories of Blenheim and Ramillies. Without attempting to give the reader a view of the position of Europe, or even of Spain and Portugal, we may briefly recall the facts that drew England into a land war with Napoleon. Spain, notwithstanding the hostile indication she had given before Jena, was close in the traditional alliance with France, and her best troops were serving in Germany against the enemies of the latter, while the secret provisions of the treaty of Fontainebleau for the partition of Portugal, had given a pretext to the French to enter Spain. When dissensions in the royal family caused first the King and Queen, and then Prince Ferdinand, to throw themselves into the arms, and appeal to the judgment, of the French Cæsar, Napoleon immediately seized Spain with his armies; and after offering the crown to Lucien Buonaparte, by whom it was refused, he conferred it upon his brother Joseph, who was promoted from Naples to Madrid. The brutality of Napoleon's generals soon maddened the Spanish people, who beheld the throne of the Bourbons usurped by a French puppet, and in whom pride, affection, and religion were outraged by those domineering infidel soldiers. The consequence was an attempt to throw off the yoke which, in their folly, they had allowed Napoleon to impose upon them. Under the circumstances their efforts were surprising, and notwithstanding bad generals, they gave proof of still possessing the qualities which formerly made Spain glorious. The French found it the utmost they could do to stand their ground. Dupont and his division of the army was obliged to capitulate, and, most alarming of all, England was induced to promise a diversion in Portugal. That country had been invaded by the united arms of France and Spain (ere yet the Spaniards had found out their allies), with the view of forming a single and undivided Iberia. The Portuguese royal family had been obliged to escape to the Brazils, and Marshal Junot commanded the portion of the French army now in occupation of Portugal. Such was the state of affairs when the force which had for some time been mustering at Cork was put under the orders of Sir Arthur Wellesley, and ordered to sail for Portugal. It can easily be imagined the joy with which the young general welcomed this splendid opportunity, as he perused the letters of the commander-in-chief and Lord Castlereagh, and found that they bestowed upon him the fullest power and responsibility. At the same time, small-minded officialism showed itself in restrictions upon the prerogative which older generals had assumed, though without strict warrant, in such matters as promotions and courts-martial. But both in the restrictions and responsibility imposed, it was clear that he was designated to the full command of the expedition, and there is plain evidence in the letters that "Sir Hew and Sir Harry" were riders afterwards devised. With the rapidity which he always exhibited in action, Sir Arthur Wellesley took the command of his force at Cork, and during the few days it was detained, waiting for an unfavourable wind to cease, he showed his old Indian foresight in providing for the wants of his army. He exchanged communications in the same interval with the Government, in which the understanding that he was in full command plainly appears.



The following passage from Sir Arthur Wellesley's despatch to Lord Castlereagh will be to the reader a pivot on which the general's whole project of the expedition, as it would have been if left in his hands, turns :—

"The enemy's position in the neighbourhood of the Tagus appears so strong that it is considered impracticable to make a landing in that quarter without diverting the attention by an attack to the northwards. The plans of attack on Cascaes Bay would fail, because it is stated to be impossible to approach the coast sufficiently with the large ships to silence the Fort of Cascaes, and the other works erected for the defence of the bay ; and although the ships-of-war might be able to pass Fort St Julien, the Fort Bugio, and the other works by which the entrance of the Tagus is defended, it is not imagined that these forts could be silenced by their fire as to enable the troops to land at Pasco d'Arcos as was proposed. Between Cascaes and the Cape Roca, and to the northward of Cape Roca, there are small bays, in which small bodies of men could be disembarked in moderate weather. But the surf on the whole of the coast of Portugal is great, and the disembarkation in these bays of the last division of the troops and of their necessary stores and provisions would be precarious, even if a favourable place should have been found for the disembarkation of the first. The vicinity of the enemy, and the want of resources in the country in the neighbourhood of the Rock of Lisbon for the movement of the necessary stores and provisions for the army, would increase the embarrassment of a disembarkation in that quarter. All these considerations, combined with a due sense of the advantages which I shall derive from the co-operation of the Portuguese troops, have induced me to decide in favour of a landing to the northward.

"There is no place to the northward of Lisbon which would at all answer for a place of disembarkation nearer than Mondego, excepting, possibly, Peniche. But the fort upon that peninsula is strong, and is occupied by the enemy with a sufficient garrison, and could not be taken without heavy ordnance? And the ordnance and ammunition which your lordship informed me in your despatch of the 30th June was to sail from the river on that day, has not yet arrived.

"I shall consider the possession of the harbour and city of Lisbon as the immediate object of our operations, which must be attained by that of the forts by which the entrance of the Tagus is guarded. It is probable that it will be necessary to attack two of these forts, Cascaes and St Julien, with heavy ordnance, and it is obvious that the enemy will not allow us to undertake these operations till he shall have been driven from the field.

"The position which he would take for the defence of these posts must be all turned from the heights to the northward of Lisbon ; and, indeed, unless prevented by our possession of these heights the enemy would have it in his power to renew the contest in different positions until he should be driven into Lisbon or retire. The last will be rendered difficult, if not impossible, excepting in boats across the Tagus, by the adoption of the line of the attack by the height to the northward, which I also prefer, as being more likely to bring the contest to the issue of a battle in the field."

This determination to land at Mondego Bay was taken by Sir Arthur Wellesley, who had preceded his army in a swift frigate after consultation with the Supreme Junta at Oporto. The bishop of that place was at the head of this extemporised government, and not only gave the English general a cordial reception, but promised all that his force might stand in need of in the way of food supplies. The Portuguese received in return large supplies of arms, and ammunition, and money. When Sir Arthur Wellesley's whole force was disembarked on the shore of Mondego Bay it numbered thirteen thousand men. This was but a handful to one who had moved the locust armies of India, which were attended by a multitude of camp followers and baggage carriers like the extended shadow of a moving body. This attendant multitude was as inevitable if more necessary than a shadow, and Sir Arthur had learned to make the whole move with order and celerity in obedience to his will. Of course, the disposition of a large army in the field is a distinct branch of knowledge; but still, to know how to march and subsist enormous masses of men was no little step in the art of war. In both the young general was a proficient, and his little army of thirteen thousand men he could manage as a chess-player his pieces. He afterwards observed, in one of his despatches, the awkwardness of old generals, young in experience, in handling large forces. This is the especial shortcoming of English officers, owing to the small numbers of our army; and the French marshals, without the same excuse, were remarked for a similar defect in the great Franco-Prussian war. Scarcely had the forces been disembarked, when, without a moment's indecision, they were directed against the foe. The French position was far from good. Junot had been obliged by the insurrectionary conflagrations that were breaking out in various parts of the country to scatter his forces. The people were everywhere mustering in arms; the Spanish troops which had come as allies remained as foes; a Portuguese army, under the command of General Freire, was ready to support the English. Laborde was in command of three or four thousand, and hovered at a distance; Loison, with 7500 men, was detached to assist him; other supports had been held off by General Spencer's division, which, to the last moment, hovered off the coast of Galicia, but just came up in time to take part in the landing. Aware of the supersession that awaited him, Sir Arthur determined to strike, if possible, a hard blow at the disappointed forces of the French before the British generals in pursuit came up to tie his hands. The Portuguese general Freire had his own plans, in which, not being indulged, as they would have withdrawn the English from the sea as a base of operations, he stood sulkily aloof, and would only, after some sharp reproaches, furnish a small contingent. The food depot at Leyria had been collected for the use of the English army; but when it was rescued from the antennæ of the French it was coolly claimed by Freire, who wanted also to have his army rationed with ours, a demand which Sir Arthur point blank refused. The way in which he dealt with the Portuguese leader was very characteristic, for he never allowed respect of persons to interfere with duty, and spoke his mind with an unvarnished plainness very disconcerting to pompous officials and blundering generals. He thus wrote to his agent (Colonel Grant) in the Portuguese camp, directing him to communicate the contents to Freire —



"As to his plan of operations I do not see what purpose it is to answer in view to the result of the campaign; and I certainly never can give my sanction to anything which appears so useless, so crudely digested, so far as even to promise to communicate with or aid the person who is carrying it into execution.

"I have one proposition to make to General Freire, that is, that he should send me his cavalry and his light infantry, and a corps of one thousand regular infantry, to be employed as I choose, and I engage to give these men their bread; and for meat, wine, and forage they shall fare as well as our troops. If he will accept of this proposition let his troops join me to-morrow at Alcobaca. If he does not, I beg that he will carry on such operations as he may think proper.

"I shall execute the orders which I have received from my Government without the assistance of the Portuguese Government; and General Freire will have to justify himself with the existing Government of Portugal, and his prince, and with the world, for having omitted to stand forward on this interesting occasion, and for having refused to send me the assistance which it is in his power to give."

This epistle must have very much astonished General Freire, and he delivered over a small force of infantry and cavalry to the commander of the English, and stood aside with the rest of his forces to watch the result. It was with Junot's lieutenants that Sir Arthur had to deal; Junot himself was obliged to stay behind with his heel upon Lisbon, although he at last left it to Travot, too late to succour Laborde, who, with the garrison of Peniche had only four thousand men; Loison, with a force double as large, was not far from Laborde; but Sir Arthur, by his rapidity, prevented a junction from taking place, and awed the enemy back from the extended position of Batalha, first to Obidos, then to Rolica. He lost no time in advancing to the attack of this strong vantage-ground. His movements had already forced Loison—for whom Laborde was vainly feeling on his right, hoping that he might still come to the rescue—to retire upon Santarem. The smaller force was thus left in the lurch to defend the splendid mountain passes of Rolica against the whole British army. Further, Laborde dared not retreat, as he would be cut off from Loison, or the road to Lisbon would be open. The first fighting took place at Obidos, where the French had left some pickets. They were driven out and pursued too eagerly by the riflemen, who were nearly cut off in the distant advanced ground, and with difficulty drawn back to their supports. The commander of the English now came in sight of the position of the French; the highest eagle was planted far up, from whence could be seen the Atlantic and the "hollow ships" of the attacking force. Not a moment was lost; the plan was to penetrate the mountains on the enemy's left with one force; this, as the least likely to have much employment, was composed of Portuguese. A stronger force performed a similar duty on the enemy's right, watching also against Loison's approach. The brigades of Hill, Nightingale, Crawford, and Fane, with the cavalry and artillery, moved to the attack in front. Here the battle commenced, for the two outflanking forces met with unexpected difficulties in the mountains, and their attacks did not combine with that in the centre. But one distinguishing trait in the general who



commanded was, that he was able to dare. An unflinching will pressed on the British bayonets; the lives of his men were never muddled away as they would have been by the regulation British general; but when one sudden outpour of blood was needed to win a battle, Sir Arthur Wellesley never shrunk from demanding it of his troops. A peculiar interest attaches to the battle of Rolica, from the fact that it was the first collision in the Peninsula of British and French bayonets; and that it was a sort of test which had a good deal to do with the feelings of both sides in succeeding battles. The French had an unbroken prestige; the English had to prove their manhood against the recollection of the miserable bungling, retreats, failures, and lost opportunities of the Duke of York's campaign.

The following passage from Maxwell's spirited and soldierlike narration gives a clear idea of the progress of the battle, after Laborde's rapid shifting of position, which was so extremely masterly:—

"Laborde's first position soon became untenable, his rear was endangered; and, without a moment's indecision, he fell farther back and occupied the mountain passes. Nothing could be stronger than this second position. The way by which the assailants had to ascend was up ravines rather than paths, more practicable for goats than men, so steep that in many parts a slip of the foot would have been fatal; in some parts overgrown with briars, and in others impeded by fragments of rock. Of these the centre was more practicable, and the 29th and 9th regiments advanced to storm it under the fire of the British guns; while a cloud of skirmishers vanished among rocks and copse-wood, connecting the advance of the different columns, and feeling or forcing their way through obstacles that a vigorous defence had rendered almost insurmountable. Gradually the scene became more animated as on each of the several points of attack the assailants and the assailed became warmly engaged. The spattering fusilade of the light troops was lost in the rolling volley of the columns, which, with the deeper boom of cannon, echoed loudly through the mountains. The hollow watercourses, by which the British had attacked, hid for a time the combatants from view, but the smoke wreathing over the ravines showed by its density the place where the work of death went fastest on. On the left Laborde gradually lost ground, but on the right his exertions were redoubled, in the desperate hope that Loison might yet come up, and thus retrieve the fortune of the day. Here, of course, the struggle became bloodiest. While the flank movements of Trant and Ferguson had not yet proved themselves successful, the 9th and 29th regiments forced their respective passes, and gained the plateau of the hill. They reached the summit out of breath, their ranks disordered, and their formation requiring a few minutes to correct. At that moment a fine battalion of Laborde's came boldly forward, delivered a shattering volley, and broke through the centre of the British regiment. But the 29th were broken, not beaten, and the 9th came on to their assistance. The officers discharged their duties nobly, and the men fought, and formed, and held their ground with desperate obstinacy, until Ferguson won the right flank of the position; when, aware that the chance of support was hopeless, Laborde retreated in excellent order, covering the regressive movement of his battalions by repeated charges of his cavalry.

"His last stand was made at Zambugeira. The British, now come up in force, rendered opposition unavailing, and falling back on Quinta de Bugagliera, he united his beaten corps with the troops he had detached to look after Loison at Segura; thence abandoning his guns, he marched by the pass of Runa, and gained Montachique by a severe night march, leaving the line of Torres Vedras uncovered, and consequently Lisbon open to the advance of the British army."

It must be remembered that the disparity of forces in this battle was really in favour of the French, as only a small portion of the British army was engaged. The 29th regiment did what none but English soldiers would, they stood and fought after being broken through; they displayed for the first time that quality which Napoleon remarked in our soldiers, of not knowing when they were beaten. The loss of the troops engaged was great; more than a fifth fell on each side. After the battle Sir Arthur Wellesley was on the point of marching direct upon Lisbon, when news came in of the arrival at Peniche of General Anstruther with another brigade and stores, and it was necessary to make a flank movement to cover their disembarkation. This unfortunately gave time for one of the superseding generals, Sir Harry Burrard, to come to the rescue of the French. Sir Hew Dalrymple, Governor of Gibraltar, was for a moment restrained by hearing of Sir Arthur Wellesley's success, but he was ready to follow Sir Harry. Fortunately, before the latter could disembark Marshal Junot himself advanced to the attack. The young general was in despair, when this happy circumstance gave him the opportunity of winning another battle in spite of his senior's obstinate determination that nothing more should be done until the arrival of Sir John Moore. An interview on board the frigate left Sir Arthur without hope of penetrating that solid and impenetrable obstinacy which distinguishes the true Englishman, the best quality for a soldier, but the worst for a general. Through the night, however, Junot was on the march, in the hope of surprising the islanders; in this design he failed, for according to the custom of the British army, the troops were under arms before day. At seven o'clock the battle began; all the morning Sir Harry heard the guns booming, and arriving in the heat of the action, he did not venture to take the army out of the hands of the general who was fighting it; but it will appear how he stopped the career of victory. The British were posted upon heights; the French attacked them with the utmost bravery, but were met on their way by a heavy fire of artillery, and as they topped the heights, reserved volleys of musketry, and then an iron torrent of British bayonets, burst upon them and drove them down the hill-side with immense slaughter. In Soltignac's attack on the British left his whole front rank fell where it stood, and in death preserved its line. On the English side a remarkable instance of bravery was given by the 71st and 82d regiments, who having captured six guns were resting in a hollow, when suddenly attacked by Brennier. Retreating up the hill, while the French descended, they reformed on the height, and charged down upon the enemy, from whom they retook the guns and captured their general. As a last effort Kellerman's reserve of the French Grenadiers charged upon the centre. The 43rd met them on the top and reeled from the shock; but reforming in a moment, this



regiment drove the Grenadiers over the brow of the hill with the bayonet, and swept them down the declivity. The whole French infantry had now been in action and was in disorder; Soltignac and Brennier's divisions were almost cut off, and would infallibly have been captured; the road to Torres Vedras was commanded by the British; the French were in disorderly retreat; when suddenly Sir Harry Burrard, who up to that time had been a mortified spectator of a battle in which he dared not interfere, determined to assert himself on the field, and the only way to do this was to order the direct opposite of Sir Arthur Wellesley's advice. The latter with great warmth pressed for pursuit and an immediate advance upon Lisbon, which was now virtually their own; his incapable superior, in opposition to this advice, ordered a halt, and actually allowed the French divisions which were cut off to march round Ferguson's brigade and rejoin the main body of their army. Junot, in joyful perplexity at this miraculous deliverance and arrest of the victors—for which he could account on no French principles of war—drew together his beaten infantry, covered it by a cavalry superior in force to the British, and marched off to the position of Torres Vedras, the same which he had held on the preceding day. Sir Arthur, in his report of the action to Sir H. Burrard, said it was the only one in which he had been engaged wherein no mistake was made by the officers who carried out his orders. He thus summed the result: "In this action, in which the whole of the French force in Portugal was employed under the command of the Duke d'Abrantes in person, in which the enemy was certainly superior in cavalry and artillery, and in which not more than half the British army was actually engaged, he has sustained a signal defeat, and has lost thirteen pieces of cannon, twenty-three ammunition waggons, with powder, shells, stores of various descriptions, and 20,000 rounds of musket ammunition. One general has been wounded (Brennier) and taken prisoner, and a great many officers and soldiers have been killed, wounded, and taken." Sir Arthur is said to have passed the bounds of courtesy to his superior officer on the field of battle; but next day Sir Hew Dalrymple, no longer restrained by delicacy when he heard that Sir Harry Burrard was in command, landed and superseded both the victor and the incapable who had so fatally asserted an authority which he was to hold only for a few hours. An advance was then determined, the new commander taking the advice of the junior officer; but just as the order was issued Kellerman, commissioned by Junot, arrived in camp to propose terms. The position of the French in Portugal was hopeless; Lisbon could not be saved; no reinforcement could be expected from Spain; their prestige gone they would be swallowed up by the country, which the spell of victory alone had enabled them to hold; new defeats, final surrender, were all that lay before them; and accordingly it was determined to try what could be done by the wit of a Frenchman against the Philistine dulness of British generals. The Convention of Cintra was the result of the negotiations. It stipulated for the evacuation of Portugal by the French with arms and baggage, and transport to France with all their plunder, the fortresses in their hands being delivered up to the British. Sir Arthur Wellesley opposed much of the Convention, and the discontent of the army and of England was



greatly excited against the generals who concluded it. The desire to give up his command was expressed in several communications to Lord Castlereagh, and his mortification increased as he, the late victorious commander of the army, found his advice passed over and his influence with his superiors on the decline. It was some compensation that the major-generals and generals of brigade who had served under him during his brief command, felt so strongly that they presented Sir Arthur with the following address which must have excited great irritation in the two men who had now taken everything out of his hands.

“Camp at St Antonio de Tojal.

“MY DEAR SIR,—Anxious to manifest the high esteem and respect we bear towards you, and the satisfaction we must ever feel in having had the fortune to serve under your command, we have this day directed a piece of plate, value 1,000 guineas, to be prepared and presented to you.

“The enclosed inscription, which we have ordered to be engraved on it, expresses our feelings on this occasion.

“We have the honour to be, &c.,

“B. SPENCER, Major-Gen.

“R. HILL, Major-Gen.

“R. FERGUSON, Major-Gen.

“M. NIGHTINGALE, Brig.-Gen.

“B. F. BOWES, Brig.-Gen.

“H. FANE, Brig.-Gen.

“J. CATLIN CRAWFORD, Brig.-Gen.”

“Lieut.-Gen. the Hon. Sir A. Wellesley, K.B.”

*Inscription.*

“From the general officers serving in the British army, originally landed in Figueira, in Portugal, in the year 1808, to Lieut.-General the Right Hon. Sir Arthur Wellesley, K.B., &c., &c., their commander.

“Major-General Spencer, second in command, Major-Generals Hill and Ferguson, Brig.-Generals Nightingale, Bowes, Fane, and Crauford, offer this gift to their leader, in testimony of the high respect and esteem they feel for him as a man, and the unbounded confidence they place in him as an officer.”

The following was Sir Arthur Wellesley's reply :—

“GENTLEMEN,—I have had the honour of receiving your letter of this day; and I assure you that it is a source of great gratification to me to find that my conduct in the command, with which I was lately entrusted by his Majesty, has given you satisfaction. As my efforts were directed to forward the service in which we were employed, I could not fail to receive your support and assistance, and to the cordial support and friendly advice and assistance which I invariably received from you, collectively and individually, I attribute the success of our endeavours to bring the army into the state in which it was formed to meet the enemy, on the days on which the gallantry of the officers and soldiers was stimulated by your example, and the discipline aided and directed by your experience and ability.

“Under these circumstances my task has been comparatively light,

and I imagine that its difficulty has been over-rated by your partiality ; but I have a pride in the reflection, that as I should not deserve, so I should not possess your regard, if I had not done my duty ; and with these sentiments, and those of respect and affection for you all, I accept of that testimony of your esteem and confidence which you have been pleased to present to me.

“ I have the honour to be, &c.,

“ ARTHUR WELLESLEY.”

Various ungracious proposals were made to get rid of this third wheel. It was suggested that Sir Arthur should go to Spain to suggest operations and concert a plan with the Spanish leaders ; but he informed Sir Hew that it was impossible for him to do this without knowing Sir Hew's own plans ; and, without being taken into his confidence, it would be perfectly useless to send him. It was proposed that he should go into Asturias to examine the country ; to which he replied that he was no draftsman and not a good hand at description, and as he had no certainty that the plans he proposed would be executed, it would be mere waste of time, and an imposition upon those who sent him. In expressing to Lord Castlereagh his intention to quit his present false position, he said—“ I wish Sir Hew had given me credit for a sincere desire to forward his views, whatever they might be ; and I think I could have been of as much use to him as I believe I have been to other officers under whose orders I have served. He is the only one of whom I have not been the right hand for some years past ; and at the same time I must say that I felt the same inclination to serve him that I had to serve others.” At length Sir Arthur demanded leave in the following letter to the commander-in-chief:—

“ Lumiar, 17th September 1808.

“ SIR,—The embarkation of the French troops having brought to a final close the operation of the army in Portugal, and as in the present state of the season some time must elapse before the troops can enter upon any other active operation, and as I understand you have sent Lord William Bentinck on the service for which you had thought me qualified, and it is not probable that there will be an opportunity for active service, or that you will require my assistance at this particular moment, or for some time to come, I am induced to request your permission to go to England.

“ The situation of my office of chief secretary in Ireland, of which the duties have been done lately by a gentleman who is now dead, renders it desirable, under these circumstances, that I should be in England as soon as possible, to ascertain whether it is his Majesty's pleasure that I should continue to hold it, or that I should relinquish it. I have, therefore, to request that you will give me leave to go to England by the first ship that shall sail.

“ I have the honour to be, &c.,

“ ARTHUR WELLESLEY.”

His desire was of course acceded to, and Sir Arthur Wellesley returned to his civil employment. He expressed a strong wish to Sir John Moore, whose arrival in the country had placed a third officer over



his head, that in the change which it was needful should take place in the command of the army, the choice of the Government might fall upon him ; hinting that he would use his influence for Sir John. Little did he think that under this unfortunate officer, the victories of the commencement of the British career in the Peninsula would be darkly overclouded. On his return to England he found the country greatly irritated against the generals for the Convention of Cintra, and that he himself was not entirely exculpated. A court of inquiry was held, which, after sitting for a considerable time, and hearing the generals, returned an open decision. Sir Arthur Wellesley was, of course, completely set right with the public, and the popular verdict against the officers who had superseded and thwarted him, threw out his merits into more conspicuous relief, and increased his popularity with the country. The thanks of both houses of parliament were given to him on the termination of the inquiry, and nothing could possibly be more flattering than the terms in which they were conveyed. The episode of that unfortunate general, whose retreat from Talavera to the sea was as honourable as any retreat could be, filled up the gloomy interval between the departure and the return of Sir Arthur. Nothing occurred to him in that interval worthy of note. He was simply a spectator of events. At length, when it became a question whether the Peninsula should be abandoned, and the rupture of France and Austria, which had saved Sir John Moore's army from almost certain destruction, caused the Government to hesitate, Lord Castlereagh applied to Sir Arthur Wellesley for his opinion as to the possibility of defending Portugal; and the statement he made in return went far to decide the policy of the ministry. He proposed that the Portuguese army should be incorporated with the British; officered, paid, and disciplined from England. Before the appointment of a general he recommended that the English army should be increased and properly appointed, as the commission of a leader would set the French armies moving. These suggestions were taken by the government, the Portuguese assented to the proposed arrangement for the incorporation of their army with that of Great Britain, and the command of this subsidiary force was offered to Sir Arthur, but declined by him, his experience of a subordinate command, and his consciousness of his own deserts, having probably been the actuating motives. General Beresford was then selected out of several candidates, and in a short time made a wonderful change in the efficiency of the Portuguese army. Sir John Cradock was transferred to the command of Gibraltar, and Sir Arthur having resigned his seat in Parliament and the office of chief secretary, and made the most elaborate provision for the wants of his army, embarked at Portsmouth and entered the Tagus on the 22d of April 1809. The greatest joy was manifested at his arrival by the inhabitants of Lisbon, and the Government placed all the resources of the country at his disposal. He found himself, however, at the head of but 16,000 men, with 8,000 to follow, opposed to three French armies which darkened the horizon. These armies were acting under the orders of Napoleon himself, who, having in person driven Moore to retreat, now commanded them from the scene of his Austrian campaign; but the day had not come when armies fighting out of sight of each other, at a range of three or four miles,



could be commanded by electric telegraph by a general sitting in his study a thousand miles away, and manœuvring armies on the map. Marshal Soult had been ordered to advance upon Lisbon, but he had been delayed by the insurrection about him, the fatigue of the troops, and by bad roads and flooded rivers. His flank had been threatened by Romano's forces, and he had been obliged to turn aside and drive them back. In front he defeated a large force of disciplined Portuguese. Notwithstanding the great preparations of the patriotic bishop of Oporto, he took that city and inflicted a severe punishment upon it for ill-treatment of French prisoners. Marshal Victor, who was to co-operate with Soult, crossed the Tagus from Talavera and defeated Cuesta, the Spanish general, at Medallan. General Lapisse was ordered to form with his army a connecting link between the marshals at Abrantes; this he failed to do, but, joining himself to Victor, left a wide and fatal gulf between the French armies. Sir Arthur Wellesley had now to choose between attacking Soult or Victor before they could throw their united strength upon him. As it was important, for the sake of supplies, to re-open communications with Oporto, he chose the former antagonist, and setting a guard upon Victor, assembled the combined armies, numbering twenty-five thousand men, at Coimbra. Soult lay, with twenty thousand men, in fancied security and loose order upon the Douro, the communication of his forces on either bank being maintained only by a bridge of boats. It is said that an offer was made by some republican officers in his army to betray him to the English; but this offer Wellesley contemptuously declined. The latter having arrived at Coimbra on the 2d of May, adopted what had been his course in India, that of operating by two columns. Beresford, with the Portuguese, was ordered to cross the Douro and envelope the French left wing, while Wellesley advanced by the main road on Oporto. He trusted to Beresford to send down boats by which to cross the river, which would still separate him from the town. This plan was modified in consequence of intelligence that the French were evacuating Oporto, and, having driven back Silveira, might be expected to fall upon Beresford with a crushing force. Accordingly Hill was sent to follow them up, and Wellesley himself marched upon Vouga. He soon came upon the French forces which lay outside the river-barrier to the number of about four thousand. Hill's column co-operated in the attack. After a brave stand, their flank was turned, and they were obliged to retreat; the retreat became a flight, and having crossed the Douro, they removed the bridge of boats. Soult had been taken quite by surprise, but imagined that having secured all the boats upon the river, which was 300 yards wide, he might leave the British army and general to watch his lazy evacuation of Oporto, and retreat upon Braga at his leisure. He had misjudged his opponent, however, who was the last man in the world to sit down like the rustic waiting for the river to flow by. Beresford had crossed at Amarante several miles higher up, the French troops under Loison abandoning the bridge at his approach, and Wellesley sent some troops, under General Murray, to cross, if possible, at Avintas and support the Portuguese column. The position taken up by the main force of the British was such that they were sheltered from the fire of the French, while their artillery

completely commanded the opposite bank. Upon it Wellesley observed a large unfinished building, which was intended for a seminary, and enclosed a large space with well-built walls. It was silent and unoccupied, and in it, he resolved, by some means, to make a stealthy lodgement. A sunken punt was discovered by an enterprising staff-officer, who raised it with the help of the head of a religious house in Amarante, and crossed the Douro unperceived; having launched and fastened on several barges from the opposite side, they returned without attracting the attention of the French, who were busy in preparation for the march. Three barges crossed with twenty-five men in each, and it was only the third, containing General Paget, that at last awoke the enemy's attention. Soult treated the report as of no importance, until it was found that the building was full of British troops. It was in vain that at last a violent attack was made upon the place—twenty guns, judiciously posted on the English side of the river, made havoc among the French troops, and compelled them to abandon the approaches. Meanwhile the townspeople brought over the boats and barges collected on their side of the river, with which the British forces soon crossed in force, compelling the French to evacuate the town in such haste that they had not time to remove their sick and wounded, and even abandoned a portion of their guns and baggage. The retreating army was pursued for a short distance, but Sir Arthur Wellesley was unable to follow up his advantage until his artillery and cavalry had crossed the Douro. This necessity was fortunate for Marshal Soult, who was nearly caught in a trap. Turned at Amarante, which was occupied by Beresford, the only alternative that gave the French general a chance of escape for his disorganised and panic-stricken army, was to abandon guns, ammunition, and all the impediments of his force, and escape across the mountains to Orense. In this terrible march over the mountains of Tras-os-Montes and Galicia, eighteen thousand men, ragged and shoeless, exposed to the most severe weather, and closely pursued by the British light troops, and continually suffering heavy losses in their rear-guard, barely made good their escape with the loss of everything, from an army not much superior in numbers. The campaign had only one remarkable incident, that it was won not by force of battle, but by the astonishment and panic which the exploit of crossing the Douro, through the instrumentality of a punt, created in the French army. Soult lost, besides all the implements of war, six thousand men, including the sick and wounded abandoned in Oporto, and those who fell on the retreat. The English loss was only a few hundred men killed and wounded. Sir Arthur desisted from the pursuit, of an enemy whom, having thrown away everything, it was impossible to come up with, and turned back upon Victor, who had begun to move his army, and seized the bridge of Alcantara. The fatigue, sickness, and disorganisation arising out of the pursuit, in which, in twenty-eight days the army had traversed seventy leagues of mountainous country, compelled Sir Arthur to halt for some days at Oporto, to restore discipline and put his army in the fitness to march, which he always insisted on. His movements caused Lapisse to fall back from Alcantara upon Victor's army, which was concentrated at Cassares, between the Tagus and Guadiana. Meanwhile Wellesley was obliged, from the want of almost



everything, to linger at Abrantes through the month of June, but he employed the time in agreeing upon a combined plan with the Spanish general Cuesta. While two Spanish brigades occupied the mountains, and with the assistance of Sir Robert Wilson and his partizans, and Beresford, with five thousand Portuguese, guarded the valley of the Tagus, Wellesley and Cuesta were to advance upon Madrid. It was not long, however, before the English general found the Spaniards to be a most uncertain quantity in his calculations. Cuesta effected his junction with the English at Oropaga unopposed by Marshal Victor; but Venegas, who was in command of the second Spanish army under secret instructions from the Junta, who desired to keep his force intact to support their own power, loitered so long upon the march that he was separated from Cuesta by the manœuvres of the French. On the 22d of July, Wellesley reached Talavera, or La Reyna, and learned that Victor, with twenty-two thousand men, was quartered about a mile beyond it in a position which invited an instantaneous and decisive blow. Almost, as a matter of course, General Cuesta, at the critical moment, was in his most dogged and impracticable mood. Unable to mount or alight from his mule, or to sit upon it without being supported by his aides-de-camp, and generally borne about in a litter, this incapable and obstinate commander refused to co-operate in the attack, and Victor was allowed to retire at his leisure and form a junction with King Joseph and Sebastiani. The united forces under King Joseph amounted to fifty thousand. It was well for the allies that Mortier, with eighteen thousand men, had been detached to Salamanca by the will of the distant wire-puller of the French armies, while Soult delayed coming to the king's support, and he himself, instead of waiting and acting on the defensive, was over-eager to win a victory. Meanwhile Cuesta, who had prevented Wellesley from attacking Victor, when he lay in his position close to Talavera, with an ignoble instinct, no sooner saw him in retreat than he insisted upon pursuing, notwithstanding his English colleague's warning to refrain, and refusal to join with him in doing so. The consequence was the defeat of Alcabon, which forced the Spaniards back to the shelter of the English army. Cuesta's defeat had the good effect of making him place himself under the orders of Wellesley, and probably acted as a decoy to draw back the united French army. The allies, to the number of about forty-four thousand, of whom only nineteen thousand English and Germans were to be depended upon in action, were drawn up on a level space two miles in extent beyond the town of Talavera. The French, who advanced to the attack, numbered about the same, but were all brave and experienced troops, and, to all intents, double the strength of the allies. It was about noon on the 27th of July that Wellesley had gone forward some miles in advance to the outposts, and was reconnoitring from one of the upper windows of a country-house, when suddenly the French tirailleurs closed about it, and the English had a narrow escape of losing their general. He had just time to spring to the saddle and ride for his life. The English infantry of the advanced guard was routed, ten thousand Spaniards on the right were in full flight, and never seen again until the great action was over. The English troops rallied and made good their retreat; and then the



general attack was at once delivered, commencing on the English left, where Hill held the command; the key of the left was a steep hill, with a narrow and deep valley on the extreme of the position. Ruffin and Lapisse were Hill's assailants. Some German troops gave way, and the French reached the summit; a flank attack, however, by General Sherbrooke drove them over and down the hillside with great slaughter. Once and again the attack was renewed and repelled with equal obstinacy, and it was not till long after night fell that it was finally repulsed, and both the combatants rested. In the battle of the next day the English were at a serious disadvantage. They were in a state of semi-starvation, while the Spaniards and French fared well. The English again learned the advantage of the rule that prevailed in their army, to fall-in before daybreak. The enemy attempted a surprise on the same point which had been so obstinately disputed on the previous night, but they found it even better defended than previously, for Wellesley during the night had prolonged his line across the valley on the extreme left, through which the French had been able to attack the height at an advantage. As the morning wore on a long pause came in the battle; the sun blazing overhead made both armies so thirsty that, like wild animals which usually prey or are preyed upon by each other, English and French soldiers went down in crowds to drink at the narrow stream which separated the combatants. There was much diversity of opinion on the French side; Victor pressed for the attack, Jourdain for delay until Soult should have time to co-operate. In this interval the alarming intelligence was conveyed to Wellesley that Cuesta was about to go over to the enemy; the general, however, had strength of mind to disbelieve the news, although it came from the Duke d'Albuquerque. Almost as bad, however, a wild and unmeaning panic had taken possession of the Spanish army on the right, where as yet it had been entirely out of the battle. It fled with as little cause as the host that of old turned to flight at the sound of a going in the mulberry trees. The Spanish general made furious and partially successful efforts to stop the flight; but the guns were gone, and six thousand men got clear away and spread the news of defeat far in the rear. We quote Sir William Napier's description of the final moments of this great battle:—

“Sir Arthur Wellesley, from the summit of the hill, had a clear view of the whole field of battle; and first he saw the fourth corps rush forwards with the usual impetuosity of French soldiers, and clearing the intersected ground in their front, fall upon Campbell's division with infinite fury; but that general, assisted by Mackenzie's brigade and by two Spanish battalions, withstood their utmost efforts. The English regiments, putting the French skirmishers aside, met the advancing columns with loud shouts, and breaking in on their front, and lapping their flanks with fire, and giving no respite, pushed them back with a terrible carnage. Ten guns were taken; but as General Campbell prudently forbore pursuit, the French rallied on their supports, and made a show of attacking again. Vain attempt! The British artillery and musketry played too vehemently upon their masses, and a Spanish regiment of cavalry charging on their flank at the same time, the whole retired in disorder, and the victory was secured in that quarter.”

But, while this was passing on the right, Villatte's division, preceded by the grenadiers and supported by two regiments of light cavalry, was seen advancing up the great valley against the left, and beyond Villatte's, Ruffin was discovered marching towards the mountain. Sir Arthur Wellesley immediately ordered Anson's brigade of cavalry, composed of the twenty-third light dragoons and the first German hussars, to charge the head of these columns; and this brigade, coming on at a canter, and increasing its speed as it advanced, rode headlong against the enemy, but in a few moments came upon the brink of a hollow cleft which was not perceptible at a distance. The French throwing themselves into squares opened their fire; and Colonel Arentschild, commanding the hussars, an officer whom forty years experience had made a master in his art, promptly reined up at the brink, exclaiming in his broken phrase, "I will not kill my young mens!" The English blood was hotter! The twenty-third under Colonel Seymour rode wildly down into the hollow, and men and horses fell over each other in dreadful confusion. The survivors, still untamed, mounted the opposite bank by two's and three's; Seymour was wounded, but Major Frederick Ponsonby, a hardy soldier, rallying all who came up, passed through the midst of Villatte's columns, and reckless of the musketry, from each side, fell with inexpressible violence upon a brigade of French chasseurs in the rear. The combat was fierce but short; Victor had perceived the first advance of the English and detached his Polish lancer and Westphalian light horse to the support of Villatte's, and these fresh troops coming up, when the twenty-third, already over-matched, could scarcely hold up against the chasseurs, entirely broke them. Those who were not killed or taken made for Bassecour's Spanish division, and so escaped, leaving behind two-hundred-and-seven men and officers, or about half the number that went into action. During this time the hill, the key of the position, was again attacked, and Lapisse, crossing the ravine, pressed hard upon the English centre; his own artillery, aided by the great battery on his right, opened large gaps in Sherbrooke's ranks, and the French columns came close up to the British line in the resolution to win; but they were received with a general discharge of all arms, and so vigorously encountered that they gave back in disorder, and in the excitement of the moment, the brigade of English guards, quitting the line, followed up their success with inconsiderate ardour. The enemy's supporting columns and dragoons advanced, the men who had been repulsed turned again, and the French batteries pounded the flank and front of the guards. Thus maltreated the latter drew back, and at the same moment the German legion being sorely pressed got in confusion. Hill's and Campbell's divisions on the extremities of the line still held fast; but the centre of the British was absolutely broken, and the fate of the day seemed to incline in favour of the French; when suddenly Colonel Donellan, with the forty-eighth regiment, was seen advancing through the midst of the disordered masses. At first it seemed as if this regiment must be carried away by the retiring crowds, but wheeling back by companies, it let them pass through the intervals, and then resuming its proud line, marched against the right of the pursuing columns, and plied them with such a destructive musketry, and closed upon them with such a firm and regular pace,



that the forward movement of the French was checked. The guards and the Germans immediately rallied; a brigade of light cavalry came up from the second line at a trot, the artillery battered the enemy's flanks without intermission, and the French beginning to waver, soon lost their advantage and the battle was restored.

"In all actions there is one critical and decisive moment which will give the victory to the general who knows how to seize it. When the guards first made their rash charge, Sir Arthur Wellesley, foreseeing the issue of it, had ordered the forty-eighth down from the hill, although a rough battle was going on there; and at the same time he directed Cotton's light cavalry to advance. These dispositions gained the day. The French relaxed their efforts by degrees, the fire of the English grew hotter, and their loud and confident shouts—sure augury of success—were heard along the line.

"In the hands of a great general, Joseph's guards and the reserve, which were yet entire, might have restored the combat; but all combination was at an end on the French side. The fourth corps, beaten back on the left side with the loss of ten guns, was in confusion; the troops in the great valley on the right, amazed at the furious charge of the twenty-third, and awed by the sight of four distinct lines of cavalry still in reserve, remained stationary. No impression had been made on the hill; Lapisse himself was mortally wounded, and at last his division giving way, the whole army retired to its position from whence it had descended to the attack. This retrograde movement was covered by skirmishers and an increasing fire of artillery; and the British, reduced to less than fourteen thousand sabres and bayonets, and exhausted by toil and the want of food, could not pursue. The Spanish army was incapable of any evolution, and about six o'clock all hostility ceased, each army holding the position of the morning. But the battle was scarcely over when, the dry grass and shrubs taking fire, a volume of flames passed with inconceivable rapidity across a part of the field, scorching in its course both the dead and the wounded."

Thus the battle of Talavera was won, and for its moral effect it was one of the most decisive in the peninsular war. It was the first great set battle in which the British commander shewed what he could do with such soldiers. The French lost 7396 men and 17 pieces of cannon, in this desperate attempt to be victorious; the British loss was 6268; the Spaniards reckoned their loss at 1200, but it was much more unquestionable that they lost several thousands by flight, and that but for their incapacity, occupying the position they did, they might have completed the destruction of the French army. Considering the forces actually engaged, the loss in killed and wounded was tremendous, and heavier in proportion on the British side than on the French. About one-third fell of the former, not more than one-fourth of the latter. It was a tremendously stubborn and protracted battle, and was fought out as if it were a real great test struggle between two jealous and furious nations. Napoleon in his letters to Joseph described it as a terrible defeat, and evidently felt constrained to acknowledge to himself, what he had before contemptuously denied, the merits of the general and his men. The two armies remained facing each other until the 30th, when King Joseph, alarmed by Wilson's movements for the safety of Madrid,



marched away, leaving Victor behind to co-operate with Soult. Talavera may nominally have been a drawn battle, because the French were not driven from the field, nor was their withdrawal a direct result of the battle; but with immensely superior forces they had been beaten back from repeated attacks on the British army with terrific loss, and were therefore in reality defeated. The loss, too, of guns and prisoners would give the victory to Wellesley according to the etiquette of war. But if Joseph was alarmed for Madrid, his opponent was still more alarmed for Lisbon. He learned that the pass of Banos had been abandoned, and that Soult was already in the valley of the Tagus; the peace concluded between France and Austria made him feel that the small reinforcement of 3000 men, which had reached him just after the battle, was nothing to what the French marshals might soon reckon on. Disregarding therefore the strongly urged wish of Cuesta that he should follow King Joseph, he left the Spaniards to guard Talavera from Victor and rapidly turned back upon Soult. It was of great importance to seize and destroy the bridge of Almarez, and this, although Mortier was before him on the road, Crawford successfully accomplished with the light division. Wellesley now learned that the French under Soult amounted to 35,000 men, or more than double what he had been led to believe. It was evident, therefore, that no course lay open to him but to retreat behind the Tagus. General Cuesta had abandoned Talavera, leaving the sick and wounded to their fate, and came up with the English at Arapesa. He urged the hazard of a battle, and when Wellesley refused to remain to fight between two enemies, and with no reliance on his friends, Cuesta determined to stay behind and fight on his own account. He repented of this madness in time to save most of his army by following the British across the Tagus, but he lost a portion of it under the Duke d'Albuquerque in Arzobispo. The French having seen the allies across the river on which the bridges were broken and the fords guarded, drew back and broke up into portions, instead of massing and pressing forward upon Lisbon, as Marshal Soult recommended. Wellesley drew back his army to repose in the villages about Badajos. In this campaign it was not Sir Arthur Wellesley's fault that it ended differently from what he had intended. The tardiness of supplies and reinforcements delayed him at Abrantes, he was at last obliged to move without being reinforced, and trusting to the Spaniards for supplies. As it was, he was too late in the field to gain the advantages of his first successes, and his troops were ragged, shoeless, and nearly starved. The allies upon whom he had reckoned turned out worthless—an undisciplined rabble, unable to perform the simplest manœuvres in the presence of an enemy. Their general would advance when Wellesley wished to halt; would stand still when Wellesley urged advancing to the attack; would offer battle when Wellesley would retreat; and could only be brought to his senses by being left to act alone, when he was generally taught by reverses. The manner in which Wellesley drew himself out of the difficulties in which he was placed was masterly, and accomplished without inflicting on his army a loss of self-respect. Military critics consider that the delay at Abrantes was unnecessarily prolonged, and that this was the only fault of the campaign. The French marshals sneered at Wellesley as habitually

slow and methodical; but in general his opponents made this criticism in the chagrin of defeats occasioned by his way of hastening slowly. Wellesley was one of those steady, sure players in the game of war who leave nothing to chance, and if they win slowly, win with certainty. In this he was remarkably unlike his countrymen, among whose military virtues caution, calculation, and the rare power of judging the proportions of things are the least conspicuous.

While Wellesley lay in the neighbourhood of Badajos refusing the solicitations of the Junta to co-operate again with the Spanish forces, and disgusted at the conduct of their authorities, who had allowed their deliverers almost to perish of hunger in the campaign of Talavera, Areyza, who had succeeded to the command of Cuesta's army, suffered a tremendous defeat in the march which he was ordered to make upon Madrid, notwithstanding Wellesley's protestations of its folly and certain failure. His own merits had been recognised by the thanks of parliament, and the title of Baron and Viscount Wellington, and the Spanish Government created him captain-general of its armies. In December 1809 the British army assumed a position in Upper Beira, between the Mondego and the Tagus; the light division under Crawford was in advance upon the Coa. This change was made in the expectation that the French would make a grand effort upon Lisbon; instead of doing so, however, they invaded Andalusia, which they overran, with the exception of Cadiz; this place was saved by a march of Albuquerque's, which is generally acknowledged as almost the only clever thing done by a Spanish general in the whole course of the war. Wellington sent some British and Portuguese forces, which effectually secured the important foothold that Cadiz preserved for the allies. He refused the request of the Junta that he should march into Estremadura, as by so doing he would have uncovered Lisbon to Ney and Junot. On the contrary, he was engaged in fortifying the famous lines of Torres Vedras, which blocked with redoubts all the approaches to the Portuguese capital. Their length was about twenty-five miles; every advantage was taken of the nature of the ground and interior communication made by good roads in their rear. There was also an inner line, and as a third standing-point Fort Julian was made strong enough to cover an army in its embarkation. Having thus provided for the worst he boldly waited behind his defences the sea of enemies that he saw rising against him. He soon heard that Soult was entering Estremadura, and shortly after, that Badajos was besieged. Hill was directed to make a movement which relieved Badajos for the time; but unfortunately, in the March of the following year this strong place was lightly lost after the battle of Santa e Gracia; its recovery was one of the costliest operations in English life during the entire peninsular war. The command of the French armies was now assumed by Massena, who, having in vain tried every expedient to draw Wellington from his fortified lines, sat down to the siege of Ciudad Rodrigo. Crawford and the light division interposed between that fortress and the other great stronghold, Almeida. In this position, contrary to lord Wellington's orders, he suffered himself to be drawn into a battle in which nothing but the coolness and bravery of general and soldiers saved the division from utter destruction. Ney, with 30,000 men, was



unable to prevent Crawford from gaining the bridge of Almeida in safety, and he held it successfully until, in the night, orders arrived from Lord Wellington to abandon it. The fortress of Almeida was invested in August, and the magazine having been blown up by an unlucky shell, the cowardly garrison forced the governor to surrender, 5000 unwounded men laying down their arms, and one Portuguese regiment joining the French. This unexpected event deranged Lord Wellington's plans, and compelled him to draw still further back. Massena, instead of pressing on the English, turned off to sieze the stores collected at Coimbra; and this gave Wellington time to collect his forces and draw up in the path of the French army upon the precipitous heights of Busaco. On the 25th of September the armies came in sight of each other; the British were only half in position, and considerable gaps appeared between the teeth with which the heights were armed; Ney urged an immediate attack with the 40,000 men already up, but Massena preferred allowing his whole army time to come on to the ground. Thus, although desultory fighting took place on the 26th, the serious battle did not commence until the following day. Meantime the sounds of battle had stimulated the march of the British regiments which had not arrived on the 25th, and every position was taken up before the attack commenced. The position was four miles in extent; 50 cannon were disposed along it to the best advantage; six divisions of infantry held their ground; the cavalry in one mass was kept in hand in the plain to the left. Massena had now 64,000 men, of whom 8000 were cavalry, and 80 guns. His plan of battle was that two great columns should make simultaneous attack, while a third column and the cavalry were held in reserve. Both columns forced their way up the heights, one under Reignier and Loison, the other under Ney; neither had time to deploy. Spencer and Picton fell on the first, Crawford on the other, and both were hurled over the heights by the British charge, after receiving a close fire of cannon and musketry. The French lost in the two attacks by their own admission 4500 men; the English lost but one-fourth of the number. Massena's failure to force the position was so complete that he attempted no second assault. During the night he discovered a road to the right by which he might continue his movement on Coimbra, evading Lord Wellington's army; and when morning dawned the French had disappeared by this road. Wellington dispatched a Portuguese force to lock a defile that might have stopped Massena in his new road, but by taking a wrong route this force arrived too late, and it became necessary to retreat from the victorious field of Busaco to the fortified lines of Torres Vedras. It was with astonishment that Massena came at length upon this tremendous fortified position, behind which Lord Wellington's army kept watch and ward to the number of 60,000 men. It was more than he could venture to attack, under the depression of his recent defeat, although with nearly equal forces. He therefore sent for orders and reinforcements to the Emperor. The towers of Lisbon glimmered on the distant horizon, but between lay that bulwark of British arms, and the French marshal hesitated between eagerness for the prize and fear to attempt its capture.



The country in which he lay was a desert. The population had retreated before the army; provisions were destroyed, and the alternatives seemed to be, advancing into those terrible British jaws, of which he had lately had such experience, retreating into Spain with a loss of reputation and abandonment of the objects of the campaign, or, thirdly, remaining to be starved; whilst Massena was thus awaiting orders, Wellington was thwarted by the bad faith and folly of the Spanish and Portuguese governments, the former suffering the French to receive supplies which enabled them to maintain their position, and the Portuguese clamouring against him for allowing the tide of war to approach so close to their capital. He was obliged to insist with great firmness that the Regency, instead of dictating to him the conduct of the war, should itself keep Lisbon quiet, and the Portuguese troops properly supplied. At home it was almost taken for granted that the cause of the allies was lost, and the government made no secret that it looked forward to the early evacuation of Portugal. He was more than once on the point of hazarding a battle, under the dread of some disastrous resolution being adopted in England arising out of such an opinion. However, his better judgment prevailed, reasoning thus:—"I have no doubt, as matters stand at present, that I am strong enough to beat the French. But by exposing my troops at this inclement season to the rains for even three days and nights, I am sure to bring sickness among them. My gain will be that by defeating Massena and Soult I shall free both the northern provinces and Andalusia from the presence of the French. But this it is probable that I shall effect in the common course of events without risking the loss of a battle, which would compromise us altogether. Besides, looking to what occurred after the last campaign, I do not see that our condition will be materially bettered by the evacuation of these provinces. When Castile and the north of Spain were freed from the French troops, they did not raise a hand or strike a blow for the common cause. If all this be true, our interests do not require that we should fight the French army, which we should certainly not be able to drive out of the Peninsula; but that we should give as much occupation as possible to the largest portion of that army, and leave offensive operations to be carried on by the guerillas. So long as the French do not threaten our means of subsistence or the resources of the Portuguese government, or anything else that effects our security, it is a matter of indifference to us whether they remain in Spain or Portugal. I believe, indeed, looking to the increased difficulties which they experience in subsisting themselves in the latter country and keeping open their communications, that it is of advantage to us that they should remain where they are. Their numbers diminish from day to day; they do us no harm; we are nearer to our supplies than we have ever yet been, and all the north of Spain is open to the operations of the guerillas."

After facing each other for some time, the approach of winter made it indispensable for Massena, who was suffering from the want of everything, to shift his ground. He accordingly withdrew to Santarem, followed cautiously by Lord Wellington. Finding the French position too strong to be assailed, the latter withdrew his head-quarters to Cartajo. The chief characteristic of Wellington in all this campaign

was his extraordinary caution ; he even allowed opportunities to slip, such as the retreat of Massena, when he might have fallen upon part of his army in the defiles, rather than depart from his fore-cast of war. Massena occupied himself in the siege of Abrantes ; and at length orders arrived from Paris that Soult, who had been tarrying to no purpose in Andalusia, being jealous of the trust committed to Massena, should march with 20,000 men to his assistance. Other forces were to be brought up to support the assault upon Torres Vedras, the success of which would give the French Lisbon, while its failure would simply mean a continuation of the blockade. But Napoleon's orders were not carried out by Soult, who professed his inability to march to the siege of Abrantes, and the other succours fell far short of what they had been estimated. The Duke d'Abrantes did indeed make a diversion in Estremadura, and, as already mentioned, succeeded in the capture of Badajos ; but he rendered no effectual help to Massena. The latter was now in the most desperate circumstances from the sickness and want of food that prevailed in his army ; but Lord Wellington, fearing that Badajos having fallen, Massena might immediately be reinforced by Soult, resolved no longer to leave the gradual decay which had been proceeding during the winter to do its work, but at last to hazard a battle on the side of Ternes, while Beresford, crossing at Abrantes, fell upon the French rear. It was necessary, however, to await reinforcements from England, and these, which ought to have arrived in ten days, were six weeks upon their way owing to contrary winds. Massena's army daily wasted, and it was a race whether Soult would appear, or sickness and famine would oblige him to retreat first. The latter happened ; ten days more would have brought Soult, and perhaps it was his duty to have suffered any privation and loss arising from it rather than the fruits which might be expected from this conjunction. Only sufficient provisions for the march remained when his resolve was taken to retreat from Santarem. His army had fallen to 40,000 men, and the arrival of the English reinforcements, which made the English and Portuguese superior in number, was the immediate cause of his resolution. He decided to gain the Mondego, and ascend the left bank of that river towards Guarda or Almeida ; or crossing it, to march upon Oporto. In this retreat he was burdened with 10,000 sick, whom he gradually passed before him to Thomar. All the guns and munition that he could not horse or remove were destroyed, and the bridges blown up behind him. By this means the pursuit was delayed, and probably also Lord Wellington's caution prevented his abandoning his strong lines at the first temptation.

Sir William Napier mentions a horrible circumstance which shows how fearful was the want of food prevailing in the part of the country lately occupied by the French. He says :—

“A large house situated in an obscure part of the mountains was discovered filled with starving persons. Above thirty women and children had sunk, and sitting by the bodies were fifteen or sixteen survivors, of whom one only was a man ; but all so enfeebled as to be unable to eat the little food we had to offer them. The youngest had fallen first ; all the children were dead. None were emaciated in the bodies, but the muscles of the face were invariably drawn transversely, giving the



appearance of laughing, and presenting the most ghastly sight imaginable. The man seemed most eager for life ; the women appeared patient and resigned and even in this distress had arranged the bodies of those who first died with decency and care."

During this retreat Marshal Ney commanded the rear guard ; a light engagement took place between Pombal and Redinha, in which both sides lost about 200 men. The French added to the terrible suffering of the country by burning the towns and villages on their line of march; the houses being plundered and the inhabitants treated with the utmost barbarity. They were not however, allowed to escape wholly without punishment ; at Fons de Aronce, in the narrow passage between the Mondego and the mountains, 500 men were killed or drowned in the passage of the river. But much heavier losses would have been inflicted but for the neglect of the Portuguese Government to furnish supplies to their own troops. The English were obliged to share with them their scanty stock ; but it is actually asserted that some regiments were four days without food. The contempt of the Spaniards for the Portuguese contributed to the sufferings of the latter, for the Spanish muleteers would not carry provisions for them. Massena lost about 35,000 of the army, including reinforcements, which he had led into Portugal. The result thoroughly justified Lord Wellington's cautious policy. The moment supplies permitted, Lord Wellington again pressed the pursuit. At Sabugal there was a smart action, in which the Light Division distinguished itself. Massena, after this action, withdrew to Salamanca, making Ciudad Rodrigo a stage upon the way. Lord Wellington, having invested Almeida, which was only provisioned for a fortnight, made a journey into Alentejo to direct Beresford's operations against Badajos, and having ordered the drawing in of the investing force from a too advanced and dangerous position, he returned in time to find that Massena, reinforced and refitted, was advancing with a superior army to the relief of Almeida. Exclusive of the blockading division of General Campbell, the covering army consisted of about 30,000 men, of whom two thirds were British. The position of the army was strong but dangerous, the Coa running between its precipitous banks in the rear, with only one bridge to retreat by in case of defeat. Towards this bridge Massena directed his chief attack, and the struggle to gain the road to it was waged in the village of Fuentes d'Onoro. The battle lasted two days, and was indecisive but bloody. The valour of the light division was again conspicuous; Sir William Napier thus describes it :—

"General Crawford, who had resumed the command of the light division, first covered the passage of the seventh division over the Turennes, and then retired slowly over the plain in squares, having the British cavalry principally on his right flank. He was followed by the enemy's horse, which continually outflanked him, and near the wood surprised and sabred an advanced post of the guards, making Colonel Hill and his fourteen men prisoners ; but then continuing their charge against the forty-second, the French were repulsed. Many times Montbrun made as if he would storm the light division squares, but the latter were too formidable to be meddled with, yet in all this war there was not a more dangerous hour for England. The whole of that vast plain, as far



as the Turennes, was covered with a confused multitude, amidst which the squares appeared but as specks, for there was a concourse composed of commissariat, followers of the camp, servants, baggage, led horses, and peasants attracted by curiosity, and finally, the broken picquets and parties coming out of the woods. The seventh division was separated from the army by the Turennes. Five thousand French cavalry, with fifteen pieces of artillery, were close at hand, impatient to charge; the infantry of the eighth corps was in order of battle behind the horsemen. The wood was filled with the skirmishers of the sixth corps; and if the latter body pivoting upon Fuentes had issued forth while Drouet's division fell on that village, while the eighth corps attacked the light division, and while the whole of the cavalry made a general charge, the loose multitude encumbering the plain would have been driven violently in upon the first division in such a manner as to have intercepted the latter's fire and broken their ranks. No such effort was made. Montbrun's horsemen merely hovered about Crawford's squares. The plain was soon cleared; the cavalry took post behind the centre, and the light division formed a reserve to the right of the first division, sending the riflemen amongst the rocks to connect it with the seventh division, which had arrived at Frenada, and was there joined by Julian Sanchez. At sight of this new front, so deeply lined with troops, the French stopped short and commenced a heavy cannonade, which did great execution, from the closeness of the allied masses; but twelve British guns replied with vigour, and the violence of the enemy's fire abated; their cavalry then drew out of range, and a body of French infantry, attempting to glide down the ravine of the Turennes, was repulsed by the riflemen and the light companies of the guards. But all this time a fierce battle was going on at Fuentes d'Onoro. Massena had directed Drouet to carry this village at the very moment when Montbrun's cavalry had turned the right wing; it was, however, two hours later ere the attack commenced. The three British regiments made a desperate resistance; but overmatched in number, and little accustomed to the desultory fighting of light troops, they were pierced and divided. Two companies of the seventy-ninth were taken, Colonel Cameron was mortally wounded, and the lower part of the town was carried; the upper part was, however, stiffly held, and the rolling of the musketry was incessant. Had the attack been made earlier, and the whole of Drouet's division thrown frankly into the fight, while the sixth corps, moving through the wood, closely turned the village, the passage must have been forced and the left of the new position outflanked; but now Lord Wellington having all his reserves in hand, detached considerable masses to the support of the regiments in Fuentes. The French continued also to reinforce their troops, until the whole of the sixth corps and a part of Drouet's division were engaged, when several turns of fortune occurred. At one time the fighting was on the banks of the stream and amongst the lower houses, at another upon the rugged heights and around the chapel, and some of the enemy's skirmishers even penetrated completely through towards the main position; but the village was never entirely abandoned by the defenders, and in a charge of the 71st, 79th, and 88th regiments, led by Colonel McKinnon against a heavy mass which had gained the chapel eminence, a

great number of the French fell. In this manner the fight lasted until evening, when the lower part of the town was abandoned by both parties, the British maintaining the chapel and crags, and the French retiring a cannon shot from the stream. When the action ceased, a brigade of the light division relieved the regiments in the village, and a slight demonstration by the second corps near Fort Conception having been repulsed by a battalion of the Lusitanian legion, both armies remained in observation. Fifteen hundred men and officers, of which three hundred were prisoners, constituted the loss of the allies; that of the enemy was estimated at the time to be near five thousand, but this exaggerated calculation was unfounded."

Although Wellington succeeded in maintaining his position, the garrison of Almeida, by some remissness, unfortunately escaped. Not many days after the indecisive battle of Fuentes d'Onoro, Beresford fought the battle of Albuera in which Soult was very near winning a victory, and but for the arrival at the critical moment of a fresh division of British troops he certainly would have done so. In this action Colonel Hardinge distinguished himself by the promptitude and judgment with which he led the fusiliers; their splendid charge won the battle. Massena was now recalled by the Emperor, and Marmont appointed commander-in-chief in his stead. On the British side Lord Wellington in person undertook the siege of Badajos, having sent Beresford to watch the movements of his defeated antagonist, and placed Sir Brent Spencer to keep ward upon the borders of Castile. The British attacks upon fortresses in the Peninsula were very peculiar, and all of one type. Instead of the long problem of a siege, worked out from step to step to an inevitable conclusion, Wellington pitted the courage of his men against stone walls, and saved time at the expense of a considerable outlay of lives. There was, indeed, no time to lose at Badajos, for Drouet had marched from Castile to form a junction with Soult, and he might soon expect to be disturbed. He was also deficient in material for conducting a regular siege; but he determined to have the fortress. On the 25th of May he broke ground: on the 2d of June opened fire: on the 6th delivered his attack. This was quick work to make with a fortress of the first-class, and the attack directed against the outwork of St. Christoval failed. On the 9th another attack failed. The junction of the French armies was now effected by their patrols; they approached, and Wellington uncoiled his army from about the successfully resisting fortress, and leaving the 3d and 7th divisions to keep up a blockade, he concentrated on the scene of the last battle—the field of Albuera. He had with him 35,000 men, of whom about 14,000 were British. The French were about 60,000, and much stronger in cavalry and artillery. Fortunately Marmont, by a meaningless delay of five days, gave Spencer's divisions time to arrive, and thus raise the numbers nearer to, though they remained far from, an equality. After they had stood menacing each other for some time, the French withdrew. Lord Wellington having got a new siege train from England, now set about the siege of Ciudad Rodrigo, into which, unfortunately, Marmont had succeeded in throwing abundant supplies. He was obliged, in consequence of this, to give up the idea of a regular siege as too long and formidable in the face of the reinforcements to Marmont's



army. Another large convoy made its way into the fortress, which was now so well supplied that its reduction would evidently have cost several months. Wellington again saw the tide of Marmont's army rolling up towards him, and as he had risen from Badajos to face the same general at Albuera, so he now drew up on the heights of Elbodon. A slight combat took place there, in which Marmont lost a famous opportunity, for only a small part of the British were in position, and he might easily have overwhelmed them with superior forces. After a reconnoissance of cavalry and artillery he allowed Wellington to draw back undisturbed to his wings. But still the English army was imperfect, and again Marmont missed his opportunity, and from having exhausted his marching supplies was obliged to fall back upon his cantonments.

Mr Gleig thus sums up the difficult part which the Irish general had to sustain in this section of the war:—

“So ended the campaign of 1811; in point of fact the hinge upon which the issues of the whole war in the peninsula turned. It put a strain upon the physical energies and mental resources of Lord Wellington greater than any which either before or afterwards they were called upon to endure. In the face of an enemy superior in every respect to himself, he had formed an army out of the levies of Portugal. He had created a patriotism both on the part of the government and of the people which was not natural to them. He had established a system of credit which enabled him to pay his way at times when scarcely a dollar remained in the military chest. He had arranged for feeding out of supplies provided by himself, first his troops, Portuguese as well as English, and then a large amount of civil population which the war had driven back into the capital and the villages round it. Of his choice of ground for the lines of Torres Vedras, and of the secrecy and skill with which he rendered them impregnable, it is not necessary to speak. It was the inspiration of genius which suggested the idea; it was a resolute will acted upon by forethought of the widest range which compelled the realisation of the idea. His conduct in the war was in perfect keeping with the bent of his deliberation in council. He looked always to the issues of the war. The passing success, however brilliant, had no charm in his eyes except so far as it seemed to bear upon the great end for which he was striving. He permitted Ciudad Rodrigo, and then Almeida, to fall, despising the clamour which assailed him, because their temporary deliverance would have been purchased at too high a price, had a few thousand lives been sacrificed to insure it. He turned to bay at Busaco because a battle was necessary to restore the confidence of his army, and he abstained from sallying out of his lines one moment before the time, because the retreat of Massena was inevitable, and the longer it was delayed the more disastrous its consequences must be to the fugitives. If he exhibited caution in the beginning of the pursuit, his operations subsequently to the evacuation of Santarem by the French were all marked by consummate boldness and rapidity. The skill with which he turned Massena away from Coimbra into the barren valley which is enclosed between the mountains and the Mondego was a master stroke of tactics; and his battle at Fuentes d'Onoro shewed that with an important object in view he



was ready to confront the most adverse circumstances, and to overcome them. Observe, too, how his eye ranges over the whole theatre of war, and misses nothing. He had saved Portugal by saving Lisbon; he now toils to keep the country clear of an enemy on every side, and he succeeds. Badajos is betrayed by its Spanish governor, and the Alentijo lies open. He detaches Beresford to cover that frontier, and follows to arrange upon the Marshal's plan of operations; he is back again on the Coa in time to receive Massena, and appears once more in Spanish Estremadura just as he is needed to baffle Soult. And now, though too weak to recover either Badajos or Ciudad Rodrigo, he keeps both places in a state of constant alarm, compelling the enemy to concentrate their armies in order to avert a blow, and relieving thereby from heavy pressure the provinces whence their troops were withdrawn."

During the autumn the English army was much weakened by sickness, caused by the long-continued wet weather, but as winter went on the Emperor drew a large force out of Spain, so that the relative proportions remained about the same. The French contracted their lines, and Wellington saw in this an opportunity for falling upon the two great fortresses of Ciudad Rodrigo and Badajos. The difficulty of capturing them with hostile armies on the horizon was of course very great, and obliged the general to adopt a rapid method of siege. On the 7th of January Ciudad Rodrigo was invested; on the 19th two breaches were declared practicable, and on the night of that day the assault was delivered, all the outworks having been previously taken by *coup de main*. The resistance was desperate, but unavailing. In the siege and assault more than a thousand of the allies fell; and when the troops entered, the town was sacked and set fire to in many places. Marmont was slowly drawing towards the scene of action when he received the unexpected intelligence that the place had fallen; he had nothing for it but to withdraw, and he took up and fortified a position at Salamanca. Wellington followed up the storming of Ciudad Rodrigo by the investment of Badajos. He had already made considerable preparations for a third siege of that place, and he now possessed a powerful battering train, in which he had formerly been deficient. In the face of the most trying difficulties from weather and accident, and a brave garrison of 5000 men, under the command of the resolute and skilful General Philippon, the siege proceeded like Wellington's other sieges. There were no scientific approaches; the guns pounded work after work; the troops stormed them; there was of course frightful loss, but a saving of time was effected, without which the enterprise would have failed. The assault was one of the most terrible ever witnessed; it was literally like rushing into a volcano's mouth, and the troops under General Colville perished by hundreds in the blazing ditch. There was a regular butchery of the first assailants. But the British soldiers seemed more than human to the defenders; twice again they returned to the assault, and each time were repulsed with frightful loss. Lord Wellington watched this scene with a paleness which alone betrayed his emotion. He was giving orders for a fourth assault, when the welcome news reached him that Picton, who was only intended to make a feint, had taken the castle by escalade, and that another similar attack had been successful

against the bastion of St Vincent. The garrison being taken in the rear had no resource but to surrender after some sharp street fighting, and so the second great key of Spain once more changed hands. The loss of the British in killed and wounded exceeded 5000 men, of whom 378 were officers. Nothing could exceed the amazement of the French marshals at this second stroke; the report of the siege and the shock of the result were almost simultaneous. Both Soult and Marmont were extremely dilatory, the latter especially. The Duke of Dalmatia, in the expectation of combining with his colleague, advanced with 24,000 men; but only to be obliged to retire precipitately; and in an affair at Villa Garcia his cavalry suffered some loss. Wellington would have been glad to pursue him and strike a decisive blow, but the Spaniards had neglected his orders for provisioning Ciudad Rodrigo, and he was obliged to go to the protection of that place, menaced by Marmont. He soon compelled that general to retire; and the various armies returned to the same relative positions they had occupied before the capture of the two fortresses. As summer came, Wellington made up his mind to attack Marmont at Salamanca, and, as a prelude to this, ordered Hill to perform the hazardous enterprise of destroying the bridge of Almaraz, and thus securing the right of his army; and this was performed with great success by general Hill, with 6000 men. Wellington's army now amounted to about 56,000 men, of whom 42,000 were the disposable force; opposed to him were five armies, numbering in all about 218,000, and, of course, the only chance was to attack them in detail. It was arranged that a body of 10,000 men should be landed from Sicily, and, supported by Spaniards, should effect a diversion in Catalonia by engaging the attention of Marshal Suchet; but this force did not arrive in time to obtain the desired result. Lord Wellington, however, felt himself strong in the well-tryed valour of his troops to dare an attack to the north, and bring down upon himself two, or perhaps three, of the other French armies. He had nothing now to hope from the Spaniards: from bad to worse their undisciplined forces had almost entirely melted away; but what was a greater difficulty was the want of money; for the paper currency which he had invented, and which passed in Portugal, would not be taken in Spain. Facing these difficulties, however, he made a rapid advance upon Salamanca, where Marmont had fortified three large convents. The French forces were scattered, and while great efforts were being made to draw them together, there was time to attack the convents; but they made a tougher resistance than was expected, and it was necessary to send for siege guns and ammunition. This gave the French time to muster 25,000 men to the relief of the forts; and such a manœuvring force was sufficient to suspend the siege; in a couple of days, in which Wellington has been blamed for not attacking, it received reinforcements that brought it up to 36,000 men. After two days manœuvres, in which Marmont failed in his object of communicating with the convents, he withdrew his army, fearful to hazard a battle, and Wellington, having got all that he required from Almeida, continued the siege of the convents. This petty siege caused a delay of ten days, and gave the French time to concentrate. At last the forts were stormed, and Marmont, who had hoped they would hold out until he had obtained the co-operation of other armies, thought it prudent to retire, and suc-



ceeded in putting the Douro between him and his pursuer. The position which he assumed on the other side was so commanding that Wellington preferred, to attacking him, waiting for his supplies to be exhausted, as they were certain to be in the course of ten days. Meanwhile the other French armies were not moving to the Duke of Ragusa's support; on the contrary, King Joseph considered him sufficiently strong to fight single handed, and he was at length obliged to advance and endeavour to throw himself between the British army and Ciudad Rodrigo. Having succeeded in bringing his army back across the Douro at Tordesillas, some days ensued of most admirable manœuvring on both sides, the advantage in this bloodless game, conducted within cannon-shot of each other, rather lying with the French marshal. At length, hearing that the latter was about to be reinforced with the cavalry and artillery of Caffarelli's army, Wellington determined to retire on Ciudad Rodrigo, but his intention becoming known to Marmont by an intercepted dispatch, he endeavoured to prevent the movement. This led to the battle of Salamanca, to which place the tide of war had now flowed back. The French succeeded in seizing one of the hills called Arapiles, which commanded the English retreat, and was enabled to intercept the route to Ciudad Rodrigo. But their order of battle was too extended, and Wellington perceived that there was a fatal gap between their left and centre. The battle that ensued was short and decisive. The allies attacked simultaneously the Arapile, which was occupied by Bonnet, and the left and centre of the enemy. Marmont, Thomière, and Bonnet, the three generals next to each other, were successively wounded; and before Clausel, on whom the command devolved, could come up from the extreme right, the battle was lost. All that was left for him to do was to save the beaten army. The obstinacy with which Bonnet's troops held the hill, and the bravery of the rear-guard under Foy, alone enabled the French to make good their retreat on Alba de Tormes. As it was, the defeat was most decisive, and in the pursuit a large number were taken prisoners. The loss of killed and wounded was nearly equal; on the French side, about 6000; on the side of the allies, 5220. The latter made between 6000 and 7000 prisoners; they took two eagles and eleven cannon. This great victory won for Lord Wellington the title of Marquis of Wellington; it had a moral effect on the whole European war, and opened the way to Madrid. To the Spanish capital the victorious army marched without obstacle, King Joseph being obliged to beat a hasty retreat across the Tagus. Lord Wellington entered Madrid on the 12th August; the city seemed to go mad with joy, and the public rejoicing was manifested in the enthusiasm with which the general was greeted as he rode through the streets, the shouting, the illuminations, and entertainments. The women struggled to embrace him when he alit from his horse, and stately hidalgos forgot their dignity to do him honour. Although he remained in Madrid until the beginning of September, it was no Capua to Lord Wellington. On the very day of his entry he commenced the siege of the Retiro, a small fortress dominating the city, which contained a great accumulation of stores, guns, ammunition, and small arms. This place was reduced without much loss or difficulty, and 1700 men rendered themselves up prisoners of war. But disquieting rumours soon set Wellington on the move again; although



the French forces in the Peninsula had been greatly reduced to feed the Russian invasion, they were now forming a combination; the beaten army of Portugal was threatening the communications, and King Joseph and Soult were moving to meet it. Thus a force of 90,000 was gathering, and Wellington hoped to strike a blow at Souham, who lay between Valladolid and Burgos, before the union could be effected. Leaving a force in Madrid, he collected some outlying forces and passed through Valladolid, pushing back the enemy before him. A fatal obstacle, however, lay in his path; it was the castle of Burgos, a work which was much stronger than it appeared. The French general, still refusing a battle, had passed by, and the guns of the castle commanded the road of the pursuer. Wellington, without siege guns, hoped to take it by the bravery of his troops; he even refused the offer of ships' guns, and strove to breach it with eighteen-pounders, and construct mines and saps with unskilled men. Failure attended the various efforts, and the assault was repulsed with slaughter. In the unsuccessful siege of this small fortress more than 1500 men fell. But the delay was worse than the loss. Wellington was at last obliged to pass above and below Burgos; but it was too late to prevent the junction of the French armies, and he was now obliged in his turn to make a difficult and disheartening retreat, in which the army, shoeless, and in rags, suffered the severest privations. It required the exercise of all his skill to prevent himself from being separated from Hill, and he had at the same time to reach out a hand to a division of guards just landed at Corunna, and to manœuvre to protect several vital points. He succeeded in these various objects, and at last got his army safely behind the Agueda, where, the French having outmarched their supplies, the army was allowed to rest and regain its discipline. In this retreat the allied army suffered the indignity of having the general second in command, Sir Edward Paget, captured by the pursuit. However, Wellington was soon able to have an ample revenge, and in the meantime he never showed greater generalship than in this very hazardous escape. Indeed, in adversity he was always more admirable than in success, and he seemed to gain presence of mind and promptness of resource from the extremity of danger. This retreat had a bad effect on the governments of Spain and Portugal; the one intrigued with the enemy, the other wavered and grew restive. Many of the Spanish nobility went over to the enemy; and king Joseph obtained numerous Spanish recruits for the army and navy. During the winter of 1812-13, however, Lord Wellington, cast down by none of these things, put his army, which had received large reinforcements, into the most perfect order. It was one of his most distinguishing traits as a general that he paid the minutest attention to details, and brought all the arrangements for transport and commissariat to a perfection unknown in those days. He was as great an administrator as tactician. When at last the winter began to break, he found himself with an available army of 40,000 British, 27,000 highly disciplined Portuguese, and 20,000 Spanish troops ready to take the field. This was exclusive of detachments, and was the largest force he had yet had under his command in the Peninsula. On the other hand, the French had 230,000 men scattered through Spain, in garrison or in the field; but they had

no confidence in king Joseph, and were dispirited by the bad news from Germany. The spring was a wet one, and it was the 15th of May before Wellington was ready to move. Having deceived Joseph—who exhibited the most lamentable incapacity, neglecting the advice of his brother to concentrate at Valladolid—into supposing that he was about to march upon Madrid, Wellington turned aside, advancing with the right in the direction of Salamanca, with the left and stronger arm under Graham, through *Tras-os-Montes* on the *Esla*. Joseph, who had been able to collect only an inferior force, resolved to retire by Burgos, and thence by Miranda and Vittoria to join the army of the north. This movement was effected, but the army of the north came not. The disobedience to orders or remissness in carrying them out was one great cause of failure on the French side through all the peninsular wars. Suchet had his own objects and plans, on which he was intent; and at all events the order was conveyed to him too late. The French had omitted to repair the defences of Burgos, which was pronounced indefensible by Marshal Jourdain; this was another proof of the mismanagement and laxity which had entered into the affairs of the French. As the rear-guard left Burgos, pushed by Lord Wellington's columns, it was necessary to blow up the castle, which on a former occasion may be said to have saved the French army, and cost the allies so dear. This saved a siege and took an obstacle out of the way of the pursuers which Wellington had determined not to leave behind him. King Joseph crossed the Ebro and imagined himself safe. He had gained his great object by covering the Bayonne Road, so as to preserve his communications with France. Clausel was moving up, and would soon make him superior to the allies in numbers; if they ventured to cross the river and attack, he expected the blow would be delivered in front. But instead of this Lord Wellington moved to his left and crossed the river by the bridges of St. Martin and Rocamunde, making straight for Vittoria, and thus avoiding the strongly marked and difficult country in which king Joseph expected him. The French were also obliged to close in on Vittoria, after a fruitless attempt to make a stand at Epijo. By the movements which Wellington ordered, the light division—Graham's forces—interposed between the French and the sea, not only opening a direct way of communication with England, but cutting that with France through Guipuscoa. This object was accomplished over ranges of mountains and through the most difficult roads; but the accuracy and combination with which it was performed were most fortunate, and the French without having dreamed that such an attempt was being made, found that their right was turned by the allies, who were fast getting to their rear. This compelled king Joseph to draw back his line of battle, which he did by night. Marches on the 19th and 20th of June, thus fatiguing and dispiriting his troops. Nothing could be much worse than the position he now assumed. It was too extended; rivulets and other obstacles in front made it impossible for his powerful cavalry to act; the ground between his divisions was similarly intercepted, so that they would have difficulty in supporting each other, nor could the position of the guns be changed with facility. The right was separated from the centre by a wide space; and finally, the only retreat, which was through Vittoria, was



blocked up with the whole plunder of Spain. Lord Wellington, having reconnoitred the enemy's position on the evening of the 19th, made his dispositions for the battle of the morrow. The attack was to be made in four columns, two to force the centre, one to overwhelm the left and seize the height of Puebla, the fourth to strike right at Vittoria itself. It was necessary for all to pass the Zadora, a stream which lay along the whole front of the French position. Hill's attack upon the left was successful; the height was easily taken, but desperate struggles were made by the French to regain it; the Spanish troops gave way, but a brigade of British troops held it against all-comers. On the right, the French General, Reille, made a resolute and skilful resistance to Graham. The centre was driven back in confusion; the whole army was defeated and converging back upon Vittoria, which was blocked up with endless waggons and carriages. Behind them Graham had succeeded in getting to the rear of their position, and seizing the great causeway to Bayonne. It was only Reille's gallantry that saved the wreck of the army of Portugal. Driven back upon the causeway, Reille's stands from point to point gave them time to retreat by their left. The whole artillery, numbering 150 guns, was captured; they lost all their baggage, ammunition, treasure, and plunder. King Joseph had the narrowest escape; he had to jump out of his carriage and fly from the English dragoons on a troop horse. The dragoons captured the carriage with all his private papers, a priceless Coreggio, which he was carrying out of Spain as an object of private plunder, and Marshal Jourdain's baton. Endless were the trophies and spoils of victory. Nearly two thousand prisoners were taken, and if it had been possible to use the cavalry, the number would probably have been five or six times greater. The French loss in killed and wounded was about 4000; the loss of the allies was about the same. General Clausel, who was bringing up 20,000 men, had the mortification to behold from a sierra the routed army of Portugal in confused retreat, pursued by Lord Wellington's army, which interposed between and prevented his rendering assistance. He could only after seeing the result of this royal battle extricate himself as best he might, which he effected by a skilful march along the left bank of the Ebro to Logrono. Lord Wellington sent some troops to force him in the direction of Saragossa and hang upon his retreat, whilst he himself formed the blockade of Pampeluna, established communications, and freed his rear. Foy's division also drew near at the time of the defeat, and with difficulty and loss escaped from Graham to Tolosa and thence to Ernani. The routed army of Joseph was pursued on the Bayonne road, parallel to which the battle had been fought, by the divisions of Hill. The genius which Wellington displayed in this march of concentration on the Douro, and in turning the enemy's position, was thrown into bright relief by the incapacity of king Joseph. The physical exertion involved in this campaign is thus summed up by an author from whom we have quoted before. "In less than two months he carried his army over 200 leagues of difficult country, crossed six considerable rivers, fought and won a great battle, invested two fortresses, and drove before him out of Spain 120,000 French troops." He had now the Pyrenees, with their fortresses of San Sebastian and Pampeluna before him, and then France. Pam-



peluna he left to fall by its own weakness, knowing that it was badly supplied; he simply blockaded it with some Spanish and Portuguese forces. San Sebastian he put in charge of Sir Thomas Graham. Between the two fortresses he spread his own army through the Pyrenees, having his head quarters at Ernani. The only fighting went on at San Sebastian, which place Lord Wellington visited and settled the plan of the siege. The land defences were strong and his siege train was weak; he therefore determined to attack the fortress by the sea curtain, which could easily be breached, and was approachable on foot when the tide was low. One preliminary attack on the outwork of St Bartholomew failed; this took place on the 14th of July; on the 17th the assault was successful, and by the fall of this defence the neck of the peninsula on which San Sebastian stands was taken, and the projected attack by the sea curtain was thus made possible. At last a great breach was made in the sea-wall, and part of the counterscarp was blown into the ditch by the explosion of a mine. Lord Wellington having just then arrived from Ernani, ordered another breach to be made, and then the assaulting column moved round over the slippery rock, sea weed and pools, from which the tide had withdrawn. But on gaining the other side they found themselves exposed to a pitiless fire from the *fausse braye* of a hornwork. Few gained the breach; these few could not enter, and remained to be deliberately shot down in the open. At last the recel sounded; of the few that tried to make their way back through the tide some were drowned. The besieged humanely rescued the wounded who lay below the breach.

Meanwhile, the French were making head again. Soult had taken the place of Joseph and Jourdain. He lay in the mountains, his left, under Clausel at St. Jean-Pied-de-Port, and Reille held the mountains over Vera. Drouet commanded the centre, and occupied the heights between Espalette and Ainhoe. Fresh artillery had been procured from Bayonne. Soult's position was superior to Wellington's, having some roads of intercommunication, whereas the allies were divided by inaccessible mountains. It was thus in his power to attack the latter with an overwhelming force at left, right, or centre; he had a formidable rampart of mountains to retreat upon, in which respect also the allies were inferior. The orders given to Soult were to assume the offensive at once; and he resolved to carry them out by attacking from his own left, relieving Pampeluna, and then after driving away the allied right, to attack their centre or fall on the rear of the force besieging San Sebastian, while a corps crossing the lower Bidassoa attacked it in front.

On the 25th of July, having drawn his right under Reille, and his left under Clausel, and united to them a portion of D'Erlon's centre, he put himself at the head of 40,000 men, and fell upon the troops that held the famous pass of Roncesvalles. Reille climbed the steep mountain of Arola in order to turn the pass. The 4th division held their ground; a company of the 20th met the wave as it washed over the crest. The French commander called on this handful of men to lay down their arms; but a certain captain Tovey, in command of the company, cried out "bayonet away, bayonet away," which order was so well carried out that the huge column being met full on the crest,

was rolled down it again, and the troops were thus given time to form. It became necessary, however, for the brigade in advance of the pass under general Byng to retire in consequence of Count Reilles progress. In the night that followed this day of battle in the mountain passes Sir Lowry Cole considered it necessary to withdraw to Lincoln, where he was joined by Campbell's Portuguese, and at early morning, by Sir Thomas Picton with the whole 3d division from Olague, a post half-way nearer to Pampeluna. Picton now assumed the command; he had all the forces with him that could be collected on the right, but still he was forced back on Pampeluna, whenever he was too much pressed turning to bay and goring the pursuer. On the 26th a firm stand was made at Zubiri till night-fall, but next day the retreat continued, until at last the spires of the beleaguered city came in sight, and it was with great chagrin the general and his troops looked forward to being compelled to allow Soult to relieve the place. But as they passed Saroren, two horsemen were riding into that village, one was Lord Wellington, the other his aide, Lord Fitzroy Somerset (Lord Raglan). On the mountain brow Clausel's troops were distinguishable marching to intercept Hill, who had already on the day of the fight at Roncesvalles been furiously engaged and compelled to retire by the French centre under D'Erlon. Hill had been ordered to march to the assistance of the right by the valley of the Lantz; but Lord Wellington now perceived that the columns which he saw creeping high up in the clear atmosphere would cut him off. Jumping off his horse, he scribbled a note on the parapet of the bridge and gave it to Lord Fitzroy to carry to Hill at his horse's speed, ordering him to take a wide detour by Lizasso and so reach the front of Pampeluna. As the general leaped on his horse, and dashed out at one end of the village, Soult's light troops entered at the centre. Picton had reached Huarte when a messenger whom Wellington had previously despatched ordered him to halt. Wellington, meanwhile alone, crossed a steep range of heights. "Over the valley at the further side uprose another ridge, which he ascended, and being recognised as he approached the summit, by a Portuguese battalion, the men raised a cry of satisfaction. It was at once caught up by the third and fourth divisions which stood under arms not far off, and they, delighted as in moments of danger the troops always were, to find their commander near them, rent the air with their shouts. Soult heard the tumult and perfectly understood what it meant. Almost involuntarily he stopped the march of his troops, and ascending a hill opposite to that on which Wellington stood, the two generals gazed at one another." It was the anniversary of Talavera, where twelve of the twenty regiments that day engaged had been; it was generally recalled by the troops, on whom a sunshine of confidence had fallen with the presence of their chief. Wellington made no change in Picton's dispositions. The first day's battle was indecisive; the only advantage of position the enemy had was the road to Bayonne, which cut off direct communication with the centre; but by ordering Hill to fall back and join by Lizasso this was rendered harmless. The 6th division came up on the second, and held the ground behind Saroren with the Portuguese and Byng's brigade; then stretching away to the right from Huarte to Ostiz lay the 3d



and 4th divisions. The left was the first day assailed, but remained unshaken, and inflicted desperate punishment on its assailants. A column of attack which endeavoured to dislodge the new division as it came on the ground was almost annihilated by the fires on its flank of the 4th, and in front of the 6th. An attack on the extreme left of the centre (4th division) succeeded for a time; but the 27th and 48th regiments being ordered to charge, drove the enemy down the hill with terrific slaughter.\* After this the fighting grew faint; the 29th passed quietly, both sides waiting for reinforcements. Hill and D'Erlon, combating as they came, approached the scene of general action. At the pass of Arêtesque, in the temporary absence of the general, the troops which guarded the pass had been surprised, and although the regiments, as they could be got into action, charged as British troops generally do, the heavy columns of attack had gathered too much way, and the whole corps had to fall back to Elizondo. There, reinforced by a brigade of the 7th division, Hill turned the battle back to the passes and recovered the key of the position. Then receiving Wellington's order, and hearing of the retreat from Roncesvalles, he marched for Pampeluna by the pass of Belate; but the note despatched by Lord Fitzroy Somerset apprised him of the danger of pursuing this route, he turned off to the right, and gained Lizasso on the 28th. The 7th division, by a similar detour, reached on the same day half-way between Hill and the battle field; the allies thus forming a line covering Pampeluna. D'Erlon, after losing a day, owing to the caution which Hill's desperate rally had inspired, discovered that his antagonist had moved off to his right, and followed his example by the shorter route of the valley of the Lanz. Thus, moving on an interior line, D'Erlon arrived an hour later than Wellington's reinforcements. But although rendered superior in numbers to the allies, Soult did not feel inclined to renew 'the bludgeon work' of the 28th, as Wellington described the close hand-to-hand fighting of that day; what his troops had failed in achieving, when elated by success, they were very unlikely to accomplish when demoralised by failure. He therefore determined on a bold stroke to relieve San Sebastian by suddenly moving to his right, of course screening the movement, and falling with his full force upon Hill. But Lord Wellington was too keen not to divine the import of this dangerous move by which he presented the whole flank of his army to the allied front. Through every gorge the flanks of his columns were attacked by the heads of British battalions. To accomplish this movement, by which he hoped to cut off the left from the centre, forcing Wellington to retreat upon Pampeluna, Soult had been obliged to send back his artillery, for which the route was impracticable. This saved the guns, while it left his army unprovided for the stand up fight to which it was forced by Lord Wellington's general attack. The strong positions occupied

\* An eye-witness says that during this day Lord Wellington sat on the mountain where he could see the whole battle within close musket range. Several of his staff were wounded. A ball which glanced off the Marquis of Worcester's sword-belt, and threw him from his horse, grazed the general. Here, as at Vittoria, where he rode through the fire of that tremendous French battery of eighty guns, he displayed a personal courage that matched his military genius.



by some of the French troops were stormed by the valour let loose of the British army. The left wing of the French was broken into routed fragments, which were obliged to retreat excentrically in all directions, and this before the centre bent upon Hill had fired a shot. On the latter Wellington turned in pursuit, having previously reinforced his lieutenant and reached Olague in the rear of Soult's attack as the sun set. The next morning the attack commenced upon Sir Rowland Hill; it was gallantly repulsed, and although superior numbers at length forced the English general to give ground, the reinforcements which arrived enabled him to hold his new position. As the day closed Soult found how matters stood and the imminent danger of his army. It was only by the great rapidity with which he seized the only road of retreat open to him, that by San Estevan to Bayonne, that he managed to save himself. Lord Wellington did all that could be done to intercept him, while Sir Rowland Hill pursued with vigour, and inflicted some loss. But the very severity of the pursuit put the French upon their mettle, and obliged them to retreat with the greatest possible rapidity. The 7th was one hour too late to stop them at the pass of Arraiz. The light division also missed them, only catching them on the flank, and inflicting some loss; and a bridge which, as it was, stopped the retreat for several hours, guarded only by a few Caçadores, ought, if Lord Wellington's orders had been carried out by General Barcenas, to have been a cage door shut upon them. Soult made a last stand at the strong defensive position of La Rhune, but from this he was driven by the 7th division in Lord Wellington's presence, "with a regularity and gallantry," he stated in his despatch, "he had seldom seen equalled." In this nine days' mountain warfare the loss of the French, by their own admission, was 13,148 men including 2700 prisoners; but as 6000 prisoners were shipped for England, this is obviously an incorrect return. Probably 20,000 would be nearer truth. On the other side, the loss of the allies amounted to 6300. To reduce the two fortresses of the Pyrenees was now the last step to effecting the deliverance of Spain, and to this task Wellington returned with all speed, satisfied that another attempt would be made to relieve them. A suitable battering train had now arrived from England, and the fire upon the breaches was resumed with great effect. Sixty-three great guns pounded the curtain of the river front, and battered the two former breaches into one. Lord Wellington humanely forbade the bombardment of the town, but the guns of the fortress were soon dismounted, and a great portion of the wall reduced to a heap of ruins. In five days after the recommencement of the fire a second assault was delivered. Again there was a terrible carnage of our troops, who for two hours pressed on against the breach, in the rubbish of which they vainly attempted to effect a lodgment. They were exposed to fire from all parts of the fortress, and deep intrenchments behind the breach made advance impossible. The tide again came stealing up in the rear to cut off retreat. There was only one circumstance as yet in favour of the attack—the premature explosion of the mines. But at last, when all seemed hopeless, Sir Thomas Graham asked Lieutenant-Colonel Dickson, who commanded the artillery, if he could suggest any mode of giving an impulse to the attack. At his suggestion, the siege batteries opened fire at the enemy's

intrenchments. Forty-seven great guns converging upon the breach made it untenable for the defenders, and so great was the precision with which they were directed that the storm of missiles passed within a few feet over the heads of the assailants without hurting a man. At last a shot fired the heaps of shells, firebarrels, and grenades placed along the ramparts for the defence, and their explosion caused a great slaughter of the French. Thus the novel experiment of sweeping the breach with artillery over the stormers' heads proved completely successful; on the explosion taking place, a rush was made, the first traverse seized, and the enemy driven from the ravelin and horn-work; fresh troops, wading through the rising water, supported the attack, and the Portuguese Caçadores entered by another breach. The scene that followed was terrible; nature seemed to join in the rage of man, for a tremendous thunder storm broke over the town, which was now in flames, the fire of the garrison from the castle making it impossible to quench them. It was in vain that the officers endeavoured to prevent their men from plundering the town, and committing many shameful outrages. Casks of wine and spirits had been designedly left about by the French, and the thirsty soldiers drank to excess; none could be got to make an effort in time to extinguish the fire, in which many perished. The remnant of the garrison held out for some time in the castle, but at last, their magazine having blown up, 1800 men and the brave General Rey surrendered, and were admitted to the honours of war. The loss of the allies in the siege and storming of San Sebastian exceeded 4000 men, of whom half fell in the final assault. This was the last of Wellington's rapid and terrible sieges; it was in each case his necessity to snatch a fortress from the enemy. In this instance Soult made a last effort to succour San Sebastian. He collected 25,000 men on his right, opposite the heights of San Marcial, while Clausel, with 20,000 appeared at the pass of Vera. The latter was disconcerted by a feint of Hill to move round his left upon St Jean Pied-de-Port, and Reille's attack on the heights of San Marcial, which were chiefly held by Spaniards, was entirely unsuccessful. The loss of the French was heavy in this affair, being about 3600 men; the loss of the allies was 2623, of whom three in five were Spaniards. To have been beaten almost entirely by Spaniards was a great humiliation to the French army, and the moral effects of the battle on both sides were perceptible in subsequent operations. The French marshal had to leave San Sebastian to its fate and prepare for the defence of the sacred soil, about to be contaminated by invasion. To this enterprise Lord Wellington now turned his attention. He looked at it with his usual caution and freedom from illusion; he felt the danger of leading his starved Spanish troops, who were completely neglected by their miserable and aggravating government, into such a military country as the republic and empire had made France; a popular rising, provoked by plunder and ill-usage, would cause an innumerable army to start out of the ground and surround them on all sides. The Duc de Berri offered to bring 20,000 royalists to his standard; and, although he hesitated to accept this offer, he felt how disadvantageous it would be to check the incipient reaction. Without the Spaniards, on the other hand, was he strong enough to attempt such an enterprise from which there would be no turning back? In



the north of Europe the allies were not yet making sufficient head to insure an attack in the south from being met with double forces. It was at this time that the allied sovereigns wished Lord Wellington to assume the chief command of their armies. His fame as a commander now rose high above that of any other European general, excepting Napoleon, and he was, moreover, the solitary man who had preserved the spell of victory unbroken, when the most skilful had been overthrown and discredited. All men wished to see those two so opposite, but unrivalled leaders, pitted against each other on the great battlefield in opposite quarters of which they had hitherto fought, both, like mighty champions, overturning all who came in their way, but borne asunder by the tides of war. A less man would have eagerly accepted the offer of the potentates of Europe to be thus set up as their champion, to contend with Napoleon in the lists; but even more where he was himself concerned, Lord Wellington decided with the cold, unbiassed reasons of a judge balancing a point of law. His victories in the south of Europe had already exerted a potent influence upon the wars in the north. Vittoria, for which he had been raised by his own government to the rank of Field Marshal, had decided the policy of Austria, and thus made the position of Napoleon next to hopeless. Lord Wellington judged that in the south, where he was absolute master, and enjoyed the fullest confidence, he was able to serve the common cause of Europe far more effectually than in the difficult position he would occupy at the head of the allied hosts which confronted Napoleon; for there his genius might be baffled by jealousies and impeded by the interference of the warlike sovereigns, and he would himself be strange to the post and have much to investigate. He therefore advised his government to decline the flattering proposal, thus sacrificing his own glory to the interests of the cause.

His military movements, however, while they influenced, also depended upon, events in the north of Europe. It was necessary, before committing himself to the invasion, to allow to develop more plainly the extent of the forces he might reckon on encountering. He had also to take into account the forces of Suchet, who lay on his right, and still held fast to the soil of Spain. Suchet was certainly not counterbalanced by the Anglo-Sicilian army, which was thoroughly mismanaged from first to last, and if he had obeyed orders, and that jealousy which paralysed the forces of France, and betrayed the low origin of her generals, had permitted him to co-operate with Soult, it would have been quite impossible for Wellington to have ventured upon a further advance. As it was, however, Suchet obstinately maintained the useless grasp he held upon a Spanish province, and remained out of the game until it was lost. This being the case, and having secured a base of operations, by erecting considerable earthworks at the mouths of the passes, he advanced to the passage of the Bidassoa in the beginning of October, after a month's preparation. This interval Soult had employed in preparing to defend the river and fortifying a still stronger line in the rear. Both generals issued proclamations: the one calling on the people to rise *en masse*, should their soil be violated, the other assuring them of protection, and bidding them remain quietly in their homes. No general had more claim to confidence in giving such assurance than



Lord Wellington. For many a year his memory lingered in the heart of Spain, and among the Portuguese, as "the just man" and "the good man." It was on the 7th of October, at three o'clock in the morning, in inky darkness, and amid a storm of thunder and rain which drowned the rolling of artillery and pontoons that Wellington moved forward. The French right lay behind the estuary of the Bidassoa, the channel of which is fordable for several hours when the tide is out. The fords were first carefully ascertained by Spanish fishermen, who, pretending to fish, waded about and obtained an exact knowledge of their position. The troops got into position without exciting the enemy's attention, and concealed themselves in the ditch and embankment along the banks until, at the proper moment, when the tide would suit, the signal rocket should go up. The conversation of the French pickets could be distinctly heard, as the troops thus lay shivering with wet, cold, and excitement in the ink of this October morning. As the first ghostly ray of day appeared, the whistle of the rocket was heard at last, and from the steeple of the church, to which all eyes were so long directed, the signal was seen ascending. Then, in one moment, the muddy, and apparently deserted, river-side became alive with soldiers. The three columns on the left were to cross over first; owing to the blunder of the Spanish general Freyre, some delay took place, but, fortunately, a staff officer discovered another ford lower down, and the troops crossed and seized all the enemy's redoubts almost without resistance. The French lost ten guns and many prisoners, and were pursued to their entrenched camp at Sarre. This was Lord Wellington's second brilliant exploit of crossing a river by surprise in the face of an enemy; and on each occasion his opponent was the Duke of Dalmatia. Although the left of the allies was thus successfully thrown forward, it was impossible to advance so long as Pampeluna held out. Soult concentrated all his energy on fortifying an entrenched camp about Bayonne, and a great line of field-works from St. Jean de Luz on his right to the mountain gorges of Espalette; on his left every practicable path and road was defended by a redoubt. In this strong line, which partly followed the course of the river Nivelle, 66,000 veteran troops lay across the invader's path. Far away on the left, the divisions of Foy and Paris lay at St. Jean Pied-de-Port, and threatened the besiegers of Pampeluna. The menace, however, was in vain, and the great severity of the winter, which set in with heavy rains, that flooded the mountain torrents, and made the paths through the valleys impassable, deprived the garrison of all hope of relief. After being reduced to a diet of horseflesh and a few ounces of bread, General Cassan surrendered on the 30th of October. He was only deterred from blowing up the fortress and endeavouring to cut his way through the blockade by Lord Wellington's threat to hang him and decimate the garrison in case he was guilty of this breach of the laws of war. Although the fall of Pampeluna enabled Lord Wellington to move forward, he could not but feel some doubt and hesitation, since Soult was nearly equal to him in numbers, the superiority being given to the allies only by the Spanish contingent, while Suchet might still form a junction with the army defending France. He was greatly urged by the government to push forward, in order to co-operate with the allies;

indeed, it had been in contemplation at one time to transport his army to the Netherlands, that it might form the right wing of the great European army. The news of the battle of Leipsic, and the advance consequent upon it, decided Wellington to move: for Napoleon was obliged to draw heavily on the forces of his lieutenant in the south. On the 10th of November the army advanced: it was composed of 40,000 British bayonets and sabres, 25,000 Portuguese, and about the same number of Spaniards. This force, with 90 guns, overmatched the French in numbers, but the latter had the advantage of position. It was perhaps too much extended; but the manner in which its natural strength was added to by works, which all flanked each other, left nothing in this respect to be desired. Wellington's plan was to break through the centre, and push on to Bayonne, cutting off from it the severed wings of the French army; it was necessary, however, to provide employment for the whole of Soult's line, and he therefore attacked in four columns. The centre attack was made by Beresford upon the projecting position of Sarre with three divisions—the 3rd, 4th, and 7th. The light divisions and Spaniards assailed the heights in the rear of Sarre, whilst another body of Spaniards interposed between the French right and centre to hold in check such reinforcements as might be sent to resist the principal attack. The right itself was assailed at Urogne by Sir John Hope, who was to make himself master of the Nivelle on its lower level, near where it flows into the sea at St. Jean de Luz; he had two divisions with him—the 1st and 5th—besides the brigades of Wilson, Aylmer and Bradford, Vandeleur's Light Dragoons, the 12th and 16th, and the heavy German cavalry. The French left, under Clausel, at Ainhoe, about fifteen miles from the right, was at the same time attacked by Hill with the 2nd and 6th divisions, Portuguese, Spaniards, and artillery. All the attacks proved successful; but owing to the obstacles which the country presented, it was impossible before the early November darkness set in to take full advantage of the successes which had been gained. Soult had thus time to withdraw in the night from lines that he had spent so much time in fortifying, but which were now untenable. His losses in the battle of the Nivelle amounted to 4,265, including 1,400 prisoners; the allies lost but 2,694. By breaking down the bridges over the Nivelle, Soult hoped to make a stand behind that river, but Hope crossed by a ford near St. Jean de Luz, and Beresford and Hill pressed forward, and the Marshal was obliged to fall back on his entrenched camp at Bayonne. Severe rains prevented Lord Wellington from following at once, and he was now obliged to cripple his army by sending back the Spanish contingent.

He was determined, both on principles of humanity and policy, that the inhabitants should be protected in person and property. By proclamations and general orders he endeavoured to impress this upon his troops and upon the people, calling on the latter to deliver up offenders to justice. He assured the magistrates of his protection, and he hanged English and Portuguese soldiers who were guilty of plundering. The Anglo-Portuguese army was cured; but the Spaniard is more revengeful. He had a long score to clear off; behind him lay his own country desolated and plundered, before him France, the country



from which his misfortunes had come. Nothing could exceed the neglect of the Spanish government in supplying its troops; they were unpaid and unfed, and this, combined with their revengeful feelings, made it useless to expect them to refrain from plundering the enemy's country. The Spanish generals remonstrated against Lord Wellington's severity; he replied thus to General Freyre:—"I did not come to France to plunder. I have not been the means of killing and wounding thousands of officers and soldiers in order that the survivors should pillage the French. On the contrary, it is my duty, and the duty of us all, to prevent pillage, particularly if we wish that our armies should subsist upon the resources of the country." To his government at home he wrote to explain the unfortunate necessity of weakening his army by one-fourth:—"I must tell your lordship that our success, and everything, depends upon our moderation and justice, and upon the good conduct and discipline of our troops. Hitherto these have behaved well, and there appears a new spirit among the officers, which I hope will continue, to keep the troops in order. But I despair of the Spaniards. They are in so miserable a state that it is really hardly fair to expect that they will refrain from plundering a beautiful country into which they enter as conquerors, particularly adverting to the miseries which their own country suffered from the invaders. I cannot, therefore, venture to bring them back into France unless I can feed and pay them, and the official letter which will go to your lordship by this post will show you the state of our finances and prospects. If I could but bring forward 20,000 good Spaniards, paid and fed, I should have Bayonne. If I could but bring forward 40,000, I don't know where I should stop. Now I have both the 20,000 and the 40,000 at my command upon this frontier, but I cannot venture to bring forward any for want of means of paying and supplying them."

The benefit of Lord Wellington's abstinence was probably much greater than the loss. "The natives," he wrote, "are not only reconciled to the invasion, but wish us success, afford us all the supplies in their power, and exert themselves to get intelligence for us." In another despatch, he writes:—"It is a curious circumstance that we are the protectors of the property of the inhabitants against the plunder of their own armies, and that their cattle, property, &c., are driven into our lines." The weather again retarded military operations, but some fine days in December permitted another advance. The allied army crossed the Nive by a simultaneous operation under Hope, Beresford, and Hill. After a sharp action Lord Wellington established his right upon the Adour, its communication being kept up with the centre through Villafranca and by means of a bridge over the Nive. Soult determined to take advantage of the wide interval of three leagues which separated those portions of the army, and massed his attack upon Hope, who commanded the right wing. The point of attack was Biarritz, on the Vittoria and Bayonne road. The plan was well designed, but badly executed. The Marshal was most confident of victory, but it perhaps arose from over-eagerness to seize the chance, that he began the attack before he had massed the overpowering force he intended to employ on the one point. The consequence was that Hope was able to hold his ground at first, and in a short time was reinforced; no ground



was gained by the French on the first day, and on the second Lord Wellington was in the field with four fresh divisions. Soult then resolved to move in the night, and fling his whole force, with the exception of a weak garrison left in the entrenched camp, on Sir Rowland Hill, who had with him but 13,000 men, and was isolated from the main body. So strongly, however, was Hill posted, and so confident were the British troops that no impression was produced, and just as Lord Wellington next day arrived on the ground with the 6th division, the enemy, who had been charged in their turn, and had lost heavily, were drawing off in discomfiture. In the two combats the loss of the allies was severe—it amounted to about 5,000; that of the French was 10,000, and besides, 1,300 Germans came over with their arms to the English side. Thus, by the wonderful valour of the British troops, the error, if it was one, of their general reaped victory from the elements of defeat. Lord Wellington's faults were few, but those few which he committed were at all times covered by British valour. The weather in which these battles were fought was very unfavourable to military operations, as the roads were next to impassable; but the rain now became so severe as to make further campaigning impossible for the time. From December to the middle of February 1814 there was a pause. In this interval the government, urged by Russia, again pressed upon Wellington either to make a rapid advance or to be transferred to the Netherlands, and co-operate with the allies in the North of France. The former he represented to be impossible, owing to the violent fall of rain; his objections to the latter course had best be given in his own broad and clear statement: "In regard to the scene of the operations of the army, it is a question for the government, and not for me. By having kept in the field about 30,000 men in the peninsula, the British government have now, for five years, given employment to 200,000 French troops, of the best Napoleon had, as it is ridiculous to suppose that either the Spaniards or Portuguese could have resisted for a moment, if the British force had been withdrawn. The enemy now employed against us cannot be less than 100,000 men—indeed more, including garrisons; and I see in the French newspapers that orders have been given for the formation at Bordeaux of an army of reserve of 100,000 men. Is there any man weak enough to suppose that one-third of the number first mentioned, would be employed against the Spaniards and Portuguese, if we were withdrawn? Another observation which I have to submit is, that in a war, in which every day offers a crisis the result of which may affect the world for ages, the change of the scene of the operations of the British army would put that army entirely *hors de combat* for four mouths at least, even if the new scene were Holland; and they would not then be such a machine as this army is. Your lordship, however, very reasonably asks what objects we propose to ourselves here, which are to induce Napoleon to make peace? I am now in a commanding situation on the most vulnerable frontier of France, probably the only vulnerable frontier."

He then recurs to the certainty that if he could pay and feed his Spaniards he might have his posts on the Garonne, and asks—"Does any man suppose that Napoleon would not feel an army in such a position more than he would feel 30,000 or 40,000 British troops laying

siege to one of his fortresses in Holland? If it be only the resources of men and money of which he will be deprived, and the reputation he will lose by our being in this position, it will do ten times more to procure peace than ten armies on the side of Flanders. But if I am right in supposing that there is a strong Bourbon party in the south of France, and that that party is the preponderating one, what mischief must not our army do him in the position I have supposed, and what sacrifices would he not make to get rid of us?" Although this reasoning prevailed with the British government, the southern invading army was deprived of its reinforcements, which were sent to Holland; and Lord Wellington was thus prevented from sweeping on so rapidly as he would, if he had been provided with that amount of force which he calculated would overtop the obstacles in his path. Soult was indeed greatly inferior in numbers; but in a war of defence the country was much in his favour; the roads were almost impracticable, the country abounded in morass, and almost every village presented a position of strength. The great obstacle was the entrenched camp of Bayonne, and this could not be taken until Soult's army had been driven away and the difficult river Adour crossed. The manner in which Lord Wellington effected the latter operation was by drawing away Soult and fighting him on the upper Adour, while Hope bridged the lower. The allies moved to their right; Soult to his left to oppose them; the battlefield was Orthes. The French position was fronted by the current of the Gave De Pau; it consisted of heights and broken ground, only to be traversed by narrow lanes in which the assailants would be at a terrible disadvantage. Wellington, in the first instance, attempted to turn the left, but when Beresford's troops were severely handled, and forced back in their attack by the lanes, he altered his plan; and by a skilful movement fell with the light division on the left of Beresford's opponents. Hill, who had crossed higher up, seeing that the French, instead of winning a victory, as at first seemed probable, were on the point of being driven from the field, endeavoured to cut off their retreat. But Soult saved his army by flight when he saw that a firm retreat was impossible. In the battle of Orthes the French lost 4000 men and six pieces of cannon. The English loss was little more than half that of the enemy. In this battle Lord Wellington was slightly wounded, being thrown from his horse by a ball which struck his sword guard. Mr. Gleig says—"He was on his feet again, however, in a moment, and in a condition to laugh at the Spanish general Alava, who had likewise been wounded almost at the same instant in that part of the body, any accident to which is apt to excite the mirth, rather than the sympathy, of lookers-on." A few days before the battle, he had visited, with his usual activity, the left of the army, which had secretly made every preparation to bridge the wide stream of the Adour, below Bayonne. The numerous fleet of boats, luggers, and other craft which had for some time been collecting, had been detained by contrary weather until all Soult's suspicions were drawn away from the lower to the upper river; they now came in sight, and about half out of sixty succeeded in crossing the bar. Previously to this, six hundred guardsmen crossed by rafts, and a flight of rockets, which had just been introduced, made the French battalions fly precipitately at the sight of



these novel missiles; other troops followed, and the arrival of the boats on the 24th made it possible to connect the British troops which had crossed with the main body. On the day of the battle of Orthes, a firm bridge, protected by a boom, enabled the rest of the forces to follow. General Thouvenot, who had commanded at Bayonne, could not spare a sufficient force to offer any serious opposition at five miles distance. His outposts were soon driven in, and an investment established. Meanwhile, Soult was still being driven back. The rains gave him a short respite; it was but short. The centre of the Allies pursued to Sever, and crossed the Adour. The left seized the great magazine of Mont de Marsan; the right forced Clausel across the river. Here the state of the country, the floods in the rivers, and the broken bridges, prevented the pursuit from being continued further for the time. But the delay was not long. The south of France already fermented with the Bourbon reaction, and Bordeaux was the centre of Bourbonism. Turning the main body of his army upon Toulouse, Lord Wellington detached 12,000 men under Beresford to take possession of the southern capital. There Louis XVIII. was immediately proclaimed by the mayor, amid the greatest popular enthusiasm, and an important moral blow was struck by this event. Having done the cause of the Allies this peculiar service of raising up in his front an internal enemy to Napoleon in the flag of the old traditional monarchy, Lord Wellington recalled Beresford, ordering him to leave only a small detachment in the royalist town. Soult had in the meantime drawn to his left, and hoped to surprise some of the scattered divisions in that direction, but found his adversary too well prepared and active; the forces always drew to a focus before him. Believing, from the capture of Bordeaux, that the allies must have greatly increased in strength, he became uneasy about his communications, and retreated towards Toulouse. On the 18th of March Lord Wellington began his advance, and endeavoured to cut off Soult from that place. He had two sharp encounters on the road, in which the French were driven to retreat, but he did not succeed in his object of interposing on the Toulouse road. Great as was the perfection to which he had brought the marching powers of his army, he was necessarily encumbered by large trains of forage mules, as he could not afford to raise the whole population of the country about his ears; and it was also necessary for the pontoon trains to keep up with the troops, as the bridges by which the enemy retreated across the numerous rivers of the south were always broken down before the pursuer. Consequently he came in sight of Toulouse three days after Soult, and found that the latter had made the most of the time thus allowed him. The town was strong in itself, being surrounded with ancient walls and towers, which were washed on one side by the river Garonne, and on the others encircled by the canal of Languedoc. Beyond this canal lay a range of heights called Mount Rave, which Soult strongly fortified. Every possible advantage was taken of the strong positions the place afforded to convert it into a fortified camp, bristling with artillery, and defended by an army of 39,000 men. The Allies exceeded this force in numbers by about 10,000; but, on the other hand, 15,000 of their infantry were Spaniards, most unequal to the French;



6000 were cavalry, and could take no part in the approaching battle, and the position they were about to assail would, in their hands, have been impregnable. Lord Wellington's first plan was to cross the Garonne above the town; but the rains and the melting of the snow on the mountains filled the marshes in that direction, and another attempt to cross but a little way above the town was defeated by the pontoons being too short. Soult of course provided against a second essay. It became necessary therefore to force the passage of the river below Toulouse, and then to attack Mount Rave. On the 4th of April (1814) Beresford crossed with two divisions, some cavalry and guns, but in the night such a flood occurred in the river that the pontoon bridge had to be removed and 12,000 men were thus isolated. Fortunately, Soult did not take the trouble to ascertain this; but Mr. Gleig mentions an expression of Lord Wellington's in after years, which shows the extraordinary confidence which he had in his troops as opposed to the French; when it was suggested how Soult might have fallen upon him at that moment, he replied: "I could have placed my back to the river and defied the whole French army." The flood soon subsided, and the communication by bridge was restored. Lord Wellington's plan was to make false attacks on the town, and while Beresford, by crossing the Ers lower down, turned the enemy's right flank, the Spaniards were to make the attack in front on Mount Rave, which was the key of the position. Ten thousand Spaniards rushed to the assault, but when they gained the shelter of the works they were sent to attack, nothing would induce them to leave it. General Harispe, seeing that they would not go forward, tried whether he could not make them go back, and the whole 10,000 ran down the hill at such a pace that Lord Wellington, who saw this human torrent come tearing past, said to an officer, with a laugh, "well, I never saw ten thousand men run a race before." The support of some British troops soon rallied the Spaniards, and the battle was restored; Beresford quickly came up on the flank, and advanced through a tremendous fire in which many a brave man was left behind. Soult ordered Taupin's division to charge; but those French soldiers, brave as they were, had tried the experiment too often; the result of those terrible bayonet fights was too invariable, and they had not a charge in them against such antagonists. The English came on and swept the division away in rout. Then the redoubts of Mount Rave were carried, and although the feinting attacks on other points were pushed into realities and failed with some loss, the day was in fact won by the possession of the heights which commanded the town. This battle was fought on the 10th; Soult apparently made dispositions to defend the town on the day following, but in the night he withdrew, feeling that nothing remained but to escape. Lord Wellington entered Toulouse amid great rejoicings of the inhabitants, who were favourable to the royal cause, and detested the exactions of Napoleon's generals. They were no doubt enjoying the reaction of feeling from the expectation of a siege, in which the French officers falsely asserted Lord Wellington would have burned the town over its inhabitants with rockets; but it showed how little the rumour was believed, when they bore the British general on their shoulders to the court-house crying, *Vive la*

*Roi! Vive Wellington!* On that very day the envoy of the Provisional Government arrived from Paris, ordering Soult to put an end to the war, as Napoleon had abdicated. The marshal endeavoured to induce Lord Wellington to consent to an armistice, without binding himself to accept the Provisional Government. To this Lord Wellington wisely refused his consent, on the ground that such a force unattached to any side might form the nucleus of a civil war. Soult was obliged to consent to the British general's terms, and so ended the six years' campaign, beginning with Rolica, and ending with Toulouse. M. Brialmont writes thus:—"The campaign in France put the seal to Wellington's glory, and brought conspicuously into light not only his military talents, but his political sagacity. With 70,000 Anglo-Portuguese, he had done more in the south than the allied sovereigns were able to effect with half a million of troops upon the northern and eastern frontiers; and yet Soult's army was stronger on the 18th of November 1813 than that with which Napoleon fought the battle of Brienne. This simple statement suffices to establish the immeasurable superiority of Wellington's combinations over theirs. But there was a point in which he still more excelled, namely, the moral influence which his generous conduct towards the French people secured for him. While the allies in the north and east oppressed the inhabitants, and left traces of their barbarous hatred even upon the public documents, the hero of the Peninsula set an example in the south of France of unfailing respect to individuals and their property. Never have troops shown greater kindness to their fellow-countrymen than the soldiers of Wellington exhibited towards a nation with which they were at war. This will always remain one of the loftiest titles to renown of the British army and its illustrious chief." It was during the few days which he spent in Paris, on the termination of the war, that Lord Wellington received the gratifying intelligence that he had been raised to the dignity of a dukedom, and that Parliament had voted the magnificent sum of half a million for the purchase of an estate. He was not yet able to return to England, for after parting from his army he was obliged to hasten into Spain, where the reactionary policy of the king seemed likely to precipitate a revolution. The Spanish armies, which had resolved to support the Cortes, were only withheld from an outbreak by the irresistible moral influence of their old commander. He despaired, however, of making any permanent reconciliation, as he found the king, like the French Bourbons, doing his utmost to destroy the good feeling that had attended the restoration of ancient royalty. The Duke was at last permitted by public duty to return to England, and after an absence of five years, he landed amid a scene of intense enthusiasm, of which Englishmen when stirred to the heart are so capable. At Dover he could scarcely escape from the people. At Westminster, the roars of the mighty multitude of London made the air quiver; the Duke's carriage was dragged by the people to Hamilton house, where the Duchess was staying; he was lifted from the carriage; the people could scarcely bear to lose sight of him, or the door through which the saviour of Europe had passed to close behind him. No work was done in London that day: the artisan laid down his tools to give vent to his British enthusiasm and pride; nor only in London, but the whole nation was overcome by the same sentiment.



Wherever the Duke travelled he was received as more than an angel. He was the impersonation of that long roll of glorious victories which forms far the brightest chapter in the long reach of England's history. The gratification to the national pride of the preceding years seemed to have been treasured up so long to greet the new Duke with such a welcome as never British subject received from his countrymen. In Parliament, the various titles bestowed on him in his ascent of fame were all formally conferred in one day; and the modest and becoming dignity of the recipient showed the man—

“ Who, if he rise to station of command,  
Rises by open means, and there will stand  
On honourable terms, or else retire,  
And in himself possess his own desire :  
Who comprehends his trust, and in the same  
Keeps faithful with a singleness of aim ;  
And therefore does not stoop nor lying wait  
For wealth or honours or for worldly state ;  
Whom they must follow, on whose head must fall  
Like showers of manna, if they come at all ;  
Whose powers shed round him in the common strife,  
Or mild concerns of ordinary life,  
A constant influence, a peculiar grace ;  
But who, if he be called upon to face  
Some awful moment to which heaven has joined  
Great issues good or bad for human kind,  
Is happy as a lover, and attired  
With sudden brightness, like a man inspired  
And through the heat of conflict keeps the law,  
In calmness made and sees what he foresaw ;  
Or, if an unexpected call succeed,  
Come when it will, is equal to the need.”\*

The thanks of the Commons were delivered to him by the Speaker in a most eloquent speech, while the whole house stood uncovered. A short time after the Duke was sent as ambassador to the court of the Tuileries, and in Paris the months went by in the transaction of the most important business connected with the resettlement of affairs; but he saw with concern the growing unpopularity of the royal family, and the impossibility of the French accepting the tedium of peaceful life, and returning to the accumulation of national wealth by manufactures and industry, rather than by the plunder of other countries and contributions wrung from nations ruined in war. The vampire of the Continent longed for blood, and could not be reconciled to more harmless food than the lives and resources of other peoples. Meanwhile, having been joined by the Duchess, he dispensed hospitality to all the great ones of the world who were brought together in Paris; but in January 1815 he was called upon to take Lord Castlereagh's place at the congress of Vienna, and firmly resisted the demands of Russia and Prussia to be put in possession, the one of Poland, the other of Saxony. France, England, and Austria combined in a secret treaty to resist these arrogant plunderers; the Russian armies were halted in Poland, and a new war seemed to be on the point of breaking out, when an event occurred which obliged the allies to lay aside



all quarrels among themselves, and band together once more against the common foe. Napoleon was loose! He had left Elba, and landed at Frijus, and the French army deserted *en masse* to its old leader. The Bourbons were swept away without an effort; and again the great war-spirit of Europe wielded the whole power and resources of France. France, it is true, was exhausted and unarmed; her effective army fell far short of 200,000 men; under her late rulers she had been preparing for a long prospective peace, and her arsenals were empty. The other great powers were still possessed of those overgrown armies which the wars and usurpations of Napoleon first raised up, and which have ever since oppressed the bosom of Europe. The struggle about to be recommenced was therefore a most unequal and likely to be a short one; but none could have imagined that the Emperor would be able in three months to make such a mighty preparation as he effected in that period. Before the end of May he had an army of 400,000 men, a large proportion of whom were veterans released from the military prisons of Europe on the conclusion of the war. The Duke of Wellington was at once called to the command of the forces in the Netherlands, consisting of 10,000 or 12,000 English troops of Graham's command, together with the armies of Holland and Belgium. England was only able to raise her contingent to 30,000, owing to the army having been dispersed to distant parts of her empire, and she was obliged to take into her pay Dutch, Belgians, and Germans. This was very unsatisfactory to the Duke, who had to bear the first brunt of the war; but he endeavoured to wear a bold front in order to retain the support of the Prussians, whose commander was disposed to fall back; and his appearance of confidence had the desired effect. Marshal Blücher took the command of the Prussian army of the Rhine, and, acting on Wellington's suggestion, it was held in hand for a great stand before Brussels. The expectation that whilst the vast concentric wave of invasion was rolling from the far horizon of Europe upon France, Napoleon would fall with all his weight on the nearest and most dangerous foe, instead of lying back in an attitude of defence behind the French frontiers, was soon discovered to be well founded. The flower of his army was laid in wait behind the frontier fortresses, ready to be launched forth when all was prepared, and it only remained doubtful by what line the attack would be made. Wellington was convinced it would not be made by the valley of the Sambre, with the object of cutting in between the Prussians and English, and the fact that a principal artery of communication in this direction had been made impassable by the French seemed to give good ground for the conviction; yet this was the line actually adopted. Perhaps, as the most obvious, the Duke thought it was the least likely to be chosen by his ingenious and original antagonist; he has been blamed for not having divined the direction in which the storm would burst; but the fact was, that although his instinct told him it would be otherwise, he had made every arrangement with the Prussian general for an attempt to break in between them. It was necessary, indeed, to allow the French plans to develop themselves, and the army was kept in such a position as to be ready for any event. The Anglo-Belgian army lay before Brussels, which city was crowded with visitors, and in the most festive state. The Duke of Wellington joined in all the balls

and dinner parties as if he were perfectly free from care. Mr Gleig notes this peculiarity:—

“It formed one of the marked peculiarities of his character, that no amount of business, be it ever so grave in itself, or important in its consequences, appeared to engross him. He neglected nothing which required attention; yet he had always time at his command. Rising early, he often completed his correspondence before the generality of busy men began theirs. No amount of bodily fatigue seemed to tell upon him, and sleep literally came to refresh him at his bidding. The consequence was that, while the great machine of state was kept in sound working order, not one of the lesser wheels stood still, the movements of which hinder society from becoming stagnant. But events were hastening rapidly to a crisis.”

Meanwhile Wellington was fully prepared, and had arranged that, in case of attack, the Prussians should move to their right, the English to their left, to form a junction. In their detached positions they covered all the points on which an enemy might direct his efforts. Were the Prussians attacked, the English were to move by Quatre Bras to their assistance; were the English, the Prussians were to come to their support on the field of Waterloo. On the 15th of June there were alarms and attacks on outposts, but still the Duke waited for the development of the French attack. On that day he learned that the Prussians were engaged at Charleroi; but he kept the intelligence to himself, and attended the Duchess of Richmond's great ball that night. He sent his orders to the army to move, as arranged, to the left on Quatre Bras. At midnight the Duke left Brussels with the reserve. His wonderful nerve had completely concealed, as he chatted and danced, that a ball of a more terrible description was occupying his private thoughts. Napoleon himself was in front with that cloud of war, from which it was doubtful in what direction the lightning of battle would flash. His combinations were made with clock-work regularity and precision, up to a certain point; but his intention that Quatre Bras should be occupied by noon on the 15th was defeated by the unaccountable delay of Vandamme and Gerard. Blücher managed to concentrate most of his forces at Ligny, and Wellington rode over to confer with him. The two chiefs met at the windmill of Bry, and exchanged promises of mutual support. He saw the defects of the position, and fully expected that the Prussians would receive a severe beating. A corps of his own army, under the Prince of Orange, was posted at Quatre Bras, when Ney arrived with a greatly superior force to seize that vital point of communication. The Prince held out until the arrival of reinforcements. Ney's supports did not arrive. The Anglo-Netherlandish troops were cheered by the presence of their Commander-in-Chief, and, as the day advanced, became the assailants, and when the evening closed in, were far in advance of the line from which the first brunt of battle had driven them back. During the day the thunders of Ligny were heard growling over the horizon to the left. Between the two battle-fields, by some unaccountable blundering of field-officers, D'Erlon's command, comprising about 30,000, which might have decided either field, was kept “oscillating.” The result of the day at Ligny was that the Prussian centre was driven in, and Blücher's army cut in two. Nothing



but the fall of night saved him from destruction and enabled him to retreat. His loss was 15,000 men and 15 guns. It was a decided defeat; but it came too late in the day to end in a rout.

Wellington meanwhile had received assurances from Blücher that if he retreated, as pre-arranged, in case of reverse, on Mont St Jean, he should not be left without assistance. His own position was most critical, and on the 17th he had 50,000 men at Quatre Bras to stand against the victorious French army. On his left the beaten Prussians had disappeared he knew not whither. It was an equally difficult matter to leave his ground, and to hold it if Napoleon had attacked with his immense superiority of forces. But the Emperor wasted the greater part of the 17th, and it was far on in the afternoon before Ney was ordered to attack. Grouchy, with 37,000, had previously been sent to observe the Prussians: Before Marshal Ney got his troops into motion the English army was on the move for Waterloo. It reached that famous field without obstruction: most of the troops had not fired a shot; but behind them, as they fell back, the fire of the horse-artillery had brought down deluges of rain, which delayed the French in following up. The morning dawned which was to decide between the two as yet unmatched rivals—the one the greatest conquerer, the other the greatest general, of modern times. Wellington had formerly denied himself the glory to be derived from this encounter, when he considered that in more obscure battle he was doing greater service to the general cause; but fortune had now raised up the fallen giant again, as if to decide a doubt which would ever have remained amongst historians, which was the greater commander of the two.

If we consider, on the one hand, the desperate circumstances under which Napoleon fought, certain to be overwhelmed by Blücher's army, if he did not succeed in a few hours in defeating Wellington's; and, on the other hand, the great inferiority in numbers and composition of the Anglo-Netherlandish army, it will appear that the match was not an unequal one. Napoleon was playing a desperate game, and his antagonist's was little less desperate. On the French side, the guns were double the British, taking into account number and calibre. Their cavalry exceeded ours by 15 to 12, and in experience, as well as in numbers, their infantry were apparently an enormous overmatch. Their General was one who had never been conquered except by overwhelming odds, and his troops were fresh from a victory. Wellington had only 33,000 dependable troops, the rest being little more than *supers* in the military drama. Probably not more than we have named fired a shot during that day, although the whole French army was fully employed. It must be added that Wellington had deprived himself of some of his troops in conformity with the opinion which he entertained to the last, that an attempt would be made to turn his right.

The obvious policy of the French has been said by military critics to have been to fall on the left and cut it off from the Prussians; but to the unlearned in the military art it would certainly seem otherwise. Wavre was but twelve miles off, and Napoleon had no reason to think that the Prussians were so broken at Ligny that they would not come up even earlier than they did, and so his army would be ground between two mill-stones. True, he is said to have been surprised at



their appearance ; but it is scarcely likely that he expected Grouchy with 35,000 to keep the brave old Marshal, with nearly 100,000 Prussians, from making an appearance with some portion of his troops on such a field. If indeed he believed that Grouchy could seize those positions which the intervening ground afforded, where a few might block the way against many, or if he thought the cavalry which he sent out with this purpose would effectually hold back the Prussians, then there was scarcely an object in separating armies which for the purpose of the day were already separated ; but he was rather bound to take the speediest way of inflicting a defeat upon the British. No doubt, leaving the Prussians out of consideration, the right of our army was the proper place to plant his blow.

In order to let the ground dry and harden after the heavy rains of the night, Napoleon deferred the commencement of the battle until eleven o'clock. It began with an attack upon the chateau of Hougomont, at the extreme right ; the woods about it were soon wrenched from the German troops that held them, but the guards held the building even when it was in flames over their heads. The desperate attack having failed, there was a great artillery battle all along the line, till the heights on each side became so enveloped in rolling smoke that it resembled an encounter of two immense thunder clouds. From the French side, a great cavalry demonstration was presently made, and the British centre formed squares, upon which the artillery told with severe effect. The Duke of Wellington had then recourse to his old plan of removing his troops behind the heights on the front of which they had previously been standing, leaving the artillery, as before, on the exposed face. It so happened that there ran behind the British line a road with high banks, which formed a natural field work to cover the troops thus concealed. The movement of the British army led Napoleon into error ; he supposed it to be a retreat, and ordered D'Erlon to attack the left, striking with his full force. His first object had been to win the battle on the right ; supposing the battle won, he proceeded to carry out as his second object what his critics contend should have been his first. The Belgians were behind the hedged-in road on the left ; they gave way easily, and D'Erlon's columns pressed on. But Sir Thomas Picton, who commanded on the left, was ready with the brigades of Kempt and Pack, which advanced into the gap : at forty yards they delivered their fire, and without waiting for the smoke to rise from the deadly volley, the General gave the word "charge !" and almost at the same instant was shot dead. The Duke himself had just ridden to this part of the field, and ordered that famous charge of the Scotch Greys, Inniskilling, and Royal Dragoons, which, falling on the flank of the French columns in the confusion of Sir Thomas Picton's volley, completely broke them and resulted in the capture of 2000 prisoners and a tremendous loss in killed and wounded. Unfortunately, by pushing their advantage too far, and endeavouring to dismount the French artillery, the cavalry suffered in turn, and were obliged to retire after a severe conflict with cuirassiers, lancers, and infantry. Meanwhile, a stout assault was made upon the left, inclining to the centre ; but this gave rise to another great cavalry achievement ; for the infantry having driven back the French, were assailed in turn by a flood of cavalry and obliged to

form square. Round these the French foamed and shouted like waves dashing about rocks. The Duke ordered up the heavy cavalry; and these,—Life Guards, Blues, and 1st Dragoon Guards,—came on with a weight of horse and man and muscle before which the cavalry of France was overwhelmed with immense loss. Napoleon now renewed his attack upon Hougoumont, but it had been rendered secure by strong reinforcements, and the attack was well repulsed. It was at this time that the building was set on fire, by which many of the wounded guardsmen perished. Every effort having now failed on right and left, the Emperor became impatient and uneasy, and resolved to try the centre. By a skilful movement from D'Erlon's side, the farm of La Haye Sainte, in front of the British centre, was cut off and taken, and a foothold was thus gained for a closer attack and a covered place for cavalry to lie in wait. With a tremendous fire of artillery from the heights of La Belle Alliance, Marshal Ney made repeated attacks on the British and German troops that here held the position, but with no effect. When the French infantry failed, the cavalry rode round the squares for three quarters of an hour unable to produce the slightest impression upon them, and wasting their strength; at last the Duke brought back his cavalry from the flanks and drove away the trampling enemy, who, for all this while, had kept the gunners imprisoned in the squares and the guns silent.

The summer evening was now falling, and the British infantry, of which the Duke said that he had "never seen it behave so well," and which drew an irritated encomium from Napoleon, was reduced by one third of its numbers, where they stood on the heights of Mont St Jean; there was no point of attack that had not been animated by the Duke's own presence; it was past five o'clock, and there was little doubt that help was at hand. At two o'clock it was expected; at four an officer of the staff had met Blücher drawing near; at five the Prussians began to be felt, although not causing any great inconvenience, being in small force; but Napoleon was decided to make a last great effort, on which he knew depended victory or utter defeat. It was to throw the whole reserve, consisting of his guards, on the British centre. Not before seven o'clock was this attack ready to be launched. Wellington meanwhile had drawn in his right, feeling that all was now secure in that direction, and the point on which Napoleon was about to stake his fate was the strongest in the whole line.

He bade the guards lie down behind the hill, where they listened to the artillery firing on their advancing enemies. At last the Duke gave the famous order, "Up guards and at them," they reached the summit of their position in critical time; fifty paces down the slope they beheld the grenadiers of the Imperial Guard advancing. A moment's pause; the shout of "vive l'Empereur;" a deafening volley; the French attempt to deploy, but now the British guards charge upon French guards, and drive their immense unwieldy mass down the hill in wild confusion. So as to avoid being taken in flank by the other column that was advancing, Maitland, after defeating the first, drew back to the crest of the hill, Lord Hill's infantry took the second attack as the guards had taken the first. The result was still more decisive; the Duke had ordered a portion of the troops to pivot from the right on the left of the attacking



column; falling between two fires of infantry besides artillery, the second column of the French guards in a minute strewed the ground with hundreds of men, and then broke and fled. The troops facing and flanking them, and Maitland's guards pursued, and the cavalry under Lord Uxbridge soon overtook and rode through them, making a great slaughter. The Duke of Wellington now ordered a general advance; the troops, rejoicing to be let loose, advanced at the double. In vain four battalions of the old guard attempted to check the advance; all fled before the infantry charge; a vast crowd of fugitives, including Napoleon and his marshals, fled towards Genappe, and 150 pieces of cannon were taken on the field. The Duke, at dark, halted his troops after a pursuit of two miles, and drew back to Waterloo, leaving the task of following up the victory to the Prussians, who had flowed in when the French flight began, and the dam was removed which had been opposed to them on the right. Wellington and Blücher met as the former returned to the field. He lay down to rest just as he was, blackened with the smoke of battle. To Wellington's honour it is recorded, that "Dr Hume, the principal medical officer at headquarters, entered the Duke's chamber on the morning of the 19th of June to make his report of the killed and wounded. He found the Duke asleep unshaved and unwashed, as he had lain down late over night. The duty being urgent, Hume awoke his chief, and the Duke, sitting up in his bed, desired him, without asking any questions, to read. It was a long list, and took a good while to go through; but after he had read for about an hour, the doctor looked up. He saw Wellington with hands convulsively clasped together, and the tears making long furrows on his battle soiled cheeks. At first the Duke did not seem to notice that Hume had ceased to speak, but in about a minute he cried, 'Go on,' and till the reading was closed, he never once moved from his attitude of profound grief." We may quote Mr Gleig's testimony of the Duke's personal bravery, which, from the sobriety and general prudence of his character, has been questioned by detractors—"On no previous occasion had the Duke of Wellington exhibited greater quiet courage, or been more exposed to personal danger than during the progress of the battle of Waterloo. He personally directed every movement; he superintended almost every change of disposition from morning till night. Wherever his troops were most pressed, there he was sure to be found. Almost all his attendants were killed or wounded at his side; indeed, at one moment, he was left so completely alone that he was obliged to employ a Sardinian officer, a volunteer in the field, M. de Salis, to carry an important order. He led the final charge, riding in front of the line, and when the enemy gave way, and the growing darkness required it, he mixed with the foremost of the skirmishers in order to keep the fugitives steadily in view. So apparently reckless, indeed, had he become, that one of his staff remonstrated with him and said, 'We are getting into enclosed ground. You have no business here. Your life is too valuable to be thrown away.' 'Never mind,' was the Duke's reply, 'let them fire away. The battle is won; my life is of no consequence now.' Thus indifferent to the thousand risks which surrounded him, he pushed on, and drew bridle only when he and Blücher met at the *Maison du Roi*."



After the restoration of the Bourbons, the Duke again took up his abode in the French capital during the allied occupation; and although it was through his influence that France was not dismembered, and he averted the indignities to which Prince Blücher would have subjected Paris, he became extremely unpopular with all classes of Frenchmen. He was blamed for not preventing the stripping of the Louvre of the accumulated plunder of works of art, and of not interfering to save Marshal Ney. In the latter case he did all that he could; but he had no power to prevent his execution, although he greatly deplored it. Two attempts were made upon his life: once it was attempted to burn and blow up his house in the Champs Elysées; on the other occasion he was fired at by a man named Cantillon, who, although plainly identified, obtained an acquittal, and was afterwards made head gamekeeper at Fontainebleau by Louis Philippe. It was noted at the time that, although all the Royal family joined in disliking him, this Prince was the only one who did not call to congratulate the Duke on his escape. The first Napoleon left Cantillon 11,000 francs in his will; and this bequest was paid with interest to the intended assassin's representatives by Napoleon III.

Our memoir now enters upon an entirely new phase of the Duke's life. With the withdrawal of the army of occupation from France, his military career, at least as a commander in the field, finally closed. The civil and political career of Wellington divides itself into two portions, in one of which he was engaged in the general settlement of the affairs of Europe, and in the other was called upon to take a more direct part in the particular administration of his own country. Many different opinions have been expressed as to the Duke's claim to the title of "statesman." "Military experience," says an impartial writer, "does not furnish the fittest schools of statesmanship, especially when the country to be governed is that of a free, intelligent, and progressive people. But if the political principles of the Duke of Wellington were not always reconcilable with the opinions and demands of modern advancement, they were at least consistent in themselves, were never extravagantly pressed, never tyrannically promoted, and never insisted on to the hindrance of the Government, or the damage of the State. In estimating Wellington's politics, it must never be forgotten that he was a politician of 1807, and that he descended to us as the last representative of a school that has passed. If he was less liberal-minded than the statesmen of his later years, we may fairly inquire how many of his own generation would have been as liberal as he." On this subject another writer remarks, "To the science of government his Grace, as we have already seen, was no stranger. His able administration of the Mysore territory, his subsequent experience of home affairs as chief secretary for Ireland, and his clear-sighted and energetic views of national policy in the civil transactions of Spain and Portugal, had denoted him a man no less fitted to play an important part in government in times of peace, than his uninterrupted success in arms had proved his military genius. His conduct of the interest of Great Britain in the Congresses of the sovereigns, had now placed him on an equality with the most celebrated statesmen of Europe in respect of the grand principles which regulate the comity of nations." It certainly

would not appear extravagant to say that in those great European negotiations the Duke invariably showed that practical foresight which distinguished his character in the operations of war. He was confirmed in his early Toryism by a career spent in curbing, controlling, and conquering. Few had such an experience of war, and most of the wars he had seen might be traceable, in his opinion, to the operation of democratic principles. At the same time, he had seen and fought with tyranny and oppression and every kind of injustice too indignantly and too long not to have his mind opened to justice and right at home. His experience of constitutions, as devised by popular agitators, was not favourable. His principles inclined to legitimate monarchy, and to "strong governments," but none knew better than he that order could only be permanently obtained by consulting the wishes of the people, as well as the fancies of the sovereign, and his voice was given on the side of freedom, though not, perhaps, absolutely for freedom's sake.

After the battle of Waterloo the condition of Europe which ensued in the thirty years' peace was very peculiar. Although by the issue of that great and protracted struggle, "legitimists" had triumphed over "revolutionists," and "the men of resistance" over "the men of progress," yet scarcely was the peace concluded when the clamour of the people arose, and political agitation commenced with such violence, advantages, popularity, and success, as it never had obtained before. It is the province of the historian to investigate and explain the causes of this extraordinary condition of affairs; it only concerns us to note that those public discontents which on the Continent had taken the form of military insurrection, in England assumed the shape of political agitation. The state of affairs in England at the time when the Duke was called upon to take a more direct and visible part in the administration of his own country, and the circumstances under which he entered upon that duty, are thus well described:—"The old Tory Cabinet of the war had subsisted for ten years under the presidency of Lord Liverpool, without material modification in its constitution or policy. Mr Canning, it is true, had been for some time at the head of the Board of Control, but it was not until his accession to the Foreign Office, in 1822, that his influence was substantively felt in the measures of the Government. But now the elements of a mighty change began effectively to work. The days of unmitigated Toryism were drawing to a close, and the precursors of reform appeared on the scene. The principles of general liberalism in the person of Canning, and of free trade in that of Huskisson, were to be gradually introduced into the stubborn cabinet of the Regency, and old men were at length to give place to new. Of the four ancient notabilities, Lord Londonderry was already gone, Lord Sidmouth had just retired, Lord Eldon was declining, and the end of Lord Liverpool was at hand. It was a period of transition, and like all such periods, was rife with angry suspicions, with incessant jars between the men of resistance and the men of progress, with mistakes, recriminations, compromises, and confessions."

Over and above the innumerable points of general policy to be considered, there were two great questions awaiting a decision: those of Parliamentary Reform and Catholic emancipation. The former of these, though originally entertained by a Tory minister, had become



politically identified with the pledges of the Whigs, and was adopted rather than promoted by the "Radicals" of the time as the chief object of their agitation. The latter was essentially a party question, for it concerned rather the practical government of Ireland than a recognition of a theoretical principle, and statesmen and cabinets had been divided on its merits ever since the opening of the war. The measure, however, had been seized by the Whigs as their own; it had been defeated by the Tories, and its destinies were generally connected with the prospects of Whig ascendancy. This party had now for a very long interval been excluded from power. Their adversaries had monopolised the credit of the war, and the support of the electoral constituencies, and it almost seemed as if they were irremoveably established in their seats of office.

During all this time the condition of the country had been disturbed and feverish in the extreme. As has been already remarked, those public discontents which, on the Continent, had taken the form of military insurrection, in England assumed the shape of political agitation. "George IV., who, in 1820, had exchanged the title of Regent for that of King, was not in favour with the people. He had so long anticipated the position of royalty, that his actual accession to the throne brought with it none of those indefinite expectations which usually make a new reign popular. Though personally connected with the Whig party in times past, he had promptly confirmed the ascendancy of the Tories on coming to the crown; and the known selfishness of his disposition appeared only to be aggravated by power, while his more attractive qualities had gradually given place to the morosity of old age. His personal character, indeed, figured largely in the complaints of the people, who described their sovereign as absorbed in the luxurious enjoyments of a misanthropic seclusion, while his subjects were suffering the extremities of pressure and want. There was reason for these murmurs. Though the state of the country imperatively needed reform, the great policy of the ministry was repression alone. While new ideas were fermenting among the people with the diffusion of political knowledge, and the growing conviction of misgovernment, the cabinet policy was that of twenty years before, with its rigorous maxims of resistance and severity.

"The consequences were nothing but natural. The people were seduced by demagogues into wicked excesses and extravagant demands. They held nightly gatherings in the large towns and manufacturing shires, hatched chimerical plots of marching on the metropolis, talked plain treason at public assemblies, and proposed the forcible overthrow of the Government. A conspiracy (well known as the Cato Street conspiracy) aiming at the assassination of the ministry in a body, was actually formed, and was not defeated by any want of resolution or earnestness on the part of the conspirators. On the other hand, the Government was confirmed by those very excesses both in its own repressive policy, and in the support of the well-affected part of the population. They spared, therefore, neither the law nor the sword; they sent artillery into one county, and special commissions into another; they charged public meetings with cavalry, and strung up rioters and sheep-stealers on the same gallows. Their names were



saluted with execration, their persons made the objects of incessant hostility, but they paid spies to worm out the secrets of the seditious, and pursued their unswerving course in reliance on principles which had carried England, as they imagined, through worse storms than these."

In the unpopularity of the Administration the great Duke participated. Though it was impossible to overlook his transcendent claims to respect, and though he had not as yet taken any very active part in domestic politics, yet he was known to be of the Tory school, and connected indeed by ties of the closest sympathy with the hated Castle-reagh. Even his military eminence was no recommendation in the eyes of those who denounced soldiers as the instruments of tyranny, and who had scarcely been brought, even by a splendid succession of victories, to approve of an anti-democratic war. The indications, too, which he had given of his sentiments were not of a tendency to conciliate a suspicious public. As Master of the Ordnance, he had taken a seat in the Cabinet, had concurred in the prosecution of the Queen, and had spoken in terms of soldierlike bluntness about certain proceedings of the opposition. He was now, however, to do more. He was to become an influential member of the administration, and to bear his part, for good or evil, in the important changes which were to convert the British Government from what it was under George IV. to what it is under Queen Victoria.

For two or three years affairs proceeded without the occurrence of anything remarkable. At length, in February 1827, Lord Liverpool's faculties failed him. Mr Huskisson's Corn Bill and the Roman Catholic question were then under the consideration of Parliament; and when it became necessary for Lord Liverpool to resign, Mr Canning was sent for. A ministry formed under his redoubted leadership meant the introduction of Catholic emancipation as a Cabinet measure. The Duke, not being prepared as yet to stand godfather to such a measure, although he must have seen it was an ultimate necessity, resigned with the larger section of his colleagues. At the same time he retired from his other offices of Master-General of the Ordnance and Commander-in-Chief. To this high post he had succeeded on the Duke of York's demise. In 1828 he carried a motion in the House of Lords against Mr Huskisson's Corn Bill; but as he had been a member of the Government by which the measure was prepared, this opposition was considered scarcely justifiable. It occasioned an extraordinary agitation in the public mind, and the Duke and his colleagues were accused of a factious combination against the success of the new administration; it was even alleged that he desired the premiership for himself, and had opposed this measure to embarrass the Government. As this conduct of the Duke has been much canvassed by historical writers, and regarded as a flaw in his political reputation, we must briefly state what may be alleged in his defence. Lord Liverpool had heaped honours upon him in 1827. Besides the dignities we have mentioned, he had been appointed Colonel of the Grenadier Guards, and High Constable of Dover Castle, retaining his seat in the Cabinet. Thus, gratitude as well as party loyalty to his chief prevented him from separating from Lord Liverpool when he promised a sliding scale. His not resigning affords

no great presumption under the circumstances that he approved of the measure. In the give and take of practical politics he was bound to assent even if it had been directly proposed by his chief, but it was far otherwise when the ties of loyalty were dissolved, and a measure to which he was probably always opposed in conviction, came before him simply on its own merits. The Duke when asked by Canning to join his Cabinet, which he promised should adhere to Lord Liverpool's policy, had bluntly replied that he was afraid it would not; and, at all events, that the policy of Lord Liverpool's Cabinet had already been taking a turn of which he felt an increasing disapprobation. Mr Canning had represented the tendency in the late Cabinet which had been the subject of his disapproval, and this very tendency rapidly developed as he had expected it would. He answered the insinuation that he had thrown up his office of Commander-in-Chief, out of pique at not being called to be Prime Minister by the following declaration:—"Knowing my capacity for filling that office, and my incapacity for filling the post of First Minister, I should have been mad, and worse than mad, if I had ever entertained the insane prospect which certain individuals for their own base purposes have imputed to me." It is certain that the retirement of the Duke caused the breaking up of the Tory party, and the victory of new ideas, and the formation of new combinations. It was in the bitterness and confusion which resulted that Mr Canning died.

A new administration was now formed, under Lord Goderich, who (as Mr Robinson) had succeeded to the Chancellorship of the Exchequer, at the time Mr Canning became Foreign Secretary. The Duke of Wellington now resumed his post as Commander-in-Chief, but without accepting any ministerial office.

The new Cabinet was of short duration, and Lord Goderich resigned office on 8th January 1828. In this difficulty the King sent for the Duke of Wellington, who became Prime Minister of England within eight months after his own declaration that the office was wholly beside his powers. His Grace took the office of First Lord of the Treasury, resigning the command of the army to Lord Hill; Mr Peel returned to the Home Office; Mr Goulburn was named Chancellor of the Exchequer; Mr Huskisson and Mr Herries, whose dissensions had been fatal to Lord Goderich's government, were continued in their places—the former as Colonial Secretary and the latter as Master of the Mint.

In 1828 Lord John Russell, having carried in the House of Commons the repeal of the Test and Corporation Acts, by which dissenters were excluded from municipal office under the Crown, the Duke, in the House of Lords, expressed his approval of the principle involved, and notwithstanding the vigorous resistance of Lord Eldon, the bill was carried, and a great step was thus taken towards civil and religious equality.

Of course with this concession there arose a more violent agitation on the part of the Roman Catholics to be dealt with in the same manner, and to have their equally just claims conceded. The Clare election brought matters to a crisis. The Protestants of Ireland saw with alarm the enormous confederacy of an oppressed people, which rising up for the recovery of the simple rights of freemen, might, if they were denied them, turn upon those who were apparently to blame—their Protestant



fellow-countrymen. They formed Orange Societies and Brunswick Clubs for defence and aggression, and if the country was not in a state of civil war, it was only because its passions were held down by soldiery. A resolution, favourable to the claims of the Roman Catholics having passed the House of Commons, was brought before the House of Lords, and the Duke made a remarkable speech on the question. He put it solely on the ground of expediency, and the acquisition of clear and distinct securities; he said that he should be glad to see the disabilities of the Roman Catholics removed; but before he could consent to their removal, he must see something in their stead, which would effectually protect our institutions. He grounded his opposition, not on any peculiar doctrinal points of the Roman Catholic faith, but because of the nature of Roman Catholic Church Government. "What we do must be done by legislation; and although legislation has not effected this hitherto, I trust if it shall be deemed necessary, we shall do it fearlessly." "If the public mind was now suffered to be tranquil—if the agitators of Ireland would only leave the public mind at rest—the people would become satisfied, and I certainly think it would then be possible to do something."

The emergency became too pressing before the end of the year to admit of further hesitation. It is easy to say now that there was no real danger of civil war, and that if even had there arisen disturbances, nothing was easier for the Government than to crush them, and in doing so gain a new argument for resistance. But the Duke and Mr Peel were no bad judges, and they both came to the secret determination that a full and ample concession was the only way to avoid national disasters. It was not that they feared the success of civil war; they feared civil war for the wretched people who would be vanquished, more than for the loss and inconvenience to the victors. The King was the one great obstacle remaining, and such trusted counsellors only could have overcome his objections. On the 5th of February 1829 the astounding announcement was made in the speech from the throne, that Parliament "should take into their deliberate consideration the whole condition of Ireland, and should review the laws which impose civil disabilities on His Majesty's Roman Catholic subjects." The Duke and Peel pursued the course on which they had entered, with the firmness of the one and the statesmanship of the other. The Duke thus stated the conviction which had induced him to support the measure:—"I am one of those," said his Grace, "who have been engaged in war more than most men, and, unfortunately, principally in civil war; and I must say this, that, at any sacrifice, I would avoid every approach to civil war. I would do all I could (even sacrifice my life) to prevent such a catastrophe." There was no rebutting such arguments, although the opposition was most determined; the Duke carried his point, and in little more than a month the Relief Bill passed both Houses by large majorities, received the Royal assent, and became the law of the land.

What the Premier had now accomplished could not have been effected by any other statesman in the land. It must not, however, be supposed that this successful result so speedily and so unexpectedly achieved was without prejudice to the Duke's public character. He was denounced by Protestant societies as a traitor, the King himself was



angered, men of the old Tory school withdrew in disgust, the ministry was modified, and there was a rumour of strengthening the Wellington Cabinet by the admission of Earl Grey. There is one episode connected with this portion of the Duke's life too remarkable to be omitted. The Duke had been chosen patron of the new Collegiate Institution in the Strand, which under the name of King's College was destined to compete with the rival seminary in Gower Street. On the disclosure of the ministerial policy, Lord Winchilsea, writing to a gentleman connected with the new establishment, spoke of the Duke and his patronship in these terms:—"Late political events have convinced me that the whole transaction was intended as a blind to the Protestant and High Church party, that the noble Duke, who had for some time previous to that period determined on breaking in upon the constitution of 1688, might the more effectually, under the cloak of some outward show of zeal for the Protestant religion, carry on his insidious designs for the infringement of our liberties, and the introduction of Popery into every department of the State." These expressions coming from such a quarter, appeared to the Duke to call for personal notice, and after a vain attempt at explanations, the Duke attended by Sir Henry Hardinge, and the Earl of Winchilsea attended by Lord Falmouth, met in Battersea Fields on the 21st of March to fight with pistols on a question relating to religion. The meeting, however, was unattended by any fatal results; Lord Winchilsea, after receiving the Duke's shot, fired in the air, and then tendered an apology which was accepted, and so ended this extraordinary encounter.

Before passing from the subject of Catholic emancipation, it should be mentioned that this great question had been brought before Parliament between the years 1805 and 1812 by the Granville party, and the several motions then brought forward were defeated by majorities varying from 100 to 150 in the Commons, or still more decisive majorities in the Lords. In the year 1812 too, Mr Canning's proposals in favour of Roman Catholics were lost by 129; but this majority had fallen below 50 in 1813. In 1821 the change still more significantly appeared. Mr Plunkett actually carried a measure of concession through the Commons by a majority of 19, and Mr Canning was equally successful in 1822, as was Sir F. Burdett in 1825; but the bills were, of course, lost in the Lords, though by smaller majorities than before.

In this year (1827) the Duke received the appointments of Lord Warden of the Cinque Ports, and Constable of Dover Castle, and assisted in organising Mr Peel's new police.

Of the three great questions which the times were maturing for solution, the Duke in his ministerial capacity had now practically disposed of two. In the matter of Free Trade, he had given as much as he was asked for, and in that of Religious Freedom, he had even outstripped the desires of the public. But the third question, that of Parliamentary Reform, still remained for consideration, and it was upon this rock that his hitherto infallible sagacity was at length to make shipwreck.

A proposition for transferring the franchise from East Retford to Birmingham was resisted by the Government, who, aided by their former friends, defeated the motion. "The victory in this moderate

proposal had, in the end, the worst consequences of defeat ; it was the immediate cause of that great revolution—the Reform Act—which placed the empire in the hands of the Whigs, and excluded the Duke's party from power for many years. Propositions for parliamentary reform, for removing the civil disabilities of the Jews, and other liberal measures, were brought forward by independent members of the Whig party, and rejected by the ministers.\*

In the summer of 1830 Europe once more experienced the shock of a French Revolution which convulsed many of the European states, and transmitted its force across the British Channel. The popular party in Great Britain began to be affected by the spirit of the change. George the Fourth had expired just at this period, and was succeeded by the Duke of Clarence (8th June 1830). The death of the King was a fatal blow to the Duke's Government. With him had gone all that the Tories relied on, and the Liberals feared, in the personal influence of the sovereign. The new King was inclined to liberal measures, and well disposed towards the advocates of reform. A strong sympathy for the French and an ardent desire for improved institutions now began to spread rapidly throughout Great Britain and Ireland. In the latter country Mr O'Connell had organised his celebrated movement for the repeal of the Union, and in England the distressed condition of the agricultural labourers, and of a portion of the manufacturing classes, gave an overt action to the discontents of the people generally. The Duke from the outset opposed this movement, which he was at a loss to comprehend, and had recourse to strong measures of repression. He had committed himself by injudicious proceedings against the press, and he now damaged his credit still further by his attitude of unyielding and peremptory resistance to the public feeling. "At the present moment of national regret," says an eloquent writer, "it will hardly appear credible that England's hero should ever have fallen into such popular disesteem as was then exhibited, but the conjuncture was exceptional, and circumstances combined strongly against his credit with the nation. He had offended his old colleagues by his Liberalism, and his new allies by his Conservatism ; he had scandalised 'staunch Protestants'—never an uninfluential portion of the community—by surrendering his position ; and he was now to offend the unreasoning multitude by making a stand. Besides this, he was connected in popular rumours with the obnoxious Polignac, whom he was said to have abetted in his tyrannical attempts, and whose proceedings unluckily resembled his own in respect of his treatment of the press. Even the professional renown of the great captain rather injured than helped him at this gloomy crisis, for he was regarded as the personification of that force which might be employed against liberty, to the possible destruction of popular hopes. Stories went abroad of military preparations, special musters, and significant appointments, and even the cleansing of the Tower ditch, under the direction of the Duke as Constable of that fortress, though suggested simply by the removal of old London Bridge, was represented as a menace against the citizens of London. Though many years of better feeling have since elapsed, it is

\* Annual Register.



not without shame that we record the ebullitions of discontent which ensued. It was pretended that the Duke's life would not be safe in the city at the Lord Mayor's feast, and it is certain that the conqueror of Waterloo was hooted through Piccadilly, and that the windows of his residence were protected against his own countrymen by casings of iron. Under these hostile circumstances, a division was taken in Parliament on a question relating to the civil list, in which the Government were defeated. They resigned their offices (16 November 1830) and the Tories passed away for ever, and the Wellington party for ten long years.\*

Thus terminated the great Duke's ministerial career. When his party, after so protracted an eclipse, reappeared in 1841, under the new title of "Conservatives," he resumed, indeed, his place in the Cabinet, but without special office or active political duty. "From this time his capacity in the administration of the State acquired those peculiar features with which we are now so familiar. Without being professionally a member of Government, his aid was understood to be always available for ministerial councils, and the command of the army, which he had resigned on accepting the Premiership, but which had reverted to him in 1843, supplied a pretext, if any were wanting, for investing him with this exceptional function."

In 1832, the Reform Bill having for the second time passed the House of Commons, was sent up to the House of Lords, and the Duke and his supporters accepted the bill on its passing the second reading; but on a motion for postponing the disfranchising clauses, the ministers being defeated on a division, proposed to the King the alternative of a creation of peers, or their resignation. In these difficulties the Duke was again called upon to form a ministry. He recommended, in preference to his own premiership, that Mr Peel should be entrusted with the formation of a Government. But it was evident that an extensive measure of reform should be the first principle of any government, and Mr Peel and all the members of his party being conscientiously opposed to such a measure, it was found impossible to form an administration on such a basis, and the King was again obliged to renew his intercourse with the Whig ministers. Under these circumstances of danger, the Duke of Wellington and Mr Peel withdrew their opposition, and the great social revolution was effected 7th June 1832.

It is not necessary to follow the political course of the Duke for some years following this great change. Suffice it to say that the Reform Act utterly destroyed for the time the power of the essentially English or old Tory party.

In 1833, the Irish Church Bill was sent up to the House of Lords, and received the Duke's assent. The new charter of the Bank of England, the renewal of the East India Company's Charter, and the abolition of slavery, were introduced in the same year, and passed through the House of Lords without opposition.

The power of the Whig Government was now in the course of inevitable dissolution. The first blow was the secession of the Earl of Ripon, Mr Stanley, Sir James Graham, and the Duke of Richmond,

\* The anonymous writer before referred to.



on the question of interfering with the temporalities of the Church; the next was their total disruption from their Irish allies by the introduction of the Coercion Bill. The Coercion Bill was withdrawn, but the ecclesiastical questions continued to embarrass the Government, and several important measures were introduced and miscarried. The Melbourne Ministry, in this session, introduced their new Poor-law Bill, which passed both Houses with the decided approval of the Duke of Wellington. The Whig ministry still continued to fall in public estimation, when the removal of Lord Althorp to the House of Lords gave them a final blow. In this position of affairs, the Duke being called upon to attend the sovereign, advised the King to place Mr Peel at the head of a new ministry. He was then absent on the Continent, and the Duke took the duties of all the departments on himself, pending his return. Mr Peel arrived in London on the 9th of December, accepted the premiership, and his Grace retired from his multifarious duties to the single duties of the Foreign Secretary. From this period the Duke's time passed smoothly enough along. His transient unpopularity vanished with the decline of agitation, and he was soon again restored to the popular favour, and when the University of Oxford, in 1834, elected him its Chancellor, we may fairly consider that his compulsory Liberalism had been entirely condoned.

On the death of William IV., and the accession of Queen Victoria, the Duke of Wellington assisted at the coronation of her Majesty as Lord High Constable of England. Marshal Soult attended as the special ambassador of the King of the French, and the ancient antagonists met upon terms of the greatest cordiality. The veteran Marshal was loudly cheered by the people whenever he appeared in public.

A dissolution necessarily followed the demise of the sovereign. The general election produced little change in the relative position of parties. Lord Melbourne still remained in office, and the Duke of Wellington in the Lords, and Sir R. Peel in the Commons, directed the opposition. In the beginning of the year 1839, a bill was introduced by the ministers for suspending the constitution of Jamaica. The measure was opposed by Sir R. Peel and the Conservative party. The Government having carried the second reading by a majority of *five* votes only, immediately resigned. Sir R. Peel was called upon to form a ministry, but owing to an unexpected obstacle arising from changes insisted upon by Sir R. Peel and the Duke of Wellington in the household appointments, and which the young Queen was unwilling to make, Sir Robert declined pursuing the task, and Lord Melbourne and the Whigs resumed office.

In the course of this session, the Duke, speaking on the subject of the defence of the country, commented severely on "the extreme weakness and tottering condition of our naval establishments." The same subject was afterwards, in the year 1848, brought more prominently before the public in the Duke's celebrated letter to Sir John Burgoyne.

It would be outside the scope of this memoir to attempt to follow the history of the noble Duke through all the important changes and events which took place from this period up to the time of his death. They are all matters familiar to every student of the history of those eventful times. In the peculiar capacity which he occupied, though he

was a Conservative by descent and tradition, it cannot be fairly alleged that he was bigotedly attached to party distinctions; the course of events towards the close of his career, tended still more effectually to obliterate those political landmarks which had existed at the beginning. He knew "that the Queen's Government must be carried on, and this Government could be carried on much more smoothly with his co-operation than under the disapproval, however tacit, of so distinguished a subject. So he did the best in his power for all, discharging his duties with nearly the same cordiality, whether a Whig or Tory premier was at the helm, and regarding the general efficiency of the state machinery as a more important consideration than the traditions of the party in power. If he was not one of Her Majesty's advisers by office, he was incontestably so in fact, for no character of history was ever summoned more frequently to give counsel to royalty in straits. Whether the embarrassment was a sudden resignation of the ministry, or an imperfect conception of an administration, or a bedchamber plot, or a dead lock, it was invariably the Duke who was called in—sometimes as a man who could do and say to others of all ranks and parties what could be said and done by no other person living, sometimes as an arbiter in whose decision all disputants would concur." The private life of the Duke was simple, methodical, and familiar in most of its features to all inhabitants and visitors of the metropolis. He married, in 1806, the Hon. Catherine Pakenham, third daughter of the second Baron Longford. The Duke survived her twenty-one years, and died in September 1852, leaving two sons. "Full of years beyond the term of mortality, and of honours almost beyond human parallel, he descended to the grave amid the regrets of a generation who could only learn his deeds from their forefathers, but who knew that the national glory which they witnessed, and the national security which they enjoyed, were due, under God's providence, to the hero whom they had just lost."

We will conclude our memoir with a brief extract from the "Queen's Journal," containing the sovereign's testimony to the worth of her greatest subject.

"We got off our ponies, and I had just sat down to sketch, when Mackenzie returned, saying my watch was safe at home, and bringing letters. Amongst them there was one from Lord Derby, which I tore open, and, alas! it contained the confirmation of the fatal news—that England's, or rather Britain's pride, her glory, her hero, the greatest man she ever had produced, was no more! Sad day! Great and irreparable national loss!

"Lord Derby enclosed a few lines from Lord Charles Wellesley, saying that his dear grandfather had died on Tuesday at three o'clock, after a few hours' illness and no suffering. God's will be done! The day must have come; the Duke was 83. It is well for him that he has been taken when still in the possession of his great mind, and without a long illness—but what a loss! One cannot think of this country without the 'Duke'—our immortal hero!

"In him centred almost every earthly honour a subject could possess. His position was the highest a subject ever had—above party, looked up to by all, revered by the whole nation, the friend of the sovereign,—



and how simply he carried these honours! With what singleness of purpose, what straightforwardness, what courage, were all the motives of his actions guided. The Crown never possessed, and I fear never will, so devoted, loyal, and faithful a subject—so staunch a supporter! To us (who, alas! have lost now so many of our valued and experienced friends) his loss is irreparable; for his readiness to aid and advise, if it could be of use to us, and to overcome any and every difficulty, was unequalled. To Albert he showed the greatest kindness and the utmost confidence. His experience and his knowledge of the past were so great, too; he was a link which connected us with bygone times—with the last century. Not an eye will be dry in the whole country.

"We hastened down on foot to the head of Loch Muich, and then rode home, in a heavy shower, to Alt-na-Guitha-sach. Our whole enjoyment was spoilt; a gloom overhung all of us.

"We wrote to Lord Derby and Lord Charles Wellesley."

#### CHIEF-JUSTICE SCOTT—EARL OF CLONMEL.

BORN A.D. 1739—DIED A.D. 1798.

THE lives of some of the Irish judges of former days present most curious pictures of the times in which they lived. Among the most singular is that of the judge we are about to trace—John Scott, first earl of Clonmel.

The Scotts had settled in Tipperary, where they obtained land and dwelling, after the defeat of the adherents of the house of Stuart. They won their possessions at the sword's point, and held them by the same tenure. The chief-justice himself was always ready to show the martial qualities of his race. His grandfather, Captain Thomas Scott, died on the field of battle, leaving a son Michael, who married Miss Purcell, daughter of the titular baron of Loughmore. From this union was born, on the 8th of June 1739, John Scott, the future chief-justice.

Clonmel, the chief town of the county Tipperary, possessed an endowed school, in which the members of the then dominant church received a classical education. The penal laws were in force, and Protestants had a monopoly in all that was worth possessing—learning especially. When qualified to seek university honours, Mr John Scott repaired to Dublin, and entered there on his university career. In the diligent acquisition of learning, for which at all times Trinity College, Dublin, was renowned, the young Tipperary student passed some years, and having obtained his degree, his future profession was selected. The bar, holding out the attraction of fame and fortune to those of its body who possessed the qualities to command success, appeared to the ambitious young student the best path for him to follow. Accordingly, his parents yielded to his wishes, furnished the requisite funds, and he entered his name as a law student in the Middle Temple in 1761.

Scott had a numerous acquaintance in London, and among his contemporaries were many who subsequently acquired high rank at the



Irish bar. Yelverton, afterwards chief baron Lord Avonmore, and Hugh Carleton, chief justice of the Common Pleas, and Viscount Carleton were his constant companions. Even at this period Scott's unblushing effrontery so conspicuously displayed itself, that, associated with his bronzed visage, he obtained the *sobriquet* which stuck to him through life, of *Copper-faced Jack*. He never was at a loss for anything that was to be had for asking; and, no doubt, borrowed freely when his own funds ran short. We are indeed told Mr Scott was at times poor, and it is supposed his subsequent call to the bar could not have been effected without assistance, or at least, not without much difficulty.\*

Mr Scott was called to the bar in 1765, and his readiness as a speaker, with the aptitude which he possessed for business, soon procured him practice. There were many inducements to idleness and debauchery then corrupting the young men of the time. The mind sickens at the traditions of social reunion where the charter toast was "The Devil and damnation to all."† Clubs existed into which no one was admissible who failed to prove he had outraged morality, fought three duels attended with loss of blood, and drank six bottles of wine at one sitting.‡ When the streets at night were infested by ruffians who called themselves gentlemen, insulted every woman, and quarrelled with every man they met, and stabbed many, calling out "pink him!" These and other relics of a barbarous age no longer terrify the peaceful, and disgust the lover of law and order.

But Mr Scott prudently determined to take a step which would keep him clear of these evil associations; in 1767 he resolved to marry, and to make a prudent choice, took a careful note of the endowments of his lady friends. He fixed upon a young widow, Catherine Mary-Ann Rae, widow of Philip Rae, who possessed L.300 a year, settled by her father Mr Thomas Matthew, on herself, and an equal sum on the two daughters of her first marriage. As Mr Scott had nothing whatever beyond his professional prospects, and his income at the bar being then very moderate (for he was not long called), Mr Matthew discouraged his attention to his daughter. But it was not in the nature of John Scott to be deterred by obstacles. He pressed his suit to the widow with such energy that she consented to unite her fortune to his, and it is stated that a clandestine marriage took place, which was afterwards more publicly ratified in the presence of the bride's father.

At this period of Ireland's history party politics occupied a large share of public attention. The popular passions were fired by the patriotic ardour of Charles Lucas, a medical doctor who, by voice and pen, attacked the British Government for its unjust treatment of Ireland. He influenced several ambitious youths to aid him. Foremost among this body was the young barrister, John Scott. He rivalled Lucas in his denunciations of the Government, and soon became a member of the Irish House of Commons. He was elected for the borough of Mullingar in 1769, and entered with spirit and intrepidity into the arena of party warfare. He held his ground more cautiously,

\* Irish Political Characters.

‡ The Cherokee Club.

† The Hell-Fire Club.

however, than Dr Lucas, who had expressed himself, both orally and in print, in such terms as to be brought under the censure of the House of Commons, and at length, to avoid arrest, fled to England. The great question which occupied men's minds at the time was the right claimed by the Irish House of Commons to originate money bills. This was denied by the Parliament of England, and led to a very angry controversy. To detach Scott from the national party, and obtain the assistance of his talents for the Government, which, unfortunately, has too often mistaken its proper function, and resisted, instead of directed the popular aspirations, Lord Lifford, then Chancellor, held forth the bait of office. Scott, like most men, had his price; the secret springs of his action have recently been laid bare by the publication of his "Diary," and the selfishness of his nature readily caused him to lend a willing ear to the seducing promises of the Lord Chancellor. The zeal of the patriot cooled, and the voice that thundered forth denunciations on the Government, for the conduct pursued towards Ireland, took an altered tone. In 1770, when Scott had been only five years called to the bar, he received a silk gown as king's counsel. Scott was in the habit of keeping a diary, and in this strange record of his career speaks for himself with a curious display of ambition at work.\* Under the date, Thursday June 2, 1774, we read:—"I am, I believe, thirty-five years old this month. Just nine years at the bar, near five years in Parliament, about four years king's counsel. To-morrow (Friday) Trinity term sits. I therefore resolve to enter upon my profession, as upon a five years' campaign, at war with every difficulty, and determined to conquer them. I have given up wine. I will strive to contract my sleep to four, or at most six hours in twenty-four, give up every pursuit but parliamentary and legal ones. If I can realise L.2000 per annum I will give up business as a lawyer, or confine it merely to the duty of any office that I may fill. I will exert my industry to the utmost in law and constitutional learning for these five years, so far as temperance, diligence, perseverance, and watchfulness can operate, and then hey for a holiday."

It would appear as if he was examining how the great men of former days distributed their time. He states:—"The most diligent distribution of time is two-thirds for business, one-third to sleep, exercise, eating, and drinking, and idleness. The next is one-half to business, the other to idleness and refreshment. The third is one-third to business, one-third to society, and one-third to exercise and sleep."

The learned advocate also laid down the following rules for his guidance in order not to be unprepared in court. We can form a notion of his earnestness by the strong language he used:—"The pains of the d—d are not equal to the horrors of going to court unprepared, and the fact of losing your reputation, and going down in it. Whilst, therefore, you have one atom of business undone, give up every object, pursuit, pleasure, avocation, diversion, banish everything from your mind but business, the business of your profession. Quarter of an hour to breakfast—one hour only to dinner, when alone—two to exercise, four to bed—quarter to rest in a chair after fatigue—wine."

\* "Ireland before the Union," by W. J. Fitzpatrick, J.P.



He allowed less time to sleep than Lord Coke, whose distribution of the twenty-four hours ran thus :—

*Sex horas somno, totidem des legibus æquis,  
Quatuor orabis, des epulisque duas,  
Quod superest ultra sacris largire camœnis.*

We rather think he never put in practice his axiom, for he appears to have been, at all times, foremost in the convivial parties of Dublin, and his engagement to abstain from intoxicating drink, was, no doubt, influenced by the constant dissipation in which he was involved.

Scott obtained the office of Solicitor-General for Ireland in the room of Godfrey Lill, appointed Justice of the Common Pleas on 15th December 1774. Philip Tisdall, a very eminent leader of the Irish bar, was then Attorney-General, and Scott and he were the Irish law officers until Tisdall's death in 1778, when Scott became Attorney-General and Privy Councillor. He was a man of very versatile talents, and could apply himself very closely to business when he liked.

I suspect few Attorneys-General rigidly follow such a course as Mr Scott marked out :—"He should rise at four in the morning. He should read without fire, standing, if possible, until eight; he should exercise, bathe, and dress at nine; he should see all persons until eleven; he should apply every minute to three in court business; to four he should set down the report of the day. He should not drink wine at dinner, and eat but of few things, and not much. He should not drink wine after seven, and from eight to twelve he should apply to business."

Fox was a far-seeing politician. When Lord Lifford, then Lord Chancellor of Ireland, advised the Lord-Lieutenant, Lord Townshend, to secure the service of Mr Scott for the Government, and the aspiring barrister yielded with the cynical remark, "My Lord, you have spoiled a good patriot," Fox was of opinion the ministry mistook their man. In a letter written by Fox to Lord Northington, who succeeded Lord Townshend as Viceroy, he remarked: "I hear many of our friends disapprove of the idea of advancing Scott and Fitzgibbon. You know I am no enemy to coalitions; but take care, when you are giving great things, to oblige those to whom you are giving them, that you do not strengthen an enemy instead of gaining a friend."\*

The state of the country is thus described by Scott, in a letter dated April 13, '79—"This kingdom is in such a state as puzzles all comprehension as to what it may do; a multitude of idlers, miserably poor; a debt, small as it is, without a shilling to pay interest, the skeleton of a force, not in His Majesty's service, which it may be difficult to deal or madness to meddle with; taxes to be imposed, and no material for imposition; a great deal of ignorance; a great deal of prejudice; a most overgrown hierarchy, and a most oppressed peasantry; property, by some late determination of the lords upon covenants for perpetual renewals of leases, very much set at sea, and by no means adequate to a multitude of families to supply its place; rents fallen, and a general disposition to riot and mischief. I think in next session administration

\* "Grattan's Life," by his son, vol. iii. p. 112.



will be often beaten, though I really think Lord Bucks an honest, faithful servant of the Crown, and his Secretary a faithful servant to his master. Come what will, you shall hear of me at the right side; and though I should never look you again in the face, I will not run away.”\*

He certainly made a true statement when he declared “he would not run away.” He was ever ready to support his assertions with sword or pistol. His mode of speaking was thus described by Grattan:—“He struck his breast, slapped his hat constantly, appealed to his honour, and laid his hand upon his sword.”

He possessed a great fund of humour, and told comic stories when he could not convince by argument. If the reasons to be encountered were such as he could not answer, he drew upon his unflinching resources of sarcasm. All the light artillery of jests, bon-mots, popular squibs, and witticisms of the day, were peculiarly his property, and he made liberal use of them. He and Flood were continually badgering and stinging each other. Bushe had originally brought forward the Mutiny Bill, which was seconded by Henry Grattan. Flood took the conduct of the measure into his own hands, and made a violent speech, in which he charged the ministerialists with corruption. Scott, the Attorney-General, in reply, said, “There is not any reason for the hon. gentleman’s (Mr Flood’s) frequent mention of corruption; if a rebellion could be raised, no man possesses more ability to promote it—if stopped, no man possesses greater abilities to allay it. Thus, powerful as he is, I hope he will consider the people, and that his wrath may not be like that of Achilles, only to be appeased by the blood of his country. I perceive, Mr Speaker, that we are all growing warm, and if the house will permit me, I’ll tell you a story, which may help to bring us into better temper (Loud cries of ‘hear hear’). When I was at the Temple, there was a parish clerk who used to raise the psalm, and who went by the name of *Harry Plantagenet*; I had taken it into my head that the family of *Plantagenet* was quite extinct, and was induced, by curiosity, to ask this man how he came to be called by that name. Accordingly, I went to him one day and mentioned my wish to know his story. ‘I was once a king, sir, said he, and reigned with uncontrolled dominion over hounds and greyhounds, beagles and terriers, by which I have acquired this name; but if you please, I will relate the story at large.’ *Go on Harry*, said I. ‘I lived in the neighbourhood of Windsor Forest when I was a boy, and used frequently to divert myself by hunting the king’s deer, for I always loved to hunt the *king’s* deer.’ *Go on Harry*, said I. ‘I halloed and I shouted so loud and so often, that there was not a dog in the park but what obeyed my voice, not a lad in the forest but attended my call.’ *Go on Harry*, said I. ‘At last, sir, the chief huntsman, perceiving what command I had over the dogs and the sportsmen, resolved to take me into his pay.’ *Go on Harry*, said I. ‘I accepted of his offer, but I soon found myself so much at my ease, that I grew indolent and insisted upon riding out to hunt in *furniture*, for I always loved to hunt in furniture.’ *Go on Harry*, said I. ‘I was indulged with furniture, but I soon perceived that the younger fellows,

\* “Ireland before the Union,” by W. J. Fitzpatrick, p. 6.

who could now outstride me, became greater favourites with the chief huntsman.' *Go on Harry*, said I. 'This stung me to the quick, and I determined to pick a quarrel about some of the fringe of my furniture which was torn, and which I would have repaired at the chief huntsman's expense.' *Go on Harry*. 'I immediately began to hunt in opposition; but not a dog obeyed me, not a sportsman attended my call.' *Go on Harry*. 'I halloed and I roared and I shouted until I was weary, but still without any effect. I had the mortification to find that I had totally lost my influence in the forest, and I retired to this parish to devote the rest of my days to the making of my soul, and I now raise the psalm and join in the thanksgiving.' This, sir, is the story of *Harry Plantagenet*, and his story I would apply to every man who cannot be quiet without expense, or angry without rebellion." The Attorney-General told this story with great humour, and the application was so obvious the house waited with impatience for the reply of Mr Flood. He said, "I cannot perceive the smallest similitude between this story and my situation, except that my name is *Harry*. I have, indeed, been a huntsman, but then I was never a whipper-in. But the right hon. gentleman has the happy talent of turning everything to his advantage. When he became an object of popular resentment, he traversed the streets with a guard—he looked melancholy at the bar—sighed in the House—cried in the council—and blubbered in the ante-chamber. The people were astonished, the women went into mourning, the Government thought all her functions were suspended, and nothing could allay the general concern, but a plentiful reversion for the right hon. gentleman. When the fleets of England, at a great expense, made a number of little descents upon the French coast during the last war, it was wittily said, that we were breaking panes of glass with guineas; and though his house is filled with the richest and most elegant furniture, yet I will venture to say, that no part of it cost so much as the *crown glass* with which his windows were repaired." This allusion to the crown glass was a taunt against the Attorney-General, who was so much disliked during the excitement caused by the announcement of new taxes, that the mob sought him in the courts to offer him personal violence. Not being able to find him, the rioters proceeded to his house in Harcourt Street, and broke his windows, which, from Flood's speech, we may presume, were repaired at the public expense.

Scott and Flood had constant bickerings. As they were both entering the House of Commons on the first night of the session, Scott said, "Well, Flood, I suppose you will be abusing me this session as usual?" "When I began to abuse you," replied Flood, "you were a briefless barrister; by abuse I made you counsel to the revenue; by abuse I got you a silk gown; by abuse I made you Solicitor-General; by abuse I made you Attorney-General; by abuse I *may* make you Chief-Justice. No, Scott, *I'll praise you*." The Attorney-General seems to have caught the spirit of liberty which prevailed in the year 1782. When Grattan brought the Bill of Rights before the House of Commons, Scott made a speech in its favour, which startled the occupants of the Treasury Bench. He used such language as never fell from the lips of an Attorney-General before or since. "He thought it better that



the object of the British laws should be doomed to destruction, than that his country should be held in even a supposed state of absolute slavery. He, therefore, did as a lawyer, a faithful servant of the Crown, a well-wisher to both countries, and an honest Irishman, and in the most unqualified, unlimited, and explicit manner, declare his opinion that Great Britain has no right whatever to bind his country by any law. If the tenure of his office was to be the supporting opinions and doctrines injurious to the undoubted interests of Ireland, he held it to be an *infamous* tenure; and if the Parliament of Great Britain were determined to be the lords of Ireland, *he was determined not to be their VILLAIN* in contributing to it." "I owe," he said, "the avowal of these sentiments to Great Britain, to my country, and to myself." Although Scott appears to have been surprised that the Government was dissatisfied with his speech on this occasion, no one else could feel wonder at it. He addressed the following remonstrance to Judge Robinson, in reference to the report that he (Scott) would be deprived of his office:—

"DUBLIN, April 26, 1782.

"You are not unacquainted with my situation and services, having been for twelve years, either Counsel to the Revenue Board, or Solicitor, or Attorney-General. His Majesty and his ministers have done me the honour to approve of my conduct in these different stations under the Crown. I have given no offence except to the rabble, in supporting what, as a man of honour and truth, I believed to be the laws of my country. I hear now, with astonishment, and with some degree of indignation, that I am to be removed, and when I asked Mr Fitz-Patrick whether I might hope for the same favour which I had experienced from former administrations, and whether my future conduct was to be the test of my pretensions under the Duke of Portland's administration, he answered me drily, 'that he did not know the sense of Government on that subject.'

"Now, only imagine the folly of such treatment to a man who is to be dismissed merely for doing his duty faithfully. I have, at the peril of my life, in a time of violence, asserted the law of the land; accepted too as such. His Grace of Portland, an English official, strips me of the station and honour, which I have acquired through five successive English administrations fairly, gradually, and honestly." \*

The Government, however, was not going to allow their law officer to use such language as the Attorney-General used, a second time, and his resignation was the consequence of this oration. He was succeeded in his office by a contemporary who also entered life as a flaming patriot, but unable to resist the blandishments of ministers, ended by supporting their measures, though opposed to his ancient professions. This was Barry Yelverton. The conduct of John Scott, however, proved no permanent bar to his advancement.

On the 31st of December 1783, he became Prime Serjeant. This gave him precedence of the bar, and was a position highly prized. He did not retain it long; a higher honour was in store for him. On the death of the old Chief Justice Lord Annaly, the Court of King's

\* "Ireland before the Union," p. 14.

Bench received in his place the Prime Serjeant, with the grandiose title of Baron Earlsfort of Lisson Earl. His promotion, it would appear, was opposed by the Duke of Portland; for John Claudius Beresford, writing on the 19th of June 1784 to his friend Judge Robinson, says:—"Scott,—I beg pardon, his Lordship is at this moment the happiest of men, just in the situation he could wish for. He wants nothing but the satisfaction of sitting in judgment on his Grace of Portland, who would have a poor chance of escaping the Chief-Justice."

From an entry made in the Chief-Justice's diary on June 23rd 1784, he appears to have intended to give himself to close application. "Five years married this day, forty-five years old, five years reading, at twelve hours a day, would establish my reputation on the bench, and make the rest of my life easy. Cromwell would have done it, and did a thousand times more." This secret comparison with Cromwell is extremely amusing, as showing how widely they who clamber from the mud to a certain height, may err as to the elevation they have attained, and their place in the category of great men.

The entry on 25th April 1787 displays a very hostile feeling towards many who deserved better treatment from him: "The first sitting day of Easter Term St Mark's day. Three years this term, chief justice; twenty-two years this term called to the bar; Lord Chief-Justice Paterson, my very sincere friend, dead; his intended successor Carleton, a worthless wretch, though I was his maker.\* Lord Chancellor Lifford, a declining insincere trickster.† Lord Pery and the Provost, old, watchful, adverse jobbers.‡ Bennet, likely to ascend the King's bench, is adverse to me. Henni, his kinsman, is at best a fool. Bradstreet, able, double, and dying. Thus I stand a public character *alone*; but at the head of the Law Courts, assistant speaker of the House of Lords, and in receipt of L.15,000 per annum." This extract shows the learned chief justice had not much respect for his colleagues. Boyd, another judge of the King's Bench, is described by O'Connell as so addicted to brandy, that he kept a quantity on the bench before him in a vessel shaped like an ink-stand, he had a tube made like a pen through which he sucked the liquor he loved, and flattered himself he escaped observation.

That the Chief-Justice entertained a proper sense of his exalted position, appears from the following extract:—"King's Bench, after great deliberation, seems to me to be the best and only anchor to hold everything valuable in public and private life by. It keeps me in connection with the government and power of both countries; it connects me with the first society in this; it preserves my person from insult, my property from attack; it secures civility from the highest, and respect from the lowest; it makes many friends, or keeps down enemies; it tends to preserve discipline, regimen, and health, and leads to fame, and perhaps to many domestic comforts; for to be respected, one must be looked up to even by wife and children. Chief-Justice

\* Carleton had been his benefactor, and it was he who enabled Scott to get called to the bar.

† It was the Lord Chancellor who recommended Scott for official employment.

‡ Robert Henry John Hely Hutchison, among various offices was Provost of Trinity College, Dublin.



may be made everything; Earl is actually nothing in society. The Court duties and attendance, without circuit, are but three months in the year. Undertake it with spirit, vigour and resolution; grapple to it; prove fond of it; be vain of it, determining to live and die Chief-Justice.—*Deo faventi.*"

When his Lordship solaced himself with thinking the judicial dignity preserved, "his person from insult, and his property from attack," he made a very great mistake. The *Dublin Evening Post*, of which Mr Magee was proprietor, having in a series of articles laboured to deprive a Mr Higgins, popularly known as the Sham Squire of his undue importance, the Chief-Justice signed a fiat, directing the issuing of a writ whereby Magee was arrested, and required to find bail to the amount of L.7,800. This was tantamount to perpetual imprisonment, so the case was brought before Parliament by Geore Ponsonby, and Arthur Browne, both very able members of the Irish Bar. The rare instances in which such a course was adopted in England, were referred to, and the case of the Duke Schomberg, who obtained a fiat from Chief-Justice Holt, against a man named Murray for charging him (the Duke) with having cheated his sovereign and the army. The Chief-Justice of England ordered Murray to find bail, two sureties of L.25 each, and himself in L.100, while the Chief-Justice of Ireland required Magee to find bail L.7,800."

The conduct of the Chief-Justice in this affair was wholly indefensible. The number of squibs and pamphlets printed against the arbitrary conduct of the Chief-Justice would fill a room, and an Act was passed preventing any repetition of this conduct, which Scott thus notices, under date of May 5th 1791: "this day is remarkable as the conclusion of Lord Westmoreland's detested administration, and the passing of twenty-five laws, one of which I shall not forget, as made directly against myself."

The Chief-Justice, though professing civility to the bar, got into a very severe scrape in 1789. He treated a barrister named Hackett with such rudeness that the bar took it up, and made common cause with the assailed Counsel. A bar meeting, presided over by the father of the bar, was held; a very strong resolution, condemnatory of the conduct of the Chief-Justice was passed, with only one dissident, and the meeting agreed, "that until the Chief-Justice publicly apologised, no barrister would hold a brief, appear in the King's Bench, or sign any pleadings in that Court."

The bar adhered firmly to their resolution. The judges sat, but the bar benches were empty; no attorneys were visible, and their lordships had the court to themselves. The Chief-Justice had no option; he published a very ample apology in the newspapers; and, with much tact made the date appear as though it were written voluntarily, and without the vote of censure from the bar.

In August of this year (1789), the Chief-Justice was advanced in the peerage, and created Viscount Clonmel. He did not think this rank high enough, and in 1793 was dignified as Earl of Clonmel.

The indiscretion of a judge attempting to interfere with a person in his business transactions is clearly illustrated by the conduct of the Chief-Justice towards Mr Byrne, a printer, who advertised a report

of the trial of Hamilton Rowan in 1794. The following dialogue is said to have taken place between the Chief-Justice and the printer :—

Chief-Justice : “Your servant, Mr Byrne. I perceive you have advertised Mr Rowan’s trial.”

Mr Byrne : “The advertisement, my lord, is Mr Rowan’s; he has selected me as his publisher, which I think an honour, and I hope it will be profitable.”

Chief-Justice : “Take care, sir, what you do. I give you the caution; if there are any reflections on the judges of the land, I swear I’ll lay you by the heels.”

Mr Byrne : “I have many thanks to return to your Lordship for the caution. I have had many opportunities of going to Newgate, but I have never been ambitious of that honour, and I hope in this case to avoid it in the same way. Your Lordship knows I have but one principle in trade, which is to make money of it; and that, if there were two publications giving different features to the trial, I would publish both. There is a trial published by Mr McKenzie.”

Chief-Justice : “I did not know that; but say what you may upon the subject, if you print or publish what may inflame the mob, it behoves the judges of the land to notice it; and I tell you plainly, if you misstate my expressions, I will lay you *by the heels*. One of Mr Rowan’s advocates set out with an inflammatory speech, mistaking what I said, and stating what I did not say. I immediately denied it, and appealed to the court, and the gentlemen who were in it, and they all contradicted him, as well as myself. These speeches were made for the mob, to mislead and inflame them, which I feel it my duty to curb. If the publication is intended to abuse me I don’t value it. I have been so long in the habit of receiving abuse that it will avail little. But I caution you how you publish it; for if I find anything reflecting on, or misstating me, *I’ll take care of you*.”

Mr Byrne : “I return your Lordship many thanks.”

The advocate alluded to by the Chief-Justice was Mr Curran, who in truth did not spare the judge. It was in Curran’s defence of Rowan that he delivered the well-known passage on the irresistible genius of universal emancipation. The Chief-Justice certainly suffered great annoyance from the *Dublin Press*, but not without great provocation. He persecuted Magee, the proprietor of the *Dublin Evening Post*, by issuing fiats which consigned the proprietor to prison. When Magee got out he rented a field, which he called “Fiat Hill,” adjoining Temple Hill, the handsome demesne of the Chief-Justice. Here Magee caused all the roughs of the city, and country, to assemble, and enjoy what he called “A GRAND OLYMPIC PIG HUNT.” There was drink provided for all-comers, and a vast crowd assembled.

The result may be easily imagined. No sooner were the pigs unloosed than they attempted to escape from their noisy pursuers on Fiat Hill, in the silent and well-kept grounds of the Chief-Justice. Mobs are no respectors of persons, no more than pigs, and the half-intoxicated multitude scaled the fences, broke through the hedges, and trampled the flower beds, in the joyous excitement of this Grand Olympic Pig Hunt. To the great rage of the Earl of Clonmel, Magee’s *fête* proved



very successful in the object he had in view. The grounds of Temple Hill were left in a most dilapidated state.

Curran never pulled well with the Chief-Justice. Both Curran and the Right Hon. Mr Ponsonby, brought the conduct of the Chief-Justice relating to the granting of fiats before the House of Commons, where the course he had pursued was considered indefensible.

We have already alluded to Higgins, popularly known as the Sham Squire. He was much patronised by the Chief-Justice. When Magee was brought before the King's Bench on a fiat, he referred in his defence, to the notorious "Sham Squire."

"I will allow no nicknames in this Court?" exclaimed the Chief-Justice.

"Very well, John Scott?" was the retort of Magee.

Old age with its infirmity was now rapidly closing in upon the Earl. It is said that, meeting a young chimney sweep, whose smiles beamed through the sootiness of his skin, the veteran said with a sigh, "I would rather be a young sweep than an old judge."

In the Spring of 1798 he was very feeble, and was reported dying. Curran was asked: "Do you believe Clonmel is near his death?" "I believe," replied Curran, "he is scoundrel enough to live or die just as it suits his own convenience."

But the hour was at hand when, whether it suited his Lordship's convenience or not, he should obey the dread summons. He expired on the 23d of May 1798.

#### CHIEF-JUSTICE LORD NORBURY.

BORN 1740—DIED 1831.

JOHN TOLER, Lord Norbury, Chief-Justice of the Court of Common Pleas in Ireland, was born at Beechwood, in the County of Tipperary, on first July 1740. Mr Toler, when dying, called his son John to his bedside, and told him, "that to sustain the credit of the family, he left the estate to his elder son, Daniel, while he (John) should be content with a legacy of fifty pounds," and, drawing from beneath his pillow a pair of silver-mounted pistols, he bade John "never to omit displaying the valour of an Irish gentleman in resorting to his weapons."

Daniel became Member of Parliament for the county of Tipperary, and John, having selected law as his profession, was called to the bar in 1770.

The state of society in Ireland when John Toler commenced practice was as much suited to call forth his prowess with his pistols as his abilities as a lawyer. Law, as a science, was known but to few, or avoided; as a knowledge of technicalities was rather hazardous, when a special pleader would have to fight his battles twice over—with arguments first and pistols afterwards. It was considered persona! to demur to a declaration. Every man defended his own arguments by an appeal to arms, and wager of battle was a common plea. Into this body, in which personal courage and readiness to take short notice of trial by pistols were great ingredients of success, John Toler entered, and soon gave

indications of his vigour and courage. He was not burdened with any legal lore. The reports he was best acquainted with proceeded from his hair-triggers. He had personal qualifications, too, which were of considerable use. A loud voice, dauntless assurance, a happy vivacity, which ever produced merriment, and an imperturbable coolness, not to be disturbed by the noise and bustle of a *nisi prius* trial. He soon got into considerable practice, and we find that he shortly entered the Irish House of Commons, being elected member for Tralee in 1776.

This was the time to make himself useful to the Government; his eldest brother represented Tipperary, and supported the administration, so that he caused it to be known at head quarters that his own life, as well as his brother's vote, was at the service of the ministry. In order to prove his sincerity in the first offer, he resolved to "put down" one of the leading members of the popular party, Mr Napper Tandy. This gentleman had often declared his willingness to fight, and Toler was very ready to afford him the opportunity, but saying is one thing, and doing another. Tandy met the ministerial gladiator so tardily that he lost caste, while the champion of the Government rose in public estimation. The Irish Parliament at this period, and thence till 1797, was singularly constituted. The ablest men of the time, Grattan, Curran, the Ponsonbys, Forbes, Bowes, Daly, and many others, were a phalanx in opposition to the Government, and to seduce the talented, or intimidate the weak-hearted, was the mode of treatment adopted by the ministry.

The most prodigal offers were made to induce young men of ability to become adherents to the Court party, while men such as Toler were ready to convert a debate into a sort of tragi-comedy; in which he and Sir Boyle Roche played the principal parts. No means of giving personal offence seems to have been spared on these occasions, and it certainly was carrying the freedom of Parliamentary speaking to its utmost limit, when the following language, used by Mr Toler in reply to Mr George Ponsonby, an eminent lawyer, afterwards Lord Chancellor of Ireland, was allowed to escape the lips of any one pretending to be a gentleman: "What was it come to, that in the Irish House of Commons, they should listen to one of their own members degrading the character of an Irish gentleman by language that was fit but for halooing a mob? Had he heard a man out of doors using such language as that by which the honourable gentleman violated the decorum of Parliament, *he would have seized the ruffian by the throat and dragged him to the dust.* What was the House made of that could listen with patience to such abominable sentiments? Sentiments, thank God, which were acknowledged by no set of men in this country, except that infamous and execrable nest of traitors who were known by the name of United Irishmen, who sat brooding in Belfast over their discontents and treasons, and from whose publications he could trace, word for word, every expression the honourable gentleman had used."\* This direct attempt to involve Mr Ponsonby in a hostile meeting was unsuccessful. That gentleman allowed his high character to refute the slanderous insinuations of the learned bully. But there were plenty of fire-eaters then in the House ready to humour him.

\* Irish Parliamentary Debates, Feb. 1797.



One of them was Sir Jonah Barrington, whom he attacked with great bitterness. The reply was, "I shall give the honourable member the character developed by his versatility. He has a hand for *every man and a heart for nobody*." This sarcasm called forth a reply with a gesticulation not to be misunderstood. Both parties left the House, and were pursued by the serjeant-at-arms. In hurrying along, Toler was detained by the skirts of his coat catching in a door, and in the struggle to effect his escape, they were entirely torn off, and he was made prisoner. Barrington was also captured in Nassau Street, and both were brought to the House. The Speaker required them to promise upon their honour the affair should go no further. Toler rose to explain, and as he had no skirts to his coat, he cut a curious figure. Curran said "it was an insult to the House, that one member should trim another's jacket within the walls, and almost in view of the Speaker." This joke caused a shout of laughter; so, on their promising not to fight, the affair dropped. Having given many proofs of his devotion to the Government, it is only natural to find Mr Toler receiving advancement, and in 1798, on the elevation of Arthur Wolfe as Chief-Justice of the King's Bench, he was made Attorney-General. The contrast between them was very great. Wolfe was gentle and merciful, while Toler had more the attributes of a beast of prey.

In the year 1800, the Attorney-General was raised to the bench and peerage. He became Lord Chief-Justice of the Common Pleas in the room of Lord Carleton, and by letters patent, dated 30th December, created Baron Norbury. He had previously on the 7th November 1797, obtained a peerage for his wife, as Baroness Norwood. His name hitherto had been prominent for carrying the law severely into operation against the United Irishmen, and now that he reached the eminence of the Bench, his ambition seemed to aspire to no higher position than to be regarded as a compound of Calcraft and Joe Miller. Thenceforward the press seldom published a newspaper without a paragraph entitled "Lord Norbury's last Jokes."

The *bon mots* attributed to Toler are innumerable. At a banquet given by Lord Redesdale, Lord Chancellor of Ireland in 1802, to the Judges and King's Counsel, the Chancellor remarked, "that in his boyish days, cock-fighting was in fashion, and that both ladies and gentlemen went to the cockpit in full dress, the ladies wearing hoops."

"I see, my Lord, replied Lord Norbury, "it was there the term *cock a hoop* was invented."

A general laugh burst forth, and the Chancellor's gravity was a contrast to the merriment around, he preserved silence until, skating being mentioned, he said "all danger would be obviated by the simple contrivance of placing blown bladders beneath the arms; for then, if the ice should break, the bladders, being buoyant, saved the wearer from sinking."

"I agree with your Lordship," said Lord Norbury, "it's a right good plan. In Ireland we call that *blatherum-skating*."\*

The leading practitioners of the Court proved no mean corps

\* A vulgar word for nonsense.

of actors in the "broad farce." Harry Deane, Grady, O'Connell, Wallace, and Gould, were the principal performers. The scenes which occurred, the hard hits dealt between the bar and the bench, were such as no other tribunal ever presented before, or probably ever will again. Imagine a counsel saying to the judge, "I hope your lordship, for once in your life, will have courage to nonsuit."

The word courage stirred up the Toler blood in the veins of the Chief Justice. He repeated the word "Courage! I tell you what, Mr Wallace, there are two kinds of courage; courage to *shoot* and courage to *nonsuit*, and I hope I have both; but *nonsuit* now, I certainly will not."

During Lord Norbury's time, the court in which he presided could hardly be regarded as a court of law. Some wag denominated it "the Common Plays," and from the inimitable description given of it in "Shiel's Legal and Political Sketches,"\* it must have well deserved the appellation. We can imagine the galleries crowded with the mixed audience. They were not drawn there to listen to law arguments, but to pass an idle hour pleasantly. They were of all grades and callings. In due time, the Chief-Justice's registrar, Mr Peter Jackson, made his appearance, and was soon followed by Lord Norbury, when the fun began. The well-known pun of the "Daily Freeman" was made on the occasion of a young barrister, of very gentlemanlike address, opening the pleading before him.

"A very promising young man," exclaimed his lordship, "Jackson, what's his name?"

"Mr Freeman, my Lord."

"Ah, of the county of Cork, I know it by his air. Sir, you are a gentleman of very high pretensions, I protest I never heard the money counts stated in a more dignified manner in all my life. I hope I shall find you, like the paper before me, a 'Daily Freeman' in my court."

His propensity for punning was such that it would appear impossible for him to resist giving utterance when the opportunity presented itself. On the action brought against an individual named Paul, several letters addressed by him were given in evidence. The jury expressed a wish to see them. "By all means," replied his Lordship, "send up to the jury those *Epistles* of Paul."

One day a gentleman on circuit meeting Lord Norbury at dinner, was entertaining him with several sporting anecdotes. Among other extraordinary feats, he mentioned having shot "thirty-six hares before breakfast."

"I don't doubt it," replied his Lordship, "but you must have fired at a wig."

A Mr Pepper, being out hunting with the Chief-Justice, happened to be thrown from his horse. "What do you call your horse," asked the punster.

"I call him Playboy," replied the owner.

"I'll give him a better name," replied Lord Norbury, "call him Pepper-Caster."



The following may be justly regarded as a most successful *bon mot*. A case in which Mr Hope was attorney for one of the parties, having been partly argued before the Common Pleas, the Court wishing to conclude the arguments, asked Mr Hope "if he could get in his counsel."

"Yes, my Lord," replied Mr Hope, "Mr Joy told me he'd be back shortly." Time, however rolled on, and no counsel appearing, the judges became impatient. The long pause was broken by Lord Norbury exclaiming, in the words of the Irish melody,—

"*Hope* told a flatt'ring tale,  
That *Joy* would soon return."

Meeting a gentleman named Speare out riding, as they proceeded together, Lord Norbury observed his companion greatly shaken by the high action of his steed as they trotted along. "That horse of yours reminds me of a famous author, whose works I loved," quoth the Chief-Justice.

"Indeed!" replied the other, "may I ask who it is?"

"*Shake-Speare!*" rejoined Lord Norbury.

When Lord Norbury visited Glendalough he wished to see St Kevin's Bed, a cavern in the rocky side of Lugduff mountain, and here he delivered himself of a number of puns, which illustrate the reckless and undignified style of the Chief-Justice's conversation.

"Well," said the punning Chief-Justice to the guide, "where is the Saint's bed?"

"There! plase your Lordship—that hole in the rock."

"I see," responded his Lordship, "the saint was a *holy* man, and wished to be *rocked* to sleep."

"I have *hard* (heard) so, my Lord."

"Hard lying, no doubt—a fit lair for a *Rockite*."

"Indeed then, my Lord, I never heard of Captain Rock being there; but shure General Dwyer\* went shure there after Vinegar Hill."

"I wonder did he try if the vinegar would soften the rock, as in Hannibal's time?" suggested the facetious Chief-Justice. "What became of Dwyer?"

"He was near being caught there, my Lord, but he escaped by leaping into the water like a fairy."

"Ah! that's the fairy called the *Leprechaun*, I suppose."

"True for you, my Lord, you see the sogers were a top of the cliff."

"*High-landers*, no doubt," said Lord Norbury.

"Yes! your honour—and as Dwyer swum like a duck they fired, but he dived, and escaped."

"Of course ducked, and got *Scot-free*—did not accept the invitation from the Caledonian ball."

O'Connell used to brow-beat and badger the Chief-Justice, whose law was far from being profound; but he had a parrot-like memory of cases, and sometimes made very good decisions.

When a knotty case was argued before the full Court, the question arising out of a Contingent Remainder, the great text-book upon this

\* A leader of the insurgents in 1798.

branch of law, by Mr Fearn, was constantly referred to. In giving judgment, Lord Norbury could not resist the opportunity afforded for a pun.

"The cases referred to by the learned counsel, who have so ably argued this intricate question, resemble the hares in Tipperary, that are mostly found in ferns."

The scenes of contention between the counsel, when Wallace, Gould, Grady, and O'Connell were striving to outvie each other, and Lord Norbury, with his puffed cheeks, and stentorian voice, rising above the rest, were matters of notoriety.

One day, when the noise was at its loudest, a witness, being asked what his employment was, replied—"I keep a racket court." Lord Norbury chuckled, and looking around him, exclaimed, "Well, so do I! so do I!"

During an action of breach of promise of marriage, the love-letters put in evidence on the part of the plaintiff to prove the case, had doubtless been shown to many sympathising friends, and, like all papers that pass through many hands, were much worn at the edges of the folds; Lord Norbury held some of them in view of the jury, and exclaimed with a nod, "Gentlemen, it's easy to see those are love-letters, for they're mighty *tender*."

Nothing could exceed the comicality of what, in courtesy, must be called his charges to the jury. He invariably commenced by praising the party against whom he was about to suggest that the jury should find. He usually leaned in favour of the plaintiffs in actions, and thus would laud the defendant as one of the most respectable men in the community, that he himself was acquainted with his worth, that he had known his revered father, and having wound up the panegyric of his virtues, came to a fatal "but," which caused the audience, familiar with his mode of charging, to roar with laughter. He then took the other side, and put the points in the plaintiff's favour strongly to the jury. Then he rambled into a strange harangue, combining jests of Joe Millar with jokes of his own; scraps of poetry from Milton, or from Shakespeare's plays, which, though strangely jumbled, were well delivered. Towards the close he would often try back upon the case, but when he ceased, the whole address appeared to the mind a most unintelligible compound of words and sentences, in which facts and law were quite forgotten.

When Lord Norbury was charging the jury in the case of Guthrie v. Sterne, brought by the plaintiff for criminal conversation, his Lordship said:—"The defendant's name, gentlemen, is Henry William Godfrey Baker Sterne, and now, gentleman, you have him from *stem to stern*. I am free to observe that if this Mr Henry William Godfrey Baker Sterne had as many Christian virtues as he has Christian names, we should never have seen the honest gentleman figuring here as defendant in an action for *crim. con*."

If Lord Norbury cut a comic figure when presiding on the bench at Nisi Prius, he was hardly less ludicrous when sitting with his three brethren in *banco*. As if to form the strongest contrast human nature could display, on his Lordship's left sat Mr Justice Mayne, one of the gravest, dullest, and starchiest of men that ever wore the judicial robes.



It was with reference to him Jerry Keller made the *bon mot*, when seeing this stupid lawyer raised to the bench, the talented wit exclaimed: "Well, Mayne, there you are! There, you have been raised by your gravity, while my levity still sinks me here."

His solemnity presented quite a foil to the Chief-Justice's humour, and in its way was almost as droll. Nothing could excite a smile on his face. He was proof even against Lord Norbury's jokes, and although every other person was shaking with laughter, there sat Judge Mayne, grave, cold, and unmoved, as if reproaching the misplaced mirth of every one else. Judge Fletcher also was an associate not to the Chief-Justice's taste. He was a good lawyer, but destitute of all degree of manner. Of strong, vigorous, masculine mind, he was very irritable, and was overheard severely rebuking the lively sallies of his chief in strong language, in which the word "mountebank" rose audibly. Judge Torr ns, the fourth judge, was a most courteous man, but never in high legal repute.

The Chief-Justice had great recollection of faces, and very few of those who were tried before him were forgotten. A gentleman of high rank was brought before Lord Norbury on a charge of house burning. The case of arson not being proved to the satisfaction of the jury, they acquitted the prisoner, but the public did not concur in the verdict, and called the ruin of his dwelling-house Moscow. Some time afterwards, this gentleman, who had recently been married, met Lord Norbury at a levee in Dublin Castle. "How are you, Lord Norbury?" asked the Honourable Mr — quite unconcernedly.

"Very well, thank you, Mr —," replied the Chief-Justice, "very glad to meet you *here*."

"Just come up to have my bride presented at the drawing-room," said Mr —.

"Married, eh!" said his Lordship. "Quite right—taken St Paul's advice, better *marry* than *burn*."

His Lordship had a country residence at Cabra; but few ever saw the inside of it, though, from the apparent heartiness of his invitations one might have believed him a most hospitable man. A story is told of a worthy old gentleman and his wife having responded to the usual good-natured question, "When will you pass some days at my place?" by going there with band-boxes and portmanteaus. They were booked, in their own minds, for a week at least, but had reckoned without their host. Lord Norbury had his wits about him, and on seeing the preparations for the sojourn, immediately came to the hall door. "Now, my dear friends, this is so kind of you. I'll really take no excuse, you must positively oblige me by *staying* to dinner."

His Lordship retained his seat on the bench for about seven and twenty years. Latterly his advanced age weakened his faculties, and a tendency to somnolency displayed itself on some occasions, which rendered the due administration of justice difficult. Once, it was stated, when six persons were on their trial, his Lordship fell asleep. The counsel for the prosecution requested the jury to keep notes of the evidence, that they might inform the judge when he awoke. On another occasion, it was said he had fallen asleep during the trial of a man for murder, and when required to furnish his notes of the evidence, was unable to do so.

It is certain, however, strong efforts were made to induce him to retire. A petition was presented for that purpose in the House of Commons, and the late Sir Robert Peel was very anxious that he should be removed. Lord Norbury intimated his desire to consult his friends before taking so decided a step, and this was considered reasonable. Some time elapsed, when a member of the Government waited on his Lordship to ascertain his decision. He told the official he had called much too soon, as the friend he was most desirous of consulting was then in India, and he had not had time to hear from him. It was also reported that another of the advising friends of his Lordship was Sir E. Parry, then on a voyage to the North Pole. Lord Norbury was now eighty-six, and Government was puzzled how to act.

The Lord-Lieutenant of Ireland was communicated with, and, we are informed, sent his Under-Secretary, Mr Gregory, to give the obstinate Chief-Justice a hint to resign. Lord Norbury, soon as the Under-Secretary was announced, guessed his errand, and arranged his mode of meeting the attempt. Requesting the Under-Secretary to accompany him to his study, he locked the door, and assuming a very bellicose aspect, he said :—

“Gregory, you are my oldest friend, and I have no scruple in wishing to speak my mind to you. It seems I am about to be grossly and publicly insulted. I, who never brooked even a saucy look! Will you believe it, Gregory, our mock monarch of the Phoenix Park means to demand my resignation!! Of course the puppet poltroon himself is irresponsible. But my mind’s made up. The Castle hack he sends shall be his proxy. I’ll have his life or he shall have mine, ay! though he were my brother. Gregory, my old, my valued friend, will you stand by me? The hair-triggers are ready, as in the days of Tandy and Fitzgerald.”

The Under-Secretary had the pleasant alternative of disobedience to his commands or a duel, and thinking the former the lesser evil, returned to the Castle without fulfilling his mission. But the promotion of Mr Canning to the Premiership was the occasion of Lord Norbury’s leaving the bench. He stipulated, however, for an earldom, which was acceded to, and in the year 1827 he yielded the Chief-Justiceship of the Common Pleas to Lord Plunket. His Lordship survived his retirement about four years, and died on the 21st of July 1831.

#### PETER BURROWES COMMISSIONER OF THE INSOLVENT COURT

BORN 1753—DIED 1842

Peter Burrowes was born at Portarlington, in the Queen’s County, in 1753. He does not appear to have indicated, at any time during his boyhood, the great mental gifts which he displayed in after years; but, undoubtedly, he was then storing his mind with the learning he subsequently used so well. It was a time of importance in the political history of Ireland; there were already the foreshadowings of 1782, and it was instilled into Peter Burrowes, from boyhood, that Ireland was formed with the outlines of a kingdom—not a province. After receiving



sufficient education in the school of his native place to fit him for a collegiate career, Burrowes entered Trinity College, Dublin, in 1774, and soon gave a proof of the superiority of his talents and application to his studies, by obtaining a first scholarship in 1777. His college course was marked by his acquiring the life-long friendship of that eminent band of patriots whose talents and career caused Ireland to be respected. Of these, Plunket and Bushe were bright examples. In conjunction with these rising orators, Mr Burrowes was a leading member of the College Historical Society, and filled the office of auditor during the session commencing 31st March 1779. When the hostility of the college authorities, in 1794, compelled the members of the Historical Society to meet without the walls of the University, the exhibition room in William Street was engaged as the place in which the Society should hold its meetings. At this period, Lord Chancellor Earl of Clare, considering the topics debated by the society as savouring more of modern politics than suited his views of Irish government, caused the temporary suppression of the Society. The closing speech in the University was delivered by Mr Burrowes.

We next find him a law student in 1783; and, in 1784, he published a pamphlet, in which the right of the Roman Catholics of Ireland to the elective franchise was very ably asserted. The ability and masterly style in which the pamphlet was written; the views of reform so clearly pointed out, and the policy of Mr Pitt so ably criticised, attracted the attention of no less a statesman than the Right Hon. Henry Flood. He quickly sought out the young and gifted author, and an acquaintanceship was formed which soon ripened into a friendship severed only by death.

Having completed his term, Mr Burrowes was called to the Irish bar in Easter Term, 1785. He selected the Leinster circuit, and having acquired the character of a well-read lawyer, was soon in fair practice. One of his great arguments, which has been preserved, and which will well repay perusal,\* was addressed to a committee of the Irish House of Commons on the occasion of a petition against the return of the Hon. Francis Hely Hutchinson, as member for the University. Mr Burrowes' speech on this occasion raised him to great eminence, not only with members of his profession, but with the public, and thenceforward he occupied a leading place among the most distinguished members of the Irish bar.

Mr Burrowes once had a most providential escape when fighting a duel with the Hon. Somerset Butler. Mr Butler's ball struck some coins in Mr Burrowes' waistcoat, which turned the bullet, and saved his life. It is right to remark that this circumstance of his having fought a duel, was the only act of his long life which he considered a reproach; for he condemned duelling as a wicked and absurd practice, utterly unbecoming a rational being.

Although Mr Burrowes never was a member of the Society of United Irishmen, his intimacy with Theobald Wolfe Tone, so excited the suspicion of the Lord Chancellor—Lord Clare—that it caused him to

\* "Memoir and Speeches of P. Burrowes, Esq.," p. 148, by W. Burrowes. This work has supplied valuable aid in the preparation of our memoir.

be passed over in promotions. Chief Baron O'Grady also believed that Mr Burrowes, at Tone's instance, corrected and revised the Declaration of the United Irishmen in Belfast. Tone, however, completely exculpated Mr Burrowes from the imputation in a letter addressed to the editor of "Faulkner's Journal" on 17th July 1793. Mr Burrowes also addressed a letter to the Lord Chancellor, complaining of the injustice with which he was treated, and, after some additional remonstrance, he received, through his friend Marcus Beresford, an intimation that the Chancellor did not continue to entertain an unfavourable opinion respecting him. This led, after a lapse of time—long enough delayed, however, to have seriously damaged his promotion—to his obtaining the rank of King's Counsel.

When the important question of the Union between Great Britain and Ireland was impending, Mr Burrowes was active in opposing its passing into law. At the bar-meeting, on the 9th of December, 1798, held in the exhibition room in William Street, he was one of the fourteen King's Counsel who signed the address against the Union. He was returned to the Irish House of Commons in 1799, as member for Enniscorthy, and he soon took active steps to avert the extinction of the Irish Parliament. His proposition was to appeal to the yeomanry corps, who, by their oath, were sworn to uphold the King, Lords, and Commons of Ireland, which, according to his argument, compelled them to oppose the Union. Mr Saurin and Mr Foster induced Mr Burrowes to abandon this proposal, which he ever afterwards considered as a fatal decision. The Union was carried despite the efforts of the patriot few, who refused the ministerial bribes. To the last he opposed the measure. On the debate in the last session of the Irish Parliament, when Sir Laurence Parsons moved an amendment, declaratory of the resolution of Parliament to preserve the constitution as established in 1782, and to support the freedom and independence of the nation, Mr Burrowes was an advocate for the rights of Ireland. The following tribute to his character is from the pen of Sir Jonah Barrington:—"Mr Peter Burrowes, a veteran advocate for the rights of Ireland, wherever and whenever he had the power of declaring himself, on this night made an able effort to uphold his principles. He was a gentleman of the bar who had many friends, and justly; nothing could be more ungracious than the manner, nothing much better than the matter, of his orations. His mind had ever been too independent to cringe, and his opinions too intractable for an arbitrary minister. On this night he formed a noble and distinguished contrast to those of his own profession who had sold themselves and the representation for a mess of pottage."

The notice of Mr Burrowes in the Irish Political Sketches, of Sir Jonah Barrington, is as follows:—†

"This gentleman has been for some years a King's Counsel, the reward of his distinguished merit at the bar. When at College, he was alike remarkable for the possession of great genius and application. At the time he was keeping his commons at the Temple, he was very punctual in his attendance upon the debating societies, where he was a

\* "Rise and Fall of the Irish Nation," p. 457.

† "Irish Political Characters," p. 275.



very constant, and always a very superior speaker. Garrow was often his opponent, but Mr Burrowes was infinitely his superior, both in eloquence and information." His voice was much against him, and although sufficiently audible, it was always distressing to see him, as he laboured very much in speaking; but his language made atonement for any difficulty of utterance. What came out with difficulty was worth the pains of travail, and, as generally happens in such cases, the value was enhanced by what it seemed to cost.

When the ministry, popularly known as "All the Talents," was formed by Lord Grenville, Charles James Fox procured for Mr Burrowes the office of First Counsel to the Irish Revenue Commissioners, which he held only from March 1806 to April 1807. This was a very lucrative office, but the income was fluctuating. On the change of Government, as the office was not a permanent one, Mr Burrowes was removed; but it was believed, had his political sentiments been of a more pliant nature, he would have been reappointed. However, this was not his character, and he communicated to a leading member of the Tory party that his opinions on the Catholic question were unaltered. It is not to be wondered at, that he possessed the confidence of the Catholic body, and, on the prosecution of the delegates in 1811, was their leading counsel. We may briefly recall, in its connection with this memoir, the state of the Catholics of Ireland at that period of our history. The atrocious penal code of the 18th century began to be relaxed in 1793. In that year, Lord Chancellor Earl of Clare framed the Convention Act, which forbade "the election or delegation to any assembly, for the purpose, or under pretence of presenting a petition to the Sovereign, or both or either of the Houses of Parliament, or in any other manner procuring alteration of the law." This act aimed at illegal associations, and lay reposing in the collection of statutes from the time of its becoming law, in 1793, until the year 1811. In this year, the Irish Catholics felt it was time to take more active steps to bring their great grievances before the Legislature than they hitherto had been able to do; and proceeded to elect a committee, consisting of eight members for each of the thirty-two counties. This excited the alarm of the Government. Mr Wellesly Pole, then Chief Secretary, wrote a circular letter to the sheriffs and magistrates throughout Ireland, calling on them to arrest any persons who posted notices of the appointment of such committee, or voted or acted as such. It was contended, on the part of the delegates, that this act could not apply to them, inasmuch as the Convention Act never abrogated the constitutional right of petitioning Parliament, and it was necessary the people should appoint proper persons to manage the petitions on their behalf. The leading Catholics of the kingdom resolved to meet despite the Secretary's circular, and Lord Fingal took the chair at a meeting in Dublin. Meanwhile, a privy counsel assembled at the Castle, and a proclamation against the intended meeting issued. The meeting, held in the Fishamble Street Theatre, was most numerously and respectably attended. The Earl of Fingal, Viscount Southwell, Lords Ffrench, Netterville, and others of high rank attended. When the meeting was yet sitting, Alderman Darley entered, and

informed the delegates he had instructions to disperse the meeting, and requested Lord Fingal, who was in the chair, to attend the Chief Secretary at the Castle; Lord Fingal refused to hold any private conversation with Mr Pole, and expressed his surprise that the Government imputed to him sanctioning any illegal meeting. The Lord Chief-Justice of the King's Bench (Lord Downes), issued a warrant, under which the Earl of Fingal and others of the Committee were arrested, and held to bail. One of the delegates, Dr Sheridan, was tried during Michaelmas Term, 1811, and Mr Burrowes was retained for the defence. It was of vital consequence to the Irish Catholics that the constitutional right of petitioning should be upheld, and, despite a hostile court, and a *selected* jury, the speech of Mr Burrowes was rewarded by the acquittal of his client. The other delegates then insisted on being brought to trial, expecting, naturally, the same result; but Mr Burrowes wisely counselled them against adopting this proceeding. The Attorney-General (Saurin) was willing to let the proceedings drop if the Committee did not meet; but they would not accept such terms, and in Hilary Term, 1812, Mr Kirwan was brought to trial. It is a notorious fact, that the jury were taken from a panel arranged by the Government officials, and though the same evidence on which Dr Sheridan was acquitted was produced in this case, Mr Kirwan was found guilty. The crown was satisfied, and a nominal fine inflicted; but the injury to the Catholic cause was very great, as it showed their infraction of the Convention Act.

Mr Burrowes, as already noticed, had a very peculiar style of speaking; his voice was very inharmonious, coming with an effort from the bottom of his chest, and his enunciation was indistinct; and this rendered his success in persuading a selected jury, as in Dr Sheridan's case, the more remarkable.

Mr Burrowes accepted the office of Commissioner of the Court for Relief of Insolvent Debtors, when that tribunal was established in Ireland in 1821. His brethren in the Leinster Circuit presented him with a farewell address and a piece of plate. Lord Plunket was always his firm friend; and on this occasion, when proposing his health, he thus spoke of his amiable disposition: "I know no man who has more to answer for; he has spent his life in doing acts of kindness to every human being but himself. He has been prodigal of his time, his trouble, and his fortune, to a degree that is quite inexcusable. In short, I know no way to account for such an anomaly but by supposing him utterly deficient of the instinct of selfishness."

His position, as Commissioner of the Insolvent Court, brought him in contact with many poor debtors, and numberless are the cases related of his generosity towards them. Yet, even this unstained character was not beyond the shaft of calumny. In 1833, charges implicating the court, its officers, and administration, were made, and a Government inquiry instituted. It was intrusted to Serjeant O'Loghlen, afterwards Master of the Rolls. His report was, "the charge failed signally in every particular." Mr Burrowes retired from this court upon a pension, in 1835.

His last appearance in public was in 1840, when he was in his



eighty-seventh year. This was at a meeting in the Adelphi Theatre, Dublin, to congratulate Earl Fortescue on his appointment as Lord Lieutenant, and he made a short but impressive speech. The Earl of Charlemont, who was in the chair, said he was highly gratified to see the veteran friend of Ireland coming forward with the same sentiments of liberty which rendered illustrious his long and honourable life.

His habits were very simple, and some instances are related of his childlike nature. Accustomed to shave before a small triangular looking-glass, he continued to do so where it had stood, long after it was broken and removed. His friend and brother Commissioner, Mr Parsons, once asked him for a loan of £20.

Mr Burrowes wrote back in reply,—

“MY DEAR PARSONS,—In reply to yours, I enclose you all the money in my possession—a £10 note. Yours ever,

“PETER BURROWES.”

The note, instead of being £10 was £50. Mr Parsons acknowledged it thus,—

“MY DEAR PETER,—I'm greatly obliged to you, and when I am able I'll repay you the £50. Yours truly,

“J. PARSONS.”

On an occasion, when changing his stockings, one could not be found. His servant, Donnelly, declared “he had placed the pair upon a chair,” and yet Mr Burrowes could find only one. The room was searched for it in vain. At last Donnelly said, “Do you know, sir, I'm thinking you put both stockings on the one foot?” Mr Burrowes examined his foot, and found he had done so. Latterly, Mr Burrowes resided in Leeson Street, near Stephen's Green, Dublin, where he used to walk, accompanied by his daughter. His sight failed him, and he went to London, where he consulted Dr Alexander, the oculist.

A severe cold terminated his blameless life in 1842—his eighty-ninth year; and his memory is held in reverence as, in his peculiar character and disposition, and in some respects, in his intellectual qualities, the Goldsmith of the Irish bar.

#### CHIEF-BARON O'GRADY.

BORN 1766—DIED 1840.

STANDISH O'GRADY, Viscount Guillamore, and for many years Chief Baron of the Court of Exchequer in Ireland, was born in the county Limerick in the year 1766. His father, Mr Darby O'Grady, was a gentleman of respectable position residing at a place called Mount Prospect, in that county, and filled the office of High Sheriff. He married Mary, daughter of Mr James Smyth, by whom he had a numerous family.

Standish, the eldest son, showed considerable ability from his youth, and was early destined for the bar. His great legal acquirements soon

obtained for him promotion and, in 1803, when the insurrection of Robert Emmet occasioned the death of the humane and lamented Lord Kilwarden, and consequent elevation of William Downes, Attorney-General to the vacant seat, Standish O'Grady was appointed Attorney-General. He did not long continue first law officer of the crown. Barry Yelverton, Lord Avonmore, Chief Baron of the Exchequer, was disposed to retire, and this being carried into effect on the 5th of October 1805, Standish O'Grady left the anxiety of the bar for the certainty of the bench. He took his seat as Chief Baron of the Exchequer, and for twenty-six years presided in that Court, displaying considerable legal ability, and being especially remarkable for dry humour. He was fond of joking; his jests were pointed, and often hit hard. Some one remarked to him "that Lord Castlereagh had made a fine character for himself on a certain political occasion."

"Troth then," the Chief Baron observed, "if he has, he'll soon spend it like a gentleman."

The caustic humour of the Chief Baron was displayed during the Kerry Assizes, when the noise in the Tralee Court-House rose to a high pitch. O'Grady appeared not to notice it, waiting for the High Sheriff, Mr Denny, to restore order. As that official was calmly reading in his box, and took no notice of the riot, the Chief Baron called to him from the bench—

"Mr Sheriff, I just give you a friendly hint. I'm afraid if this noise goes on much longer, it will prevent you from reading your novel in peace."

When an inexperienced barrister was engaged for the defence of a prisoner capitally indicted, and the prosecution failed to bring a clear case against the party accused, the Chief Baron had some difficulty in restraining the advocate, who thought the opportunity to show off should not be neglected. He accordingly resolved to make a speech, which might supply the absence of evidence, and was just beginning when the Chief Baron cut him short with—

"Oh, Mr ———, I'll listen to you with the greatest pleasure, *after I have taken the verdict of the Jury first.*"

He tried a batch of prisoners at the Tralee Assizes, and the similarity of the names of the parties indicted, to those composing the jury, struck him very forcibly. He knew that Kerry cousins carry their clan feelings very far, so he determined to remind them that he knew the bias which possibly might invade the sanctity of the jury box. Accordingly he began his charge:

"Gentlemen of the Jury. Of course you'll acquit *your own relations.*"

His charge, on another occasion, was equally significant. A boy was indicted for larceny of a pair of trousers. The case was clearly proved, yet a witness to character strongly insisted on the boy's habitual honesty. The Chief Baron addressing the Jury said—"Gentlemen, this is an honest boy, *but he stole the breeches.*" The Jury being of the same opinion, found a verdict of guilty.

On deciding the case of *Joyce v. Steele*, reported in the "Irish Law Recorder," Vol. I. p. 56, when the plaintiff, having accepted a



qualified covenant, was held bound by his contract. Chief-Baron O'Grady said,—“The very moment I heard this case mentioned, I said an action could not be supported. I was startled at its novelty; but I was told that torts were various, and when a new case arose, I should not shrink from establishing a precedent. I admit I should not shrink from applying old established principles to a new set of facts, to *new* circumstances whenever they should arise; but are the present circumstances new? I will venture to say that such circumstances have continually been occurring since the days of Alfred. A tenant is unable to pay his rent, and is ejected; and then he is (we are told) not only to bear the loss of his own interest in the lands, but also be answerable in an action to his under tenant, and that in the teeth of the qualified covenant, contained in the deed creating the contract of the parties. Solomon was a wise man, and Samson was a strong man; but I will venture to say, *neither of them could pay their rent if they had not the money.*”

The judgments of the Lord Chief-Baron show a clear head and great legal knowledge. It was a loss to the Irish Bar, that during many of the years when he presided at the Exchequer Bench there were no regular Law Reports. The consequence is, few of his decisions are preserved.

By patent, dated 30th January 1831, the Chief-Baron was created a peer by the title of Viscount Guillamme of Caher Guillamme, in the county of Limerick, and Baron O'Grady of Rockbarton in the peerage of Ireland. He had married in 1790, Katherine, second daughter of John Thomas Waller, Esq., of Castletown, Co. Limerick, and had had a numerous family. His Lordship died 21st April 1840.

## VISCOUNT BERESFORD.

BORN 1768—DIED 1854.

THE Right Hon. William Carr Beresford, Lord Viscount Beresford, G.C.B., G.C.S., K.T.S., K.S.H., Colonel-in-chief of the 60th Foot, Colonel of the 16th Foot, Governor of Jersey, Duke of Elvas, and Marquis of Campo-Mayor in Spain, Count of Trancoso in Portugal, and a Field-Marshal of Portugal, and Captain-General of Spain, was the elder of two natural sons of George de la Poer Beresford, first Marquis of Waterford, the other being the late Admiral Sir John P. Beresford. He was born October 2, 1768, and, after completing his military studies at Strasburg, he entered the army in August 1785, as ensign in the 6th Foot, and early in the following year joined that regiment at Nova Scotia, where he served the first four years of his military life. His first active service was in 1793, as captain of the 69th Foot, when this regiment formed part of the army which took possession of Toulon. On that occasion he honourably distinguished himself, his services gaining him the praise and approbation of General Lord Musgrave, who commanded the British troops. He next proceeded to Corsica, and was present at the siege of Calvi, at Bastia, and the attack on the celebrated Tower of Martello at St Fiorenza. In the month of March 1794, he was

promoted to the rank of major, and to that of lieut.-colonel on the 11th of August following. In that year he sailed in command of the 88th Foot, under Sir Ralph Abercromby, for the West Indies, but being recalled, he remained on home service till the year 1799, when he was ordered to the East Indies; and from thence, soon after his arrival, to Egypt, where he commanded a brigade in Sir David Baird's army. After the Egyptian campaign was concluded, he remained in Egypt as commandant of Alexandria, till its evacuation, when he returned to England, and in the year 1800 received the brevet rank of colonel. After some service in Ireland against the few remaining rebels who still held out, Colonel Beresford proceeded, in 1805, to the Cape of Good Hope, and took a distinguished part in the reconquest of that colony. From thence he was sent, with the rank of brigadier-general, in command of a small force against Buenos Ayres, which he took; but though gaining some successes in the open field, he was eventually obliged to capitulate after three days' desperate fighting in the towns. The force under General Beresford's command amounted to only 1200 men, while that of the enemy amounted to between 10,000 and 12,000. Having been detained a prisoner for six months, he effected his escape in the year 1807, and returned to England. In the winter of the same year he was sent to Madeira, with the rank of brigadier-general, and, in conjunction with Admiral Hood, seized upon the island, which was thenceforth held by the British in trust for the Royal House of Braganza. He remained, in the offices of governor and commander-in-chief, at Madeira till the month of August 1808, when he was ordered to join the British army in Portugal, where he arrived shortly after the battle of Vimiera, and was employed as a commissioner to adjust the terms of the notorious convention of Cintra. He then accompanied Sir John Moore into Spain, and was present at the battle of Corunna, where he rendered effective assistance during the embarkation of the troops. Returning to England, he received the rank of major-general. In February 1809, he proceeded again to Portugal, to take the command of the Portuguese troops, with the local rank of lieut.-general; and on the 1st of March 1809, the rank of marshal-commanding was conferred upon him. Placing himself, as soon as possible, at the head of 12,000 men, he drove the French from the north of Portugal, and crossing the Upper Douro, he repulsed Loison's division, and uniting his Portuguese troops with the British force under Sir Arthur Wellesley, they vigorously pursued the retreating enemy, and in a short time effected the total disorganisation of that division of the French.

When Marshal Beresford took the command of the Portuguese army, he found that he had before him a task of extraordinary difficulty and importance. The British generals had lost all confidence in their allies, and were beginning to contemplate the issue of the struggle with feelings of doubt, if not of despair. The Portuguese army appeared to be in an utterly hopeless condition, dead to all sentiments of patriotism, and every sense of military honour, being little better than a weak and disorderly rabble when Beresford applied himself to the work of reorganisation. How admirably he succeeded in that work is now a part of the history of the Peninsular War, and the results which his zeal and ability in an incredibly short time had accomplished



excited the surprise and admiration of all the nations of Europe. Some of the first fruits of his arduous labours were seen at the battle of Busaco, where the admirable behaviour of the Portuguese restored the confidence of the British army. Beresford, for his services at Busaco, was created a Knight of the Bath on the 18th of October 1810.

During the remainder of the Peninsular War he was repeatedly engaged. On the sanguinary field of Albuera he defeated Soult, with a loss, however, of nearly 7000 of his own troops. The French suffered still more severely. His generalship at the battle of Albuera has been much criticised; but, considering the high reputation of Soult, and the numerical superiority of the French, the thanks of Parliament seem not to have been undeservedly bestowed, when on the 7th of June they were voted "To Sir William Beresford, and to the army under his command, for the glorious battle of Albuera."

During his absence in the Peninsula he was returned to Parliament for the county of Waterford in 1811, and for the borough in 1812, but his duties elsewhere prevented him from ever taking any part in the proceedings of the House of Commons.

He was also present at the assault of Badajoz, where his conduct gained the marked approbation of the Duke of Wellington, as well as at Salamanca, where he was severely wounded, at Vittoria, the Pyrenees, Nivelle, and at the Nive. Early in 1814 he contributed much to the victory of Orthes, took possession of Bordeaux, and afterwards bore a distinguished part in the battle of Toulouse. In the course of the same year he was raised to the peerage, by the title of Baron Beresford, with a Parliamentary grant of L.2000 per annum for himself, and the two next inheritors of the title. The City of London also presented him with a valuable sword; and in July 1815 he received the personal congratulations of the Prince Regent, who bestowed on him a cross and seven clasps for the battles and sieges of Corunna, Busaco, Albuera, Badajoz, Salamanca, Vittoria, Pyrenees, Nivelle, Nive, Orthes, and Toulouse. The governorship of Jersey was also conferred upon him; and in the year 1822 he received the appointment of lieutenant-general of the Ordnance, and the command of the 16th Foot. In 1823 he was advanced in the peerage to a viscountcy. In 1825 he became a general in the army, and on the accession of the Duke of Wellington to office in 1828, he was appointed master-general of the Ordnance, which post he resigned on the return of the Whigs to power in November 1830. From this period he took no part in public affairs.

In November 1832, Lord Beresford married his cousin, the Hon. Louisa Beresford, daughter of William, first Lord Decies, Archbishop of Tuam, and widow of Mr Thomas Hope of Deepdene (Surrey), of the wealthy house of Hope of Amsterdam, and author of "Anastasia." After the death of his wife, in 1851, Viscount Beresford lived in retirement at his country seat, Bedgbury Park, Kent, where he expired on the 8th of January 1854. There having been no issue, his title and pension became extinct. He bequeathed his English estates to his stepson, Mr A. J. Beresford Hope; those in Ireland to Captain Denis William Pack, R.A., the son of his old companion in arms, Sir Denis Pack, on condition of his taking the name and arms of Beresford.

## BARON PENNEFATHER.

BORN 1773—DIED 1859.

FEW names are more distinguished in Irish legal circles than Pennefather. Sir Bernard Burke found it in the "Doomsday Book" as Penefador, but it does not appear among Irish records until 1666, when Matthew Pennefather, a cornet of dragoons, acquired lands and tenements in the county of Tipperary. Here the Pennefathers lived and died, and here a descendant of the first settler of the name, who belonged to the same branch of the service as his ancestor, married Ellinor, eldest daughter of the Archdeacon of Emly, the Ven. Edward Moore, D.D., of Mooresfort. These were the parents of two most distinguished members of the bar of Ireland, Richard and Edward. The former was born in the year 1773. The two brothers were brought up, partly in their native county, and partly in the Irish capital, where their father resided during the sessions of Parliament, in which he was member for the family borough of Cashel. They received their primary education at Portarlington, where a celebrated school, conducted by French Huguenots, attracted many scholars, and also at the endowed school of Clonmel. They entered Trinity College, Dublin, in 1790, and Richard obtained an *optime* in his class, a rare honour which was seldom conferred, as it marked extraordinary merit. Both brothers cultivated rhetoric, and took part in the debates of the famed Historical Society, where Robert Holmes, the Emmets, Lefroy, and others sustained the renown which Plunket, Bushe, and earlier, Grattan and Burke, had obtained for it.

The brothers, though both were successful in debate, gained success by different means. Richard's intellect was considered by their friends as displaying more cleverness and depth than his brother; while Edward's shone with more brilliancy and richness of imagination. The speeches of Richard were solid, compact, logical arguments; those of Edward, rare specimens of chaste and diffuse eloquence. One convinced the head, the other captivated the heart. Both selected the law as a profession, and mastered its principles with patient and untiring industry. They were called to the bar in 1795.

Richard Pennefather selected the Munster circuit, comprising the counties of Clare, Limerick, Kerry, and Cork, and had as his contemporaries many very eminent lawyers. It is enough to name O'Connell, Harry Deane Grady, Serjeant Goold, Recorder Waggett, and Charles Burton, to prove this; yet he was equal to any of them. His acute mind soon discovered where the weak points in his adversaries' armour lay, and his logical lance showed the skilful legal tilter.

A large practice on circuit is sure to create a larger practice in the Four Courts, and during the earlier years of the present century few members of the bar carried a fuller bag than Richard Pennefather.

In 1820 he was in the first rank at the bar, and, as at the close of that year Baron George resigned the bench upon a pension of £2600 per annum, the Lord-Lieutenant, Earl Talbot, caused an intimation to



be made to Mr Pennefather that the vacant seat on the bench of the Exchequer awaited his acceptance. He was then comparatively a young man, under fifty, and might have taken his chance of higher preferment. But Mr Pennefather did not hesitate to accept the offer, and thus relates the fact. We gladly give the extract,\* for it shows what a true and humble Christian was this prosperous and busy lawyer :—  
 “On the 12th February, 1821, I received a letter from Mr Gregory, under-secretary to the Lord-Lieutenant, Earl Talbot (the chief secretary, Mr Grant, being in England), stating his Majesty’s letter for appointing me to fill the place of one of the barons of the Exchequer had arrived at the castle. The patent for my appointment was very speedily made out, and I was sworn into office on the 14th of February, being the second of the eight days after Hilary Term, at the Chancellor’s house, and on the same day I took my seat on the bench. On the 15th the Lord-Lieutenant held a levee at the castle, which I attended as a baron, and was very graciously received. Thus concluding, through God’s mercy, a very prosperous bar life, in my 48th year, and through the same divine mercy, in which I put my trust, do I humbly hope to acquit myself in the arduous and trying situation in which I am now placed, as may become a lawyer, a judge, and a Christian.”

How well he did so the Records of the Court of Exchequer, during the thirty-eight years he sat upon its bench, fully show. He witnessed many changes. One side of the Court (the Equity side) was abolished. Five chief barons, O’Grady, Joy, Wolfe, Brady, and Pigot, experienced the benefit of his valuable co-operation and assistance. Many generations of practitioners transacted business before him. Counsel rose, flourished, and passed away, but the great legal mind of Baron Pennefather seemed impervious to time or change. All cases, whether at law or in equity, found him equally ready to deal with them. If he was sitting *in banco* at the Four Courts, or alone, hearing motions, on circuit or in chamber, he was always prompt, clear, and accurate. His demeanour on the bench was worthy of imitation. He listened to counsel’s statements or arguments with patient attention, and never expressed any decision until both sides had completely closed. He knew no distinction between political friends and foes, and was equally courteous to all, whether barristers or attorneys. He was beloved by the practitioners belonging to the several branches of the law. He reminded one of Sir Edward Coke’s “able and reverend expositor of our laws, who prided himself less in fine conceits than in sound discernment and gravity of manners.” It would, of course, be impossible to mention here a tithe of the important cases decided before baron Pennefather. He was often employed on special commissions, when the state of the country required such to issue, and on those occasions he always tempered justice with mercy. The judgments of the Baron will be found in the several volumes of the “Irish Law Recorder,” the “Irish Term Reports,” the “Irish Exchequer Reports,” and “Irish Law and Equity Reports.” This excellent man and distinguished judge continued to preside during terms and circuits until the close of Hilary

\* See the “Dublin University Magazine,” vol. liv. p. 534.

Term 1859, when his failing health admonished him to retire. He was succeeded by Mr Travers Fitzgerald, Q.C., one who, in legal attainments, cautious manner, and judicial disposition, was worthy to be his successor. Of course, such a man as Baron Pennefather was not suffered to leave the bench he so long occupied without a suitable address. It was engrossed on parchment, and signed by four hundred and seventy-two members of the bar.

The library of the Four Courts, Dublin, presented a crowded array on the 10th of January 1859, when the farewell address of the bar was presented to the Baron. He was there, apparently in good health, and likely to live many years. Amid warm greetings from many an old friend, and hearty cheers from many a young admirer, the venerable judge appeared for the last time in an assembly of the bar of Ireland. Sir Thomas Staples, Bart., the father of the bar, called in 1802, himself almost an octogenarian, who had sat in the Irish Parliament, read the address in a clear and distinct tone of voice. It referred in appropriate terms to the Baron's long and honourable judicial career.

When the address was read, the Baron expressed his fears "that his voice would not be fully equal to the compass of that large room, and hoped his brethren of the bar would allow his son, who delayed his departure, in order to be present on that gratifying occasion, to read his reply." This, of course, was promptly acceded to, and accordingly the Rev. Mr Pennefather read the Baron's touching and grateful reply. That assembly of the young and ambitious around the old Baron might have reminded one of the divine precept, "Thou shalt rise up before the hoary head, and honour the face of the old man." It was the crowning of his life on earth. He died before the close of the year 1859. His learning survives in the Law and Equity Reports, and his memory will long be revered in the Court wherein he delivered his judgments.

#### CHIEF-JUSTICE PENNEFATHER.

BORN 1774—DIED 1847.

The Right Hon. Edward Pennefather was the younger of the two children of Major Pennefather of the 13th Light Dragoons, afterwards of Knockevan, in the county of Tipperary, and previous to the Union member for the city of Cashel. Major Pennefather was the younger son of Mr Pennefather of New Park, in the county of Tipperary.

The elder of the two brothers, Richard, the subject of the previous memoir, was for many years one of the Barons of the Exchequer in Ireland. There were only fourteen months between their ages: Edward was born on 22d October 1774. They went to the same school the same day, entered Trinity College, Dublin, together, and were called to the bar at the same time, in Michaelmas Term 1795. They both were boys of diligence and much promise at school. At their entrance into Trinity College, they were placed in the same division; but, as both were candidates of equal merit for the same honours, the College authorities thought it right to separate them, and place the



younger brother in another division. Each then carried all before him in his own class.

Dublin before the Union, with the members of both Houses of Parliament resident in it, was tenanted in a different way from what it has since been; and the two young men while in college mixed largely in the society of the capital. This did not prevent the assiduous pursuit of their studies; at six o'clock on the morning after each examination, they were hard at work for the next.

They studied steadily when at the Temple, spending each of the short vacations at Bath or Tunbridge Wells, where they worked from early in the morning till between one and two o'clock, the rest of the day being devoted to recreation and amusement.

After his call to the bar, Mr Pennefather soon gained opportunities of distinguishing himself; the light of his university reputation, and his debating powers in the Historical Society, made the way plain before the young barrister. He did not depend merely on that quicksand foundation for a lawyer to build upon, ability of expression, but was master of every branch of the law, specially of chancery. He had perhaps no superior except Plunket in this branch, and in the knowledge of the laws of real property he was unrivalled. It was perhaps no disadvantage to Mr Edward Pennefather that his brother had chosen the same path in life; it never caused jealousy or collision between them, although they often met on opposite sides of a case, with various fortunes. It was remarked, that the public "seemed to relish this brotherly contest, and always in such cases, as Mr Richard Pennefather sat down, listened with more than ordinary interest, when his brother Edward was seen rising in reply."\* The same writer thus describes his appearance in Court:—"In Court, his language and appearance bespeak the scholar and the gentleman. His forehead is smooth and open, yet somewhat over anxious; his expressive and intelligent countenance indicates deep meditation, but seems to say that all is peace within; his manner is artless and candid, his deportment erect and independent. When he commences his address, your attention is at once arrested; you perceive at a glance that he is master of his subject, and feels himself to be so; with perfect self-possession, he details the numerous and complicated facts of a chancery case—unfolds with ease and applies with judgment arguments the most intricate, and principles the most abstruse, and deduces his inferences with unrivalled clearness. While listening to him, I have frequently imagined myself acquainted with the *simple* doctrines of equity—of which, thank Heaven! I am still in a state of happy ignorance; to me everything seemed clear and convincing, nor could I help all the while admiring his prepossessing earnestness and his graceful action; he has hit the happy medium between vehemence and tameness; besides, he never attempts to stagger you with far-fetched phrases; his words are selected with exact taste. If he be fluent, he is not prolix; and if the primary rule of all rational eloquence be to speak suitably to the occasion, then is Mr Edward Pennefather an accomplished orator. When in the habit of practising at *Nisi Prius*, he was equally successful;

\* Dublin University Magazine 1830.

he never departed from his usual chaste and manly style, to indulge in irrelevant comment or feeble declamation, but applied himself to the more sensible purpose of explaining the principles of law applicable to his case, and giving to the jury a luminous exposition of facts, be they ever so interesting and perplexing. It was, moreover, an honourable peculiarity in his behaviour, that while maintaining the interests of his client with ability and zeal, he never took an unworthy advantage of his situation to utter an expression unnecessarily hurtful to the feelings of a witness, or forgot for an instant that the surest way to preserve his own dignity was to avoid infringing the bounds of propriety and politeness towards others."

Mr Edward Pennefather was early promoted to be a king's counsel; it is said that his further elevation was delayed by his refusing to preside over a commission appointed under the Insurrection Act. It was greatly in his favour that, in a country where barristers look for promotion to east, west, and south, rather than to their own honest work in their proper profession, Mr Pennefather, like Lord Plunket in his earlier bar life, eschewed politics, and refused in anywise to embarrass his hands, which were generally well filled with briefs, with any extraneous business. The following circumstances show, however, that Mr Pennefather was not an indifferentist in politics.\*

On coming into office, Lord Grey wrote to Mr Pennefather, offering him the place of Attorney-General. He replied, declining, but not assigning any reason. Lord Grey wrote in reply, to say that he presumed the refusal was on the ground that Mr Pennefather would not go into Parliament, and that that should be no impediment, as it could be arranged that the Solicitor-General should be the law officer for Ireland in the House of Commons. Mr Pennefather answered that, although he would not go into Parliament, there were other reasons for his declining the office which were not then necessary to enter upon. Lord Anglesea (the newly appointed Lord-Lieutenant) then wrote to say that he had seen Lord Grey, who had shown him this letter, and that Lord Grey had given him so wide an authority in the matter that he had no doubt on his arrival in Ireland he would be able to remove all objections, and he requested him to wait till there was a personal communication. In the meantime Mr O'Loghlen (afterwards Sir Michael, Master of the Rolls) called on Mr Pennefather, and stated that he waited on him on behalf of the Roman Catholic party, who had heard he was hesitating as to accepting the office, assuring him that his appointment was very acceptable to them, and urging him not to refuse. Mr Pennefather thanked him, but said it was not his intention to accept. On the day of Lord Anglesea's arrival in Dublin, he sent to request him to go to the castle. Thither he went. Lord Anglesea told him he trusted he was in a position to remove every objection. Mr Pennefather replied that he considered a government should have an Attorney-General who would cordially co-operate in its policy; that he felt he was not in that position; that he had been surprised at the offer being made to him, as it was well known his political principles

\* We must acknowledge our great indebtedness to Mr Edward Pennefather, Q.C., for the valuable assistance he has furnished in the preparation of his father's memoir.



differed from those of Lord Grey's Government. Among other things, he said he had signed the petition from the bar of Ireland against the Catholic claims. Lord Anglesea expressed his astonishment at this, as he said that O'Connell had expressed to the Government his desire that Mr Pennefather should be appointed Attorney-General. Mr Pennefather told him that no one was better aware of the fact than O'Connell himself, as they had spoken together on the subject. Finding that the lawyer persisted in his refusal, Lord Anglesea stated that he was placed in a difficulty, inasmuch as when he parted from Lord Grey, he left him under the impression that all matters would be smoothed, and that he would be able to apprise Lord Grey the appointment had been accepted; and in full expectation of this, neither Lord Grey nor Lord Anglesea had made any further provision for filling the office; that he was quite at a loss to know who should be appointed; and that in the then state of affairs, the place must be filled without delay; that he did not know to whom to turn, and he begged Mr Pennefather to name the person he thought best fitted for the post. This he declined to do, but as he saw the difficulty in which the Government was placed, he said he would name three men at the bar, any one of whom, if he accepted the office, would fill it with ability. Among these three names was that of Mr Blackburne, who was immediately sent for, and who at once accepted.

When Sir R. Peel came into office in 1835, Mr Pennefather had again the proffer of office; and he was apprised that he would be appointed Attorney-General if he claimed the position; but it was intimated to him that Government was desirous of securing the services of Mr Blackburne, and that there was a difficulty in asking him to fill the inferior post of Solicitor-General as he had served as Attorney-General. Mr Pennefather removed the obstacle by accepting the office of Solicitor-General.

Shortly afterwards O'Connell, at a public meeting in Dublin, made a speech attacking the Government and its appointments with great virulence. When he came to this appointment he said, "What shall I say of Edward Pennefather? All I shall say is, he refused to be Attorney-General for the Whigs, but condescended to be Solicitor-General of the Tories."

In the summer of 1841, when Sir Robert Peel again took office, as Mr Pennefather was just setting out with some of his family to the Continent, he received a letter from Sir R. Peel requesting him to call on him on his arrival in London. He accordingly called at Whitehall Gardens.

Sir Robert Peel was then forming his ministry, and expressed his great regret that he could not at that time offer him the Lord-Chancellorship of Ireland. He wished, and had intended to do so, but Sir E. Sugden had put forward a claim to it, which he did not feel he could resist. But before the matter was finally settled, difficulties arose—not necessary here to mention—about his going over to Ireland. He had not, however, withdrawn his claim, but had requested Sir R. Peel to suspend the appointment for a little time, and he had felt that he could not refuse to do so.

Sir Robert told Mr Pennefather that in this state of things he was

very anxious that he should defer leaving the country; and as the matter was pending, and Sir Edward Sugden in much uncertainty, it would be desirable he should see him if possible daily until the question was settled. Mr Pennefather acquiesced in this, and accepted an invitation to a country house about ten miles from London, where his sons were also staying. According to Sir Robert Peel's request, he came to town on two or three occasions. One morning, while he was reading classics with one of his younger sons, an express messenger arrived with a letter from Sir R. Peel, requesting him to call upon him in town; and on his arriving at Whitehall Gardens, Sir Robert expressed his great regret at not having seen him the day before, as Sir E. Sugden had on the morning of that day resolved not to take the office, and had communicated his decision to Sir Robert, so as to leave the appointment at his disposal for a considerable portion of the day, but in the evening had written to accept it, so that it was no longer in Sir Robert's power to offer it.

Mr Pennefather told him that it was not a matter of much moment to him, as Sir Robert was well aware that he had not made any application for that or any other office. Sir Robert expressed his sense of the frank manner he had shown throughout the whole transaction, and said he felt he might speak with some freedom to him on another matter connected with the Irish arrangements in which he was in some difficulty. He then stated his desire to secure the services of Mr Blackburne, but that inasmuch as he had filled the office of Attorney-General, he did not see his way to offer him the subordinate place of Solicitor-General. Mr Pennefather replied that there need not be any difficulty, as the office of Attorney-General was no object to him. Whereupon Sir Robert asked him if he would serve as Solicitor-General. Mr Pennefather replied that if it would facilitate Sir R. Peel's arrangements as regarded Ireland he was willing to do so, provided that his acceptance would not interfere with his tour abroad, as rest and change were necessary for him. Sir R. Peel expressed his obligations in a cordial manner, acceded to his wish, and apprised him that the acceptance of the office of Solicitor-General in no way prejudiced the claims which Sir Robert considered he had on the Government, and not the less for the course he had taken on the present occasion. After this interview he returned to the country, and in a day or two after started for the Continent.

During his absence abroad in the autumn of 1841, Bushe, the Chief-Justice of Ireland, resigned his seat on the bench, and Sir R. Peel proffered the office to Mr Pennefather; he accepted and held it till 1846, when he was compelled by a long and severe attack of gout to resign.

While he was Chief-Justice the now celebrated trial at the bar of O'Connell and others came on in the Queen's Bench. The judgment was reversed in the House of Lords.

The illness which obliged him to resign proved his last. On the 6th of September 1847 he passed away, surrounded by all his family, except one of his daughters, after an amount of suffering which was equalled only by the unruffled patience with which it was borne.

Chief-Justice Pennefather was always strongly in favour of scrip-



tural education, as well as a liberal supporter of it, considering an open Bible the birthright of every one born in a Christian land. He did not, perhaps, take into account the necessity of an authoritative interpreter to accompany it on its mission to those less lucid and judicial than himself. He it was who first suggested, in order to get rid of the tithe agitation, and to give more security to the clergy for their incomes, that the proprietors, and not the occupiers of land should be liable to the payment of the tithe, and that the proprietors should be entitled to make a deduction from the tithe in consequence of the liability to be thrown on them. This was, in fact, taxing the people indirectly instead of directly, but it achieved the great object of settling the question and restoring peace and goodwill.

Mr Pennefather's life was one of great labour, but he had the satisfaction of "eating of the labours of his hands;" and as a younger son of a younger brother, "if he had not lands by birth, he acquired them by wit."

During the sitting of the Courts when at the bar, a little after four o'clock in the morning, winter and summer, found him in his study; this enabled him to pass a great portion of the evening with his family, when he heartily joined in whatever engaged their interest. He was blessed with a wife of great talent and cultivation, and no doubt this in no small degree added to the enjoyment of his hours of recreation. His spirits were cheerful and even, and his temper singularly calm. With great dispatch of business, he never appeared hurried; and without being rigid in requiring punctuality from others, he was invariably punctual himself. He was a very good artist,\* and greatly enjoyed drawing in pencil and water colours. He always travelled with a sketch book, and being fond of reading, especially history and biography, he was never unoccupied. He was, in body as well as in mind, till towards the close of life, very active when free from gout; he was a good rider and a good shot; and in the vacations used to appear on horseback in leather breeches and top boots long after they had disappeared except in the hunting field.

He had a family of ten children, to each of whom he was as if he had but one. He ruled by example much more than precept, and the result was the devotion of one and all to him. With his two elder sons (the two others being several years younger) he was on the terms more of a brother than a father; their intercourse was ever of the most unreserved kind.

He suffered at times and occasionally for long periods from severe attacks of an hereditary disease—gout in its worst forms. The attacks

\* Mr Pennefather was leading counsel for the defendant in a heavy case in the Court of Chancery; during the statement of the case by the leading counsel for the plaintiff, he made a drawing in the fold of his brief. The defendant was entirely successful. A day or two after, Mr Pennefather received a letter from the solicitor of the defendant, accompanied by a box containing a very handsome pencil case; the letter expressed the obligations the solicitor was under for Mr Pennefather's advocacy, and added that it was not till the solicitor had returned to his office, he found, that besides the success in the suit, he was in possession of a pen and ink sketch, the merit of which he was astonished at, and of which he was very glad to find himself the owner, and requested Mr Pennefather's acceptance of the pencil case.

of this disorder he bore with exemplary patience; his habit when the fit came on, which was always suddenly, was to send away his briefs; and when this was done, no one would have supposed that law had ever engaged his mind; one who used frequently to see him when so laid by, said that when he saw him Sir Thomas More was always brought to his remembrance.

Although so actively engaged in his profession, he sat very loose to it. When one of his sons was threatened with pulmonary disease he accompanied him in the autumn of 1832 to the Isle of Wight, where, with the exception of returning to Ireland for some cases in which he was specially retained in different assize towns, he remained with him and some members of his family till the latter end of the summer of 1833. These breaks in his professional life did not interfere with his position at the bar, for each time immediately on his return to it he was ever as fully occupied as if he had never left it—a very unusual occurrence.

He took a decided, but never an active part in political life. He was repeatedly pressed to go into Parliament, and was offered seats in different boroughs previous to the passing of the Reform Bill, in days when the nomination of the proprietor secured the return of the member.

Previous to the passing of the Act of Union he was strongly opposed to it. Very shortly before the Act passed, the Government was very desirous to secure votes. Mr Pennefather happened to be passing down Dawson Street in Dublin when the carriage of Mr Marsden, the under-secretary, was passing by; it was suddenly stopped, and he was asked to get in, when Marsden told him of the position of Government, reminded him that he was a young man in his profession, that Government was very anxious to pass the Act, and that if Mr Pennefather could succeed in securing the votes of one or two members with whom he was connected (Major Pennefather was then member for Cashel, the borough belonging to the Pennefather family up to the passing of the Reform Bill), his speedy promotion in his profession would be assured to him. Mr Pennefather replied that he had mistaken his man, that he was against the Union, and would do all in his power to prevent it; upon which Marsden pulled the check string, stopped the carriage, and said he need not further occupy his time. Before the Act passed, Mr Pennefather considered nothing could be more disastrous to the country than its passing—after it had passed, nothing more disastrous than its repeal; and in that opinion he remained firm to the last.

He was in favour of emancipation all his life till the year 1828, and his opinion on this subject gave offence to Mr Saurin, long the Attorney-General for Ireland, a great personal friend of Mr Pennefather. Shortly before the passing of the Emancipation Act, he read much on the subject, and the result was he changed his opinion, and he signed the petition of the bar of Ireland against the Catholic claims. His name, I believe, headed the signatures. After the passing of the Act, O'Connell was given a patent of precedence next after him.

Mr Pennefather was, as we have said, early appointed king's counsel. He was created third Serjeant, 3d August 1830; advanced to be



second Serjeant, 18th July 1831; and became first Serjeant, February 1832. He was appointed Solicitor-General, 27th January 1835; re-appointed Solicitor-General, August 1841; and created Chief-Justice in October 1841.

He was long the leader of the Leinster circuit, which he gave up in 1818, but he was very frequently engaged as special counsel on the different circuits in Ireland.

His charity was very liberal, and equally unostentatious. With all the work he had to do, though often the demands on his time were most urgent, yet he never did any sort of business on Sunday. That day was entirely devoted to the purposes for which it was set apart.

## CHIEF-JUSTICE LEFROY.

BORN 1776.—DIED 1869.

THOMAS LANGLOIS LEFROY, eldest son of Lieutenant-Colonel Anthony Lefroy, was born in the county of Limerick on the 8th January 1776. His family, as may be surmised from the name, was of French extraction, being among those Huguenots who preferred their religious liberty to country and property. His ancestor, Antoine Loffroy, as the name was formerly written, sought refuge in England in 1569, and the descendant of the refugee, Colonel Lefroy, having purchased land in Limerick, settled in that part of Ireland. Here his son Thomas was born, and must have advanced rapidly in his classical education, for he entered Trinity College, Dublin, at the early age of fourteen. He was a pupil of the celebrated Dr Burrowes, afterwards Dean of Cork, more famed for his song "The Night before Larry was stretched" (*Anglice*, hanged), than for his attainments in divinity. The Dean took such a liking to young Lefroy, that he received him into his family circle, and treated him with an affection which was fully reciprocated by the young student. Mr Langlois, young Lefroy's grand-uncle, was desirous that the youth should be called to the English bar, and promised Colonel Lefroy, if he consented to this arrangement, to use his interest to place him in Parliament. Colonel Lefroy, however, notwithstanding this tempting offer, resolved his son should remain in the land of his birth. Young Lefroy's university career gave promise of great excellence. It was suggested, indeed, that he should read for a fellowship. At the class examinations, then held quarterly, he obtained the highest prize in each year, also a moderatorship, and gold medal. He was a member of the College Historical Society, of which he was auditor at the age of nineteen, when he delivered the opening address for the session of 1795. While connected with the Society, he obtained no less than four medals—three for oratory, and one for history—a strong proof of his superiority in youth's mimic warfare.

While a student of the University, and keeping his terms as a law student, Mr Lefroy seems to have meditated the important step of taking a wife. He had formed a close intimacy with the family of Mr Paul, of Silverspring, County Wexford, and won the affections of

his only daughter Jane, whom he married, in 1799, at Abergavenny, North Wales. Mr Lefroy had been previously, in Easter Term 1797, called to the Irish bar, but did not commence attending the Courts as a practising barrister till the year 1800. Few lawyers ever commenced to practise more fully prepared. He possessed not only a sound knowledge of legal principles, but considerable acquaintance with practical details. As a student of Lincoln's Inn, he daily attended the Courts at Westminster, and the judgments of the Lord-Chancellor (Lord Eldon) and Chief-Justice (Lord Kenyon) improved his knowledge of equity and law, while his diligence in forming digests and writing essays on legal subjects proved how carefully his mind was trained in professional learning. The result was that, when in practice at the bar, he speedily became a favourite with that clear-sighted race, the attorneys, and the following remarks on the mode in which this junior of four years' standing argued before the Court of Error will best corroborate the statement:—

"I was present in Court a few days ago," writes Mr Hoare in 1801 to Colonel Lefroy, "and heard your son argue a writ of error before the Exchequer Chamber. He was about two hours speaking, and, at the close of his arguments, he concluded by lamenting he was under the necessity of taking up so much of their lordships' time, to which Lord Clare\* replied—'Mr Lefroy, you have no reason whatever to lament, for you have argued the case with most uncommon precision, and much satisfaction to the Court.' The argument was received not only by the Court, but by the bar, in the most gratifying manner, and the Chief-Baron,† at a large party on that day, said, 'It was the ablest argument that had been made at the Irish bar.' Mr Burston, one of the leading lawyers in Chancery, before going out of Court, went up to Mr Babington, a most eminent solicitor, and advised him to retain your son for every important cause he had to be argued."‡

We may be certain the intelligence was highly gratifying to the young barrister's father, and was followed up, in 1802, by the publication of Mr Lefroy's work on "*Proceedings by Elegit for the Recovery of Judgment Debts*," which was a most timely production, for the decision of the Court of King's Bench upon the question of *elegits* caused great uncertainty as to proceedings by this process.

Law reporting at this period was almost unknown in Ireland. The decisions of Lord Lifford, Lord Chancellor of Ireland, though carefully reported by Mr Wallis, were not published for nearly half a century after they were pronounced, and it was rather a novel undertaking for Mr Lefroy, who was so short a time at the bar, together with another barrister, Mr Schoales, to undertake publishing the decisions of the great equity lawyer who succeeded Lord Clare as Lord Chancellor of Ireland—Mitford, Lord Redesdale. They performed the useful work most ably, and published the Chancellor's judgments from Easter Term 1802 until March 1806, when he ceased to be Chancellor. These decisions are excellent, and several relating to what is known as Irish Equity, the Tenantry Acts 19 and 20 Geo. III. c. 30, and the Law of Trusts, helped much to settle the law on these important subjects.

\* Then Lord Chancellor of Ireland.

† Chief-Baron Lord Avonmore.

‡ Memoir of Chief-Justice Lefroy, by his Son, p. 21.



Lord Redesdale was much pleased with the industry and ability of Mr Lefroy. Writing to a friend in England, the Chancellor kindly mentions him as a model for young lawyers to imitate. "Your friend, Mr Lefroy, is a young man who fully answers that description; he is much esteemed here, and I think must get forward."\* There can be no doubt the practice of law reporting is a most valuable one for a barrister. It makes him acquainted with the arguments on both sides, the causes referred to, and the way in which the judge distinguishes those in favour of his view from those against it.

With a view to general business, Mr Lefroy commenced to go circuit, and selected the Munster circuit as affording the widest field for practice. Here he soon established a high character as a *Nisi Prius* advocate, and in 1809 was employed at Wexford as special counsel, receiving the fee of 100 guineas. This mark of confidence in a barrister of eleven years' standing shows how his talents were appreciated. But the bent of his mind was for equity business, and he soon abandoned the noise and contention of the Assize Courts. In 1816 he received the silk gown of king's counsel, and two years later, Earl Talbot, then Lord-Lieutenant, with the concurrence of the Lord Chancellor (Lord Manners), Chief-Justice Downes, and the Attorney-General (Saurin), conferred the office of King's Serjeant upon Mr Lefroy.

Few men had more frequent opportunities of mounting the bench than he. Both when Judge Mayne resigned in 1820, and when Baron George retired in 1821, as well as on the death of Judge Fletcher in 1823, he was offered the vacant seats, but he preferred the more lucrative practice of the Court of Chancery, and, as he was then a young man with the best prizes before him, it was but natural he should decline to be shelved. In 1822, one of the judges being unable to go the Munster circuit, Mr Serjeant Lefroy was selected in his room, and his first judicial experience was not one to make him more desirous of ascending the bench. The present judges of Ireland may be congratulated on the light duties they have to discharge at the crown side of the Courts, when we contrast the calendars of our day with that presented at the Special Commission under the Insurrection Act in February 1822. The number of persons in Cork gaol was no less than 366, of whom 35 were capitally convicted. Serjeant Lefroy bears the following kindly testimony to his associate judge, the late Baron Pennefather. In a letter to Mrs Lefroy, he says:—"My friend Pennefather has, indeed, been as good as his word. He has been a most valuable, as well as friendly brother-judge. His sound judgment and great experience, joined to the most perfect cordiality, have afforded me the greatest assistance and comfort." Serjeant Lefroy went the Munster circuit again in 1824 and 1825, and also presided on other circuits in 1827, 1828, and 1829. His piety and charitable disposition brought him prominently into communion with various religious and humane societies—such as the Kildare Place Society, the Hibernian Missionary Society, the Scripture Readers' Society; he also took a great interest in the conversion of the Jews to Protestantism, and it

\* Memoir of Chief-Justice Lefroy, by his Son, p. 26.

was after taking part in a meeting of the Society which labours for this object, that the following incident occurred:—While presiding as judge of assize in Cork, a man was tried before him for larceny of a number of ancient coins, some of the Hebrew nation, others of the period of the Cæsars. O'Connell was employed to defend the prisoner, and the judge, having asked to see the coins, O'Connell significantly exclaimed—"Hand his lordship the *Jewish* ones, but give me the *Roman*."

In 1830 an event happened which displays the independence and spirit of Mr Lefroy when defending what he conceived the privilege of his office. The political importance of O'Connell, all powerful with his friends, was deemed so formidable to his enemies that the Tory authorities, then ruling in Dublin Castle, resolved, when a vacancy occurred among the judges of Assize, not to send Serjeant Lefroy as circuit judge, as he was so disliked by the Irish agitator.

The practice almost invariably has been in Ireland, when one of the twelve common-law judges was unable to go circuit, to select a Serjeant for this high function, and we read, in O'Flanagan's "*Lives of the Lord Chancellors of Ireland*," how, so far back as 1637, Thomas, Lord Wentworth, then Viceroy, severely reprimanded the Chancellor, Lord Ely, for passing over Serjeant Eustace, whom the Viceroy insisted should be sent as judge of assize, instead of a barrister, Mr Alexander, who was selected by the Lord Chancellor. It happened that Baron McClelland, being unwell, was unable to go the spring circuit of 1830, and under the pretext that so many causes were unheard before the Lord Chancellor, it was suggested, unofficially, that it were well if Serjeant Lefroy claimed exemption, which would be readily granted, from going the Munster circuit as judge of Assize. This most unusual interference caused the Serjeant to see through the measure; he at once replied, that though his circuit duty would be to him personally an inconvenience as well as a loss of income, he felt it was one of the privileges incident to the office of Serjeant, and that, for the sake of the profession in which that post gave precedence and rank, he thought it was incumbent on him, while holding the rank, not to forego any public duty from considerations of personal convenience.

A further effort was made by Mr Joy, then Attorney-General, to induce Mr Lefroy not to press his right, when Mr Lefroy informed him that "any further communication should be official and in writing," which led to the ensuing letter from Mr Gregory, then Under-Secretary for Ireland:—

"DUBLIN, February 26, 1830.

"SIR,—I have received the Lord-Lieutenant's command to acquaint you, that he considers your nomination to the provisional exercise of the judicial function as inexpedient to the existing circumstances of this country.

"I have the honour to be, Sir,

"Your most obedient humble servant,

"WM. GREGORY.

"Mr Serjeant Lefroy."



This curt, and certainly very mandatory epistle, produced the following spirited answer:—

"SIR,—I have had the honour of receiving your letter of this morning, acquainting me that the Lord-Lieutenant 'considers the nomination of me to the provisional exercise of the judicial functions as inexpedient to the existing circumstances of this country.' Connecting this letter with the communication made to me yesterday morning by the Attorney-General from the Lord-Lieutenant, accompanied as it was by every assurance of personal respect, I feel it due to his Grace to submit to the consideration of his better judgment one or two observations which have occurred to me on the subject of these communications. I confess it does appear to me to be essential to the due administration of public justice, that the officers of the crown, so far as respects the discharge of their judicial functions, should have the same independence which the law has secured to the judges, so as to place them in like manner beyond the control of popular clamour or of existing circumstances. I also think, on the part of the profession to which I belong, that I ought not to submit, in my person, to have the office stripped of one of its most honourable incidents, by compromise or acquiescence, though inconvenient in its exercise to myself.

"I feel, therefore, compelled to say, that if his Excellency should deem it fit to interdict my going circuit, I should consider it due to the office and myself, to request, in such case (if this be his Excellency's determination), that he may permit me to resign it altogether. I received the office unimpaired in its privileges; it is admitted I held it unsullied, and in that state I wish to lay it down, if it is no longer to be enjoyed without mistrust and curtailment.

"I have the honour to be, &c.,

"Wm. Gregory, Esq."

"THOMAS LEFROY.

This manly protest against interference on the part of the executive was ineffectual in restraining the course which the Viceroy had made up his mind to adopt. Mr Serjeant Blackburne was selected to go circuit, and Mr Lefroy, true to his principles, resigned the serjeantry. The course taken by Mr Lefroy helped to raise him still higher in the estimation of his political friends, who now regarded him in the light of a martyr to the cause of Protestant ascendancy. His return to Parliament for Dublin University, at the general election which followed the death of King George IV. in 1830, was the first reward for his conduct, and it must have been gratifying to him that, when about commencing his Parliamentary career, he was accompanied to the House of Commons by his eldest son, Anthony Lefroy, returned as one of the knights of the shire for the county of Longford.

Mr Lefroy was a consistent Tory, and took part in most of the debates of a sectarian or party nature. He steadily opposed the reform bills, and all the Whig measures, with undeviating hostility.

In 1837 he commenced building a mansion at Carrig-glas, county Longford, in the Tudor style, with the tall towers, deep embayed windows, pointed gables, and embrasured parapets of that graceful period. We can well imagine the regret of Mr Lefroy when the effect was disclosed of the great storm of 6th January 1839 upon the woods

surrounding his house. It prostrated a large grove of cedars of Lebanon, which had formed the chief attraction from the windows of the principal sitting-rooms, and the wind committed such general havoc, that no less than 4600 trees were uprooted in the park and surrounding woods. A more serious trial quickly followed. When Sir Robert Peel became Premier, in September 1841, the great professional eminence of Mr Lefroy, as also his political services to his party, together with those of his son Anthony, pointed him out as a proper recipient of the Irish Great Seal. But O'Connell's influence interfered, and the office of Lord Chancellor of Ireland was, for the second time, conferred upon Sir Edward Sugden. Mr Lefroy had, shortly afterwards, the offer of becoming one of the Barons of the Exchequer, and though he felt inclined to refuse a puisne judgeship, as he had done before on several occasions, he was prevailed on to accept this offer, and took his seat on the Exchequer bench, Hilary Term 1842.\*

The appointment of Mr Lefroy to the Exchequer Bench was not allowed to pass unchallenged. On a motion in the House of Commons, respecting the restoration of Mr St George to the bench of magistrates, Mr Shiel thus commented upon the appointment of Baron Lefroy: "If to the Peerage, to which his fortune was so adequate; if to the House of Lords, where, on Irish appeals, totally unconnected with party he could, by his knowledge and his talents, have been eminently serviceable (in reward for his political services, which I do not mean to dispute), you had raised Mr Lefroy, I should not have complained; his abilities, his acquirements, his capacity to do good in a proper place, I freely admit; but that you should, from the entire mass of the Irish bar, have made a choice of a gentleman so conspicuous for the part which he has acted on every question by which Ireland has been agitated for the last twenty years, was a most extraordinary proceeding. I bear, I protest, no ill will to Baron Lefroy. I cannot injure him by any attack; you cannot hurt him by a defence. He is beyond the reach of both. If I ran the risk of doing him the slightest harm, I should abstain from all reference to his name; but it is legitimate and just, when to the individual in question no injury can accrue, to animadvert upon the breach of pledges which is involved by his promotion. I have no right to condemn *him*, but I have every right to censure *you*; I doubt not that he has always acted a conscientious part; but his appointment is not, upon that account, the less a departure from your engagements, and a violation of those pledges which no one asked you to make,—which were perfectly voluntary on your part, into which you entered without deliberation, and which you have abandoned with discredit."

In reply, Sir Robert Peel fairly showed how Viceroys of all political parties had offered judgeships to Mr Lefroy, and that the Irish bar expected he would have been Lord Chancellor. But the fears Mr Shiel entertained of the politician appearing in the judge, were never realised. As a judge, Baron Lefroy was never influenced by either religion or politics.

The kindly reception he met with from his companions on the bench,

\* Memoir of Chief-Justice Lefroy, by his Son, p. 216.



is thus mentioned by him in a letter to his wife, dated 21st January 1842:—"I have been now sitting a whole week with Brady\* and Richards (as Pennefather was sitting at the Commission Court), and I can truly say that, if the oldest friends I have amongst the judges had been my companions, instead of my political opponents, I could not have experienced more unaffected kindness, cordiality, and respect. Torrens has chosen the Munster circuit, in order that he and I may go together."†

Perhaps the solitary instance in which Baron Lefroy ever came into collision with the bar, occurred upon the Munster circuit, during the spring of 1842.

In the case of *O'Keeffe v. Wallis*, tried before the Baron at Cork. 21st March 1842, after the defendant's case was stated, the plaintiff's counsel applied to Baron Lefroy to adjourn, in consequence of the lateness of the hour, it being then past seven o'clock. The counsel stated they were unable, from fatigue and illness, to do their duty to their clients, and the counsel for the defendant having joined in requesting his lordship to adjourn, he peremptorily refused to do so. Whereupon counsel on both sides retired from Court, and his Lordship proceeded with the case in their absence.

In consequence of the above occurrence, a requisition, numerously signed by the Munster bar, having been presented to the father of the bar, Mr Bennett, Q.C., a meeting was called by him at the Bar-room in Cork, on Thursday the 22nd of March 1842, when the following resolutions were adopted:—

"1st, Resolved—That the practice of continuing the sittings of the Court on circuit after a late hour is calculated to prevent the due administration of justice, and is necessarily detrimental to the interests of suitors.

"2nd, That, although the pressure of business in the earlier towns on circuit, where the time for holding the assizes is limited, may occasionally render late sittings necessary, no such necessity can exist in the last town on the circuit.

"3rd, That this meeting highly approves of the conduct of counsel in withdrawing from Court under the circumstances.

"4th, That the father and junior of the bar do wait upon the learned Baron, and hand him a copy of these resolutions."

The copy of resolutions having been duly given to the Baron, the following reply was addressed by him to George Bennett, Q.C., the father of the Munster bar:—

"CORK, 26th March 1842.

"DEAR SIR,—I have to acknowledge the receipt of the resolutions of the Munster bar, which you were instructed by them to communicate to me, and regret that pressure of business has prevented me making an earlier reply. I think I may take the liberty of saying, that, from my standing in life and in my profession, as well as my long and intimate acquaintance with so many of the Munster bar, I scarcely could have expected that, without any previous intimation, a proceeding should

\* The Right Hon. Maziere Brady, Chief Baron, afterwards Lord Chancellor.

† "Memoirs of Chief-Justice Lefroy," by his son, p. 229.

have taken place such as occurred in Court, followed by an immediate Bar-meeting, and consequent resolutions, such as I cannot but hope they would not upon more mature deliberation have adopted; and I cannot, even now, avoid calling their attention to considerations which, under momentary excitement, I cannot but think have been overlooked, as I am persuaded the great body of the bar will ever be disposed to uphold the due authority of the bench, and to assist, rather than embarrass, a judge in the discharge of the difficult and arduous duties he has to perform; I consider it must, of necessity, belong to the discretion of the judge when to adjourn a cause, and that he is bound, in the exercise of this discretion, to consult as well the interests of suitors, and the accommodation of the jurors and witnesses, as the convenience of the bar. I cannot, therefore, subscribe to any doctrine which would transfer the exercise of this authority from the bench to the counsel in a particular case, without any regard to those other considerations which must necessarily and properly be taken into account in all the arrangements affecting the discharge of the public business, the propriety of which, I am persuaded, the bar itself will willingly admit.—I have the honour to be, dear Sir, your faithful humble servant,

THOMAS LEFROY.

“George Bennett, Esq.

“May I request you will submit this to the bar at your earliest convenience.”

As several of the Munster bar had left Cork when Baron Lefroy's letter was received by Mr Bennett, it was not submitted to them until the ensuing term in Dublin, when they had the opportunity of preparing the following reply:—

“May it please your Lordship,—Having taken into anxious consideration your lordship's letter, we the members of the Munster bar, who entered into the resolutions adverted to by your lordship, beg leave respectfully to inform you, that, although we assent to the several propositions laid down by your lordship in that letter, yet, after much deliberation, we find no reason to rescind or alter any of the resolutions that we have adopted.

“We assure your lordship that we never had the slightest intention of treating the bench with any disrespect, nor are we aware that, in any instance, we have been guilty of so doing; and, indeed, throughout the whole of the last circuit, we were desirous to pay your lordship that respect to which your high professional character and exalted station so justly entitle you. With respect to what appears to your lordship to have been too sudden a meeting, convened by requisition, without any previous intimation to your lordship, we beg leave to remark, that the meeting was not called until after repeated and respectful requests not to sit late had been made to your lordship, and refused, and not until some of the bar found themselves unable, from excessive fatigue, to discharge their duties.

“In the earlier towns of the circuit we contented ourselves with ineffectual remonstrances, but in the last circuit town, where the time for holding the assize was not limited, we felt that there was something harsh, as well as unusual, in your lordship's refusal to comply with a request made—as your lordship was apprised at the time—in conse-



quence of the illness and exhaustion of the counsel concerned in the cause, actually labouring as they then declared they did, under a physical inability to discharge their duties ; that inability induced in a great measure by the protracted sittings during the former part of the circuit.

"We do not believe that, on any former circuit, was such a request ever refused, or considered an undue interference with the authority of the bench. We beg leave respectfully to add, that the case in which your lordship declined to adjourn was one of such a nature that it would necessarily have occupied a considerable time, if the counsel engaged in it had been capable of remaining in court and performing their duties.

"We willingly admit, that it must of necessity belong to the discretion of the judge when to adjourn a cause; and that he is bound, in the exercise of that discretion, to consult the accommodation of the jurors and witnesses, as well as the convenience of the bar ; and we deprecate, as strongly as your lordship can, any doctrine which would transfer the exercise of that authority from the bench to the counsel in the cause ; but your lordship will be pleased to recollect that your intention openly announced on the Saturday evening, to sit late during the ensuing week, and so announced in opposition to the expectation of the bar, and to the expressed wishes of the great majority of the jury then impanelled, gave to your lordship's refusal to comply with the respectful application for an adjournment on the Monday following, the appearance, at least, of having been the result of your lordship's determination to act upon your previously declared resolution, rather than the exercise of your lordship's discretion, as to the propriety of adjourning the particular case then on trial.

"We beg leave to assure your lordship that we are, at all times, anxious to evince that respect which we sincerely feel for the gentlemen who so ably discharge the duties of jurors at the assizes ; and are, at all times, ready to comply with any wish expressed by them, not inconsistent with our duties to our clients ; but we feel that the first object to be considered by all concerned in the administration of justice is the interests of the suitors ; and we submit that, even if a few persons should be found desirous and able to protract their sittings, until both their fellow-jurors and the counsel had become incapable of performing their respective duties, a compliance with the wishes of such persons, under such circumstances, would tend rather to defeat than promote the ends of justice. We beg leave also to inform your lordship, that we have reason to believe that your lordship is in error, if your lordship supposes that the jurors in general desire that the courts should sit until a late hour in the evening.

"Whilst we are fully conscious of the respect that is due to the bench, and are sensible of the kindness manifested by the tenor of your lordship's letter, we feel it due to ourselves to submit the foregoing remarks to your lordship's consideration, and, at the same time, to express our most anxious hope that nothing that has occurred shall prevent in future the continuance of that kindly feeling that ought, at all times, to subsist between the bench and the bar."

Some further correspondence ensued, showing that both parties

adhered stoutly to their opinions as expressed above, which was closed by the Baron writing to Mr Bennett the following letter:—

“LEESON STREET, 12th May 1842.

“MY DEAR SIR,—As my letters were not written with a view to enter into discussion, but simply to call to mind the importance of considerations which appeared to me to have been lost sight of in the occurrences which took place at Cork, I shall make no observations on the letter you have now transmitted to me. I cannot, however, but entertain a confident hope that, when the excitement of the moment has passed away, the writers of that letter will view the transaction to which it refers in a very different light from what they seem disposed to do at present.—Yours, my dear Sir, very faithfully,

“George Bennett, Esq.

THOMAS LEFROY.”

Among the numerous cases of interest tried before Baron Lefroy, one of those which excited the greatest attention was that of John Mitchell, tried under the Treason Felony Act. This case was tried in May 1848, in the Commission Court in Green Street, Dublin, before Baron Lefroy and Judge Moore. The prisoner was found guilty, and sentenced by Baron Lefroy to fourteen years' transportation.

On the accession of the Earl of Derby to the high trust of Prime Minister in 1852, he lost no time in placing Baron Lefroy at the head of the Common Law Bench, as Lord Chief-Justice of Ireland. A better proof cannot be given of the estimation in which this excellent judge was held, than is contained in the letter of congratulation on this event addressed to him by the Roman Catholic Chief-Baron of the Court in which he sat for fourteen years.

“CASTLEBLANAY, 14th March 1852.

“MY DEAR CHIEF-JUSTICE,—I am here on my return from Derry, Sabbath-bound, as I do not travel on Sunday. I may possibly have to cross over to the north of England, immediately on my arrival in Dublin to-morrow. I therefore write this, lest I should miss seeing you. I suppose I may now address you by the title which I have written above. Most warmly as I must rejoice on personal grounds, at anything which could in any way conduce to your welfare or your honour, and much as I prize the accomplished lawyer who is to succeed you, I feel most deeply how great is the loss which your elevation will occasion to myself, and to the colleagues whose experience of your value has been still longer than mine. I shall ever look back with a satisfaction alloyed only by a sense of what we are losing upon the five years and a half during which I have witnessed and enjoyed the benefit of the learning and experience, the sound, clear, and vigorous judgment, the keen and stern sense of justice, and withal the cordial and candid spirit, guiding while it enhanced these qualities by which you have done so much in counselling and assisting us in the Exchequer.

“I could not forbear to say thus much to you; hoping that, though we shall no longer meet upon our old ground, we shall often renew our intercourse elsewhere, and wishing earnestly every good wish for your honour and happiness, I shall only add how sincerely I am,—My dear Chief-Justice, most faithfully yours,  
D. R. PIGOT.”

Chief-Justice Lefroy presided over the Court of Queen's Bench from



Easter Term 1852, to Trinity Term 1866, and, with his ten years' experience as Baron of the Exchequer, made an admirable common law judge. The reports of his decisions show how thoroughly he was master of the great principles of Common Law, and his constant attention being directed to points of pleading and practice, rendered no detail too small to escape his comprehension. While wielding the knowledge he possessed with a powerful arm, he could unravel the threads of the most tangled skein with the nicest care; and when presenting the cases at *Nisi Prius*, or the criminal trials, to the jury, he left nothing material overlooked or unnoticed. High functionaries seldom escape spiteful attacks, and Chief-Justice Lefroy was no exception.

During the Session of 1856, Sir John Shelley moved in the House of Commons for a return of the dates of the call to the bar of the judges of the Superior Courts of Law in Ireland, the duties of their appointments as judges, the number of times each was absent during the whole of any term, or part of a term, and the cause of such absence, also in how many instances substitutes were appointed by the crown to preside at any assize, or portion thereof, in the absence of any sub-judge, giving, in each case, the name of the town. While bringing forward this motion, Sir John Shelley referred to Chief-Justice Lefroy, Judge Torrens, and Baron Pennefather, "who," he said, "were allowed to hold their offices, when incompetent through age and infirmity from discharging their duties."

The result was not to drive the Chief-Justice from the bench, as was expected, and many years elapsed before the effort to displace him was renewed. In consequence of the old chief having shown some want of resolution when passing sentence on a man convicted at the assizes of Tullamore, the attack was renewed in the House of Lords by the Marquis of Clanricarde, and in the House of Commons by Mr Bryan, member for the county Kilkenny.

When vindicating Chief-Justice Lefroy from the attack of Lord Clanricarde, Lord Chelmsford said,\* "*Prima facie*, the noble Marquis was right in stating that a judge who had arrived at a time of life far beyond the ordinary period of man's existence could not be perfectly competent to the duties he had to discharge, but he would remind the noble Marquis that he must be cautious in measuring the capacity of age. A distinguished ornament of their lordships' House had not long ago passed away, who had adorned every debate with the most profound wisdom and judicial eloquence which had never been surpassed. That noble and learned lord, on the night that he entered on his ninetyeth year, addressed their lordships in a speech that arrested their attention for more than half an hour, in which the most perfect clearness, lucidity, and wisdom showed that his powerful intellect was setting without a cloud. Suppose that that distinguished person had held a judicial appointment, would it be a justification to call on him to resign on the score of his age? There was not a practitioner in the Court of Queen's Bench who would say that a single decision of the Lord Chief-Justice was not what it ought to have been, or that they showed any decay of his mental faculties. From the year 1862 to the present period, there have been only four writs of error from the Court of Queen's Bench,

\* Hansard, C. D., vol. 183.

and during the last two years only one bill of exceptions had been offered to the rulings of the learned judge. The noble Marquis has asked whether it would be possible that an English judge of that age would be able to endure the labours of circuit? For five-and-twenty years the Chief-Justice had not missed a single circuit in town, or any circuit, except in the year 1847, when he was suffering from low fever, and was obliged to absent himself for six weeks. He had up to the present moment discharged duties of the most important kind. The criminal business of the Queen's Bench was very considerable, besides which, the important questions connected with the Fishery Act all went to the Court of Queen's Bench. The Chief-Justice performed his part in the discharge of these duties, and every one of his decisions met with the most perfect approbation. With regard to the trial of the prisoner King, for the murder of an officer, which took place at the last assizes for King's County, he did not know upon what authority the facts were stated; but if he wanted a case which would satisfy him of the strength and vigour of the Chief-Justice's intellect, it was that case. Their lordships might recollect that a question of law arose in that case with respect to the indictment. By an Act of Parliament, in Ireland, if a murder was committed within 500 yards of the boundary of a county, the indictment might be laid either in that or the adjacent county. In the case alluded to, the murder took place not in the county in which the *venue* was laid, and an objection was taken that it ought to have been stated in the indictment that the murder took place within 500 yards of the boundary of the county. The question was argued before the Chief-Justice with very great ability, and he was of opinion that there was no necessity for introducing that averment into the indictment; but the question was so important, especially as the life of a human creature was concerned, that he reserved the point. It was accordingly argued before the judges, and they decided almost unanimously that the judgment of the Chief-Justice was right."

The discussion in the House of Commons was shared by Sir Hugh Cairns, who strongly testified to the ability of the Chief-Justice, as also did the Lord-Justice of Appeal in Chancery. Mr Blackburne and Mr Whiteside\* also fought stoutly for the old chief, and showed that the amount of property litigated in the Queen's Bench was larger than that either in the Exchequer or Common Pleas. Mr Whiteside contended that "it might as well be said that in age Titian had lost his genius, Radetski could not win a battle, and Lord Lyndhurst had become a fool." Sir George Bowyer also came to the aid of the veteran judge. He referred to the judgments of the octogenarian Lord Mansfield, the nonogenarian Dr Lushington, and the advanced age of Lord Tenterden when he died, also to the sound intellects of Lord St Leonards, and the American Chancellor Kent.

This discussion elicited some interesting remarks in the newspaper press. At what particular period of life do the mental powers begin to decline, and when, as a general rule, is first observed the commencement of intellectual decay? "It is not true," wrote Dr Lerdat of the University of Montpellier, "that the intellect becomes weaker after the vital

\* The Right Hon. James Whiteside. This distinguished ornament of the Irish Bar succeeded Chief-Justice Lefroy as Lord Chief-Justice of Ireland.



force has passed its culminating point. The understanding acquires more strength during the first half of that period which is designated as old age. It is, therefore, impossible to assign any period of existence at which the reasoning powers suffer deterioration." The opinion of this eminent physiologist was supported by referring to the instances of Lord Eldon, who possessed the full enjoyment of his wonderful intellect until shortly before his death, in his 86th year. His brother, Lord Stowell, lived to the age of ninety, his mental faculties remaining unimpaired to the last. So in the case of Lord Mansfield, who reached the ripe age of eighty-nine. Sir Edward Coke, up to the period of his death, in the 82d year of his age, was employed in revising his works for the press. At the age of eighty-three Sir Isaac Newton brought out the third edition of his "Principia," for which he wrote a new preface. Cumberland, Bishop of Peterborough, mastered Dr Wilkin's Coptic Testament at that age. Titian continued to paint to the age of ninety-six, when he died suddenly. So that one should be cautious in lowering the value of intellect in aged persons.

But political changes brought about what the attacks in the Lords and Commons could not achieve. The death of Lord Palmerston, in 1865, broke up the mixed party which he so long kept together, and Earl Russell's ministry was defeated by a majority of eleven, on Lord Dunkellin's amendment to the Reform Bill, which led to Lord Derby's becoming Premier. This was the period for the Chief-Justice to enable his political friends to replace him by one of their most able supporters. He at once communicated his readiness to resign to the Prime Minister, who wrote in reply:—

"DOWNING STREET, *July 11th*, 1866.

"MY DEAR CHIEF-JUSTICE,—Your son sent me, a few days ago, a most kind letter from you, the handwriting of which I should have taken to be that of a man of thirty, instead of ninety, in which you express your readiness to surrender into my hands the high office which I had the satisfaction of intrusting to you fourteen years ago, and which you have filled with so much credit to yourself, and advantage to the public service. I find it difficult to express the gratification I feel at the cordial and friendly terms in which the offer of your resignation is couched."

It was, however, deferred until arrangements were perfected for Mr Whiteside to succeed him as Chief-Justice, but on the 24th of July 1866 it at length took place.

Farewell addresses poured in from grand juries and public bodies, but that of the Bar is all we can afford space for.

"To the Right Hon. Thomas Lefroy.

"SIR,—We, the undersigned members of the Bar of Ireland, desire to address you on your retirement from the judicial bench. We express with pleasure our appreciation of the industry and energy, the logical power, the profound learning, the great talents and high integrity, by which your long professional career has been illustrated; and we acknowledge that your distinguished success was the just reward of these admirable qualities.

"Your reports of the judgments of Lord Redesdale in the Court of Chancery—the first service rendered by you to the administration of the

law—have found a becoming sequel in many valuable judgments pronounced by yourself in the Courts of Queen's Bench and Exchequer, to which the highest authority will be permanently attached.

"We are persuaded that the Bar of Ireland will long cherish with pride and gratitude the memory of the dignity and courtesy which marked your conduct as Chief-Justice.

"We would congratulate you on the many pleasant memories which will follow you into your retirement—the recollection of youthful honours won at the University; of early struggles and exciting triumphs in your profession; of many genial and distinguished friends; and lastly, of the admiration and deep respect achieved by your talents and the firmness and impartiality with which you administered the law.

"In that retirement we trust that, by the blessing of Divine Providence, you may enjoy a serene old age, adorned by the exercise of private virtue, enriched by the abundance of domestic happiness, and supported by a bright hope of immortality.

"And now, Sir, we cordially bid you farewell.

ROBERT D. MACREDDY, Father of the Irish Bar.

MICHAEL MORRIS, M.P., Attorney-General.

HEDGER EYRE CHATTERTON, Solicitor-General.

COLMAN O'LOGHLEN, Bart., M.P. (Second Serjeant)."

Sixty Queen's counsel and 187 members of the Outer Bar also signed this address.

In his reply the venerable Chief-Justice thus refers to the study of the laws of England:—"Many of you, no doubt, have already learned for yourselves that the laws of England present one of the noblest and most useful of human studies to an intellectual mind; but to those of you who have just entered on your professional career, let me say that, after the experience of a long life, I look back not only to the University honours and the professional triumphs, to which you have so gracefully referred, but to the years of diligent and patient study which I have devoted to the acquirement of a thorough knowledge of the principles of our law, as one of the most pleasing recollections of my early life. I now bid you farewell; and in doing so, allow me to reciprocate the kindest, the best of your wishes for me, by expressing my earnest desire for each and all of you that, as advancing years roll on, your earthly path may be lightened by that bright hope of immortality which can alone give true happiness, or secure to any man a power of mind that shall stand the test of adversity as well as of prosperity.—I remain, yours very faithfully and obliged,

THOMAS LEFROY."

The council of the Incorporated Law Society of Ireland also, by its address, bore testimony to the "profound harmony, deep sagacity, and unwavering patience" which have marked the Chief-Justice's judicial career. That by his departure, the bench lost "one of its brightest ornaments, in whose hands justice was administered, not only with power and impartiality, but also with that dignity which should ever accompany such administrations, and which secures for it reverence and honour."

In the Chief-Justice's reply he refers to the efforts which the council was making, and has so signally achieved, of rendering the profession of Attorney or Solicitor attainable only by gentlemen of considerable



intellectual culture. Mr Lefroy says—"Your address refers to a subject which has long engaged my anxious attention, and though now withdrawn from the sphere of duty on which I could effectually assist the praiseworthy efforts of the Law Society to uphold the character and social status of that important branch of the legal profession to which you belong, yet I shall not fail to take a deep interest in the subject. My long experience in the administration of justice has strengthened my early convictions as to the evil of the practice which prevails, of allowing men to take upon themselves the duties of your profession who have neither the education nor the intelligence necessary for the purpose, a practice which is opposed to the well and widely established rule in England, and which deprives the suitors of the security they ought to have in being represented by those who have been admitted as members of your profession, and who, as officers of the court, are subject to its control." The recent rules for admission to this important branch of the legal profession, and the examinations before young men can be received as apprentices, show how, not only the interests of the attorneys but of the public at large, have been consulted and advanced by the Law Society of Ireland.

The closing years of the aged Chief-Justice were spent in retirement, but not in apathy or indolence. He was essentially of domestic tastes, and gathered around him at his country seat, Carrig-glas, and in his town house in Leeson Street, his children and children's children, especially at the genial seasons of Christmas and Easter. The air of Bray being deemed better for his lungs than that of Carrig-glas, he took a pretty villa there, called Newcourt, which he principally occupied for the last few years of his life. Here, on the 4th of May 1869, surrounded by all his family, preserving his consciousness to the last, taking part in the devotions which were conducted by his son, Chief-Justice Lefroy died. His remains were followed by the members of the Irish Bench, the Bar, and the public to the family vault in Mount Jerome Cemetery, Dublin, on the 11th of May 1869.

#### WILLIAM SHARMAN-CRAWFORD.

BORN 1780—DIED OCTOBER 1861.

WILLIAM SHARMAN-CRAWFORD was the eldest son of the late William Sharman, Esq. of Moira Castle, Co. Down, Colonel of the Union Regiment of Volunteers, and M.P. for Lisburn in the Irish Parliament from 1783 till 1790. He assumed the latter surname in addition to his paternal one of Sharman, by royal license, in compliance with the will of Mr John Crawford of Crawfordsburn, County Down, whose daughter Mabel he married in 1813.

The name of Mr Sharman-Crawford has been identified with all the great political and social questions which agitated Ireland almost from his boyhood. Following in the footsteps of his father, Colonel Sharman, he took the Liberal side against the aristocracy of his county, and laboured anxiously for nearly half a century in the democratic cause. Though himself one of the wealthiest commoners in Ulster, he exhibited

all through his public life a strong antagonism to the landed gentry, and his sympathies were altogether with the people, and especially with the tenant farmers. Mr Crawford's public life commenced with the agitation for the relief of the Roman Catholics from their civil disabilities. In 1831 he unsuccessfully contested the representation of the county of Down, and he stood for Belfast in 1832, when he was again defeated. At length in 1834, he entered Parliament as member for Dundalk, and continued to sit for that borough until the dissolution in 1837. Mr Crawford, though strenuously opposed to the Repeal movement when first started by Mr O'Connell, entertained a plan of his own for a "Federal Parliament" in Dublin, by which purely Irish questions might be entertained and determined, and he even ventured to debate the question with the great agitator face to face in Conciliation Hall. The tumultuous scene which occurred on that occasion led to a break between Mr Crawford and Mr O'Connell, and the former became for some time an object of great odium, which resulted in his being driven from the representation of Dundalk. In 1841 the electors of the borough of Rochdale paid Mr Crawford one of the highest compliments ever conferred by a constituency on a representative. "The men of Rochdale," says the *Northern Whig*, "from pure regard for his principles and respect for his public worth, returned Mr Crawford as their member, without one farthing of expense, and without his having a personal acquaintance with a single voter in the borough. This gratifying connection existed until the 1st of July 1852, when he retired, carrying with him the affectionate regard of his constituency." At the general election of 1852, when upwards of seventy years of age, Mr Sharman-Crawford made his last public struggle for the cause he had espoused, and contested the county Down unsuccessfully against the landed influence. In the House of Commons, while representing Dundalk and Rochdale, he was universally respected for his integrity, fairness, and sound sense. But, notwithstanding the weight of his personal character, his scheme for effecting the great object of his political life, the question of "Tenant Right," was rejected over and over again; the landed class denounced it as a measure of confiscation, and it was generally derided as the "hobby" of a mad enthusiast. Accordingly, the several bills which he introduced in Parliament never found favour with the Legislature, and all attempts to legalise the "Custom of Ulster," and extend it to other parts of Ireland proved abortive. But it must have been gratifying to Mr Crawford's numerous friends and zealous supporters to find that, within a period of less than ten years from his death, the Government of the day thought it advisable to introduce a measure carrying out the very objects for which he struggled during the greater part of his public life. "The Landlord and Tenant (Ireland) Act 1870" gives the effect of law to the "Custom of Ulster," and provides for compensation for improvements made by tenants in their holdings in other parts of Ireland in case of their being disturbed in their possession. Whatever opinion may be entertained as to the effects of this Act of Parliament, there can be no doubt that to Mr Crawford is due the origin of the measure, and his exertions paved the way for its introduction. Sir Robert Peel, when last in office, was so



influenced by Mr Crawford's advocacy of Tenant Right, that he sent a commissioner to Ireland to make inquiries into the system of land tenure in every county. Two years afterwards the *Times* sent Mr Caird on a similar mission, and the result of those inquiries was to bring before the country a vast amount of valuable information. It seems, too, very remarkable that Mr Crawford's scheme of a "Federal Parliament" should within the last few years have been revived under the title of "Home Rule," and apparently with some prospect of success. He died at his residence, Crawfordsburn, on the 17th of October 1861, at the venerable age of 81.

## THE RIGHT HONOURABLE FRANCIS BLACKBURNE.

BORN 1782—DIED 1867.

ALTHOUGH the subject of the present memoir lived in times of great political excitement in Ireland, he so adroitly, and at the same time honourably, set his sails to catch every favouring breeze of promotion that he was trusted equally by Whig and Tory. He had no desire to enter Parliament, and, though he exercised great public influence in Ireland, he never had to encounter the trials of political strife on the hustings or the wordy war of the Senate. Every administration that secured his co-operation felt strengthened by the alliance, for no man stood higher in public esteem as a profound lawyer, an astute adviser, and an accomplished gentleman than Francis Blackburne. Though his life is unmarked by many vicissitudes, it affords such lessons of the results of industry and perseverance as to render it deserving of being read with attention.

Francis Blackburne was born at Great Footstown, in the County Meath, on 11th of September 1782. His father, Richard Blackburne, had married, in 1774, Elizabeth, daughter of Francis Hopkins, Esq., lineally descended from the celebrated Dr Ezekiel Hopkins, who filled a very important place in the Protestant Church of Ireland at a period of great danger. He was Bishop of Londonderry when the Prentice boys made their gallant defence against the Jacobite forces. Francis received his earliest education at the school of the Rev. Hugh Nilson, who taught his pupils in the village of Dunshaughlin, not far from Footstown. Here he remained until he was thirteen years of age, when the disturbed state of the country obliged his parents to relinquish their insecure residence at Footstown for the protection of the metropolis. This change had the effect of placing young Francis at a better school than the village one—that of the Rev. William White—where he was class-fellow of many talented youths of Dublin. Young Blackburne was a diligent student, and even in those early days gave promise of the excellence which marked his later years. In his sixteenth year, when sufficiently prepared for college, he became a student of Dublin University in 1798, and obtained first scholarship in 1801, besides an exceptional honour—an extraordinary premium for his distinguished answering in classics.\*

\* At this time honours in classics were given during the two first years of the undergraduate course only.

Those who are familiar with Mr Blackburne's forensic career can readily believe in the great success which attended his displays in the renowned College Historical Society. He gained medals for oratory and history; and while the rich stores of his mind were poured fourth in terse and vigorous words, the ear was pleased by an agreeable voice and a good delivery. The eloquent scholar obtained his degree of Bachelor of Arts in the spring of 1803, and at the same time the gold medal.\* During the later years of his college life, Mr Blackburne entered the King's Inn as law student, and was called to the Irish Bar in Hilary Term, 1805. He had been as diligent in law as in classical learning, and though he does not appear to have had the benefit of training at a special pleader's or conveyancer's chambers, he was not unprepared for business when business came. He went the Home Circuit shortly after being called, and got some briefs at the Assizes which led to others in town, on motions for new trials or points reserved, and having placed his competency beyond doubt by his able addresses to the Court in Banco, business soon flowed in to the rising junior. Most men have to bide their time at the bar; many grow heart sick and weary before their time comes; not so with Francis Blackburne. He had, almost from the start, as much business as he cared for; and by the time he was ten years called, more than his health enabled him safely to undertake. In 1822, he was called to the inner bar as King's Counsel; and it was matter of surprise and reproach to the Lord Chancellor, Lord Manners, that Mr Blackburne should have worn the stuff gown so long. Daniel O'Connell, when stating before a Parliamentary committee the hardships inflicted upon members of the bar, who, being Roman Catholics, were then, in 1825, denied the honours of the profession, mentioned that he was often mortified by having his junior promoted over his head, and then paid the following compliment to Mr Blackburne:—"Mr Blackburne is my junior, certainly, of high reputation in his profession. His promotion could create no jealousy in my mind. He is one of the best lawyers at the bar." Further promotion was soon to visit the new King's Counsel.

In 1823, Mr Blackburne was appointed by the Marquis of Wellesley, then Viceroy, to carry out the provisions of the Insurrection Act in the counties of Clare and Limerick, and it required very great tact and discretion to do this effectively. Mr Blackburne accomplished his invidious duty most ably; and in 1826 the office of third serjeant falling vacant by the promotion of an excellent lawyer and worthy man, Serjeant Lloyd, as commissioner of the court for relief of insolvent debtors in Ireland, the coif was given to Mr Blackburne. He became second serjeant on the resignation of Serjeant Lefroy in 1830, and during these years was in large practice at the bar. He also acquired the confidence of the Tory Government, and was named commissioner to inquire into the party riots which disgraced the north of Ireland.

The Whigs succeeded the Duke of Wellington's administration in 1830, and Lord Grey appointed Mr Joy Chief Baron of the Exchequer, and Mr Doherty Chief Justice of the Common Pleas. This made

\* He subsequently took the degrees of LL.B. and LL.D. in 1852, when he became Vice-Chancellor of the Dublin University.



a vacancy in the two law offices, and Serjeant Blackburne became Whig Attorney-General for Ireland.

The period during which the Marquis of Anglesey held office in Ireland was one of great political excitement. O'Connell had hoisted the standard of Repeal of the Union, and one of the first steps taken by the Marquis of Anglesey, Lord-Lieutenant of Ireland, was to state his determination to suppress these meetings. He found great difficulty, as he had the consummate ability and subtlety of O'Connell opposed to him. When the Privy Council of the Castle issued a proclamation forbidding the meetings of "The Society of the Friends of Ireland," O'Connell forthwith dissolved that body, and, Phoenix-like, there rose from its ashes "The Anti-Union Association." When the proclamation against this society was placarded, another change of name took place, and the society became "The Irish Volunteers for the Repeal of the Union." In meetings, in speeches, in letters, O'Connell pressed forward his panacea for Irish grievances, despite the prohibitions of the Irish Executive.

The celebrated "Algerine Act," so named by O'Connell, received the Royal assent 5th March 1829. It empowered the Lord-Lieutenant to declare by proclamation any assembly in Ireland illegal. O'Connell, as we have seen, tried to evade the Government proclamations by changing the places of the meetings and the names of the associations. Instead of open-air meetings, he had a series of breakfasts at which patriotic speeches were made. Notwithstanding the ingenuity which the most astute leader of the Irish Catholics employed, O'Connell was arrested, together with seven of his associates, and an indictment, charging him with misdemeanour in violating the statute, and also for constituting an unlawful assembly, was found by the Grand Jury in the King's Bench, Dublin, in January 1832. The course advised by O'Connell, in reference to this proceeding, was eminently calculated to perplex any but the most wary Attorney-General. He demurred to the counts in the indictment charging him and his associates with violating the Act. He pleaded "Not Guilty" to the counts charging offences at common law. When the demurrer was ready for argument, O'Connell appealed to the Court for leave to withdraw the demurrer, and plead. This motion was resisted by the Attorney-General, Blackburne, on the grounds that, as the time for trial was now passed, the traversers ought not to be allowed to avail themselves of an artifice to procrastinate the decision of the case. The Court then ruled the traversers must be ready for trial at the after sittings, and that, though the Chief-Justice could try the case, the other three judges of the King's Bench would preside also. While expectation was busy with the probable result of the trial, O'Connell, on the last day of Hilary term, caused the plea of 'Not Guilty' on the counts framed and the statute to be withdrawn, and that of 'Guilty' entered, with the object, it was said, of trying by writ of error the questions of law raised by the demurrer. This seemed to satisfy the Crown, and a *Nolle prosequi* was entered on the remaining counts, the traversers undertaking to appear for judgment on the first day of Easter term.

Delays are often fraught with serious consequences. Mr Blackburne thought he held O'Connell fast bound in the meshes of the

statute, but this was not so. The Act was to be in force only *during the Session of Parliament*, and before the day upon which O'Connell and his brother traversers were to appear for judgment, the Act they were indicted for violating was a dead letter on the statute-book. Lord John Russell's Reform Bill, carried by a majority of one on the second reading, went into committee. The first amendment was defeated by a majority of 8; this led to a dissolution, and the legal chain which bound O'Connell and the rest was snapped, and the proceedings fell to the ground. During some years subsequently, Ireland was greatly disturbed by agrarian crime, the result of the then unsatisfactory state of contracts between landlords and tenants. The Attorney-General used every exertion to vindicate the law, and uphold trial by jury. He attended in many cases, and his statements of facts, distinguished by their extreme lucidity, his propositions of law, alike just and appropriate, his manner calm and unimpassioned, evincing no desire unduly to strain the power of the law of which he was minister against the prisoners in the dock, make his conduct of these trials a model for future law officers to imitate. At the special commissions in Clare and in the Queen's County, as also the Terryalt insurrection in Limerick in 1831, and the trial of the men charged with slaughtering the police at Carrickstock in 1832, the Attorney-General conducted the prosecutions, while O'Connell defended the prisoners. It was an interesting study to watch the Attorney-General on these exciting occasions: When others were anxious, eager, excited, he was calm and self-possessed; his language was concise and elegant; he refrained from exciting the juries by the least attempt at declamation; but his voice, sonorous and powerful, sent every word home to the listener's mind. The very look of Mr Blackburne denoted power. The massive square-built form told of strength in its compactness. The broad brow, the well-developed jaw, the coarse round nose, and large lustrous dark eyes, told of strength and laboriousness.

In 1833, Blackburne again encountered O'Connell. Mr Barrett, proprietor of the *Pilot* newspaper, was prosecuted for printing and publishing a letter of O'Connell's upon the fertile subject of the Union. The letter was considered a libel, and the newspaper proprietor was prosecuted. O'Connell was counsel for Mr Barrett. He defended his own letter in a speech which occupied four hours in the delivery, and was a masterly piece of eloquence; but the jury convicted, and the Attorney-General triumphed. Mr Barrett was sentenced to fine and imprisonment.

In 1834 a change of Government took place. The Whigs ceased to be advisers to his Majesty King William IV., and Sir Robert Peel took the helm of State. Men speculated as to the course Mr Blackburne would adopt. He had held office under the Anglesey and Wellesley Whig administrations. Even after Earl Grey, the Duke of Richmond, Lord Ripon, and Lord Stanley had left what they considered a sinking ship, the Irish Attorney-General firmly clung to the craft, which struggled amidst the breakers. Such was the confidence reposed in him, that, it is said, he was specially invited by Lord Melbourne, the Whig Premier, to waive his right to the seat vacated by



the death of Judge Jebb in October 1834, and continue to act as Attorney-General, with Mr O'Loughlen as Solicitor-General. To this he consented. Yet, despite all this, he continued Attorney-General under the Tory administration of Sir Robert Peel.

The celebrated "appropriation clause" wrecked the Peel Government in April 1835, and Mr Blackburne, Attorney-General for Ireland, lost his official position. He had sinned too deeply against the Whigs ever to expect favour or affection from them again, and even the patent of precedence which it was customary to grant out-going Attorney-Generals was not offered to Mr Blackburne. This did not trouble him. He had vast and lucrative practice in the Court of Chancery, where his great professional learning, quiet argumentative habits, and clear statements, made him the prime favourite. He was occasionally brought to the assizes by a special fee, and contemporaries well remember his power on such occasions. His speeches, though admirable, were not distinguished by any extraordinary flights of eloquence, but adapted to the reason and intellects of the twelve gentlemen he wished to convince. He urged such points as he considered material in a voice of singular sweetness and tone, in a manner that spoke more of principles to be accepted than of points to be discussed, until his calm and quiet assurances insensibly told upon the jury, and they coincided with his views as those of equity and good conscience.

His talent for cross-examination partook of much the same character. He could not if he would assume what is called the bullying, *nisi prius* manner. Mr Blackburne never browbeat a witness, but he gained his point by other means. His tranquil manner and gentle voice lulled the unsuspecting witness into a fancied security; his victim never thought of the effect of admissions brought out by the subtle lawyer who put the apparently harmless questions in the most dulcet tones until he achieved his object. Especially with educated witnesses, his method was far more successful than any amount of bullying or browbeating.

It would probably have been the right of the Attorney-General to succeed to the Chief-Justiceship of the Queen's Bench, on the retirement of Chief-Justice Bushe in 1841, but he gave place to Mr Pennefather, the Solicitor-General, one of the most eminent members of the bar of Ireland, who, in standing, was considerably senior to the Attorney-General. Mr Blackburne, however, was soon to occupy the bench. The estimable and able Master of the Rolls, Sir Michael O'Loughlen, died in September 1842, and the ensuing Michaelmas term his seat was occupied by the Right Honourable Francis Blackburne. The duties of the Judge of the Rolls Court involve perhaps a larger amount of technical knowledge, and a more prompt application of legal principles, than those of any other judge. He has to deal with a more extended list of causes of great importance and varied aspect; while some are of the easiest form, many are of a most intricate and complicated character; and the facts of each case are usually gleaned from the statements of counsel.

The Master of the Rolls is usually expected to decide *ex instante*, and therefore requires to be master of the equity which he deals out, and of the practice of the Court over which he presides. He has, of course, the power of taking time to deliberate before he decides, but in general

the cases are summarily disposed of, many being mere matters of account to be arranged in the offices of the three Masters in Chancery, or by appointment of receivers, or distribution of funds in Court. All these notices are familiar to the practitioner in the Rolls Court, and the business had been so admirably discharged by Sir Michael O'Loughlen, that some anxiety was felt as to whether his successor would be equally successful in giving satisfaction to the suitors and the profession. A short experience of Mr Blackburne's judicial capacity decided the question affirmatively. His great knowledge of equitable principles, combined with his comprehensive grasp of the material facts of each case, enabled him to decide promptly and intelligibly; while in every matter, especially in any one of doubt or difficulty, he listened with patient attention to the arguments of counsel, and then pronounced judgments which won respect and commanded reverence. His high personal character also gave additional force to his views; and woe to the tricky solicitor, defaulting trustee, or fraudulent agent, who came under his just rebuke. Yet, however strong his language and vigorous his denunciation, he ever remembered he was on the judgment seat. No hasty ebullition of temper or expressions of irritable antipathy, however pardonable in a man, but highly indecorous in a judge, escaped from the bench during the time he presided. Hence he made an admirable Master of the Rolls.

He was destined for higher duties, however, than those of the Rolls Court. The death of Chief-Justice Pennefather in 1845 left the chief place at the disposal of the Government, and Sir Robert Peel conferred it upon Mr Blackburne. The office was suited to his character as an intrepid upholder of law and order. Unhappily it was not very long before he was called upon for a display of these qualities. In 1848, a time of Revolution in Europe, the political party known as "Young Ireland" had notoriously seceded from the "Old Ireland" party on the point that an appeal to physical force was allowable to gain political privileges, which the peace-loving Old Irishmen denied. In order to carry out their views, the Young Irishmen assembled large bodies of their adherents, chiefly in Tipperary, and induced them to believe there would be a general insurrection. Several bodies, with such weapons as they could procure, were seen in various parts of the country. At length an insurrection broke out during the month of July 1848, at Ballinacorney, in the county Tipperary, on which occasion William Smith O'Brien, Terence Bellew MacManus, Thomas F. Meagher, and others, acted as leaders. They attacked the police-barrack, and, in the words of the statute, "levied war" against the Queen contrary to their allegiance, and incurred the penalties of high treason. This insane attempt at rebellion having been speedily crushed, the leaders were arrested, and a special commission for the trial of the prisoners was directed to the Lord Chief-Justice, Chief-Justice Doherty, and Mr Justice Hearn. The Court was opened at Clonmel on Thursday, the 21st of September 1848.

Blackburne's charge to the grand jury fully sustained his great reputation. In opening the matter to be inquired into, he lamented that Her "Gracious Majesty should, after the lapse of a few months, find it necessary to issue that commission. Distressing and deplorable as such a measure would be under any circumstances, it becomes so



in the last degree when we know that that measure has originated in machinations and attempts which constitute the crime of high treason—a crime the highest in degree that a subject of the realm or a member of the community can commit; a crime whose object is the total destruction of our legal system, the subversion of all security for property and for life; and a crime which no reasonable being can contemplate without knowing that it must lead to the shedding of human blood, and that it must entail on the country all the horrors and all the miseries of civil and social war.”\*

The Crown was represented by the Attorney-General, the Right Hon. J. K. Monahan, the Solicitor-General Hatchel, and some members of the Leinster Circuit; while the prisoners were defended by Mr Whiteside, Q. C., Mr Francis Fitzgerald, Sir Colman O’Loghlen, and Mr Barton. With such able counsel, it is needless to say the whole armoury of legal weapons was tried to shield their clients. There were applications to postpone the trials for non-delivery of lists of jurors and witnesses, challenges to the array, challenges to the jurors, and numerous law arguments, all requiring the vigilant attention of the Chief-Justice. The jury having found verdicts of guilty against the various prisoners, Smith O’Brien and others received sentence of death. A writ of error was brought forward and argued in the Court of Queen’s Bench, and judgment was given against the prisoners. The sentence pronounced upon Mr Smith O’Brien and the rest was changed into banishment to the Australian colonies.

In 1851, the Chief-Justice was appointed Vice-Chancellor of the University of Dublin, an office of dignity and responsibility, and for which his great love for his university rendered him peculiarly qualified. He retained it till his death. When Lord Derby became Prime Minister in 1852, he had such personal knowledge of the great ability of the Chief-Justice, both as a politician in advising and a lawyer in administering justice, that he selected him for the highest office in the law—that of Lord Chancellor of Ireland. He acquitted himself in this, as in his no less arduous duties in the Queen’s Bench and the Rolls, with great learning and ability. He had indeed no very heavy list of causes; the Chancery Regulation Act, passed two years previously, sent most of the causes to be decided before the Masters in Chancery. The ministry of Lord Derby broke up in the month of December 1852, and on its resignation Mr Blackburne was succeeded by Mr Maziere Brady. The Ex-Chancellor then lived much at his residence, Rathfarnham Castle, which he took great delight in restoring to its former splendour.

On the Chancery Appeal Act of 1856 becoming law, the office of Lord-Justice of Appeal in Chancery created by it gave a fitting opportunity for utilising the great judicial talents of Ex-Chancellor Blackburne. Indeed, while the bill was proceeding towards maturity, the professional and the public voice so distinctly marked out Mr Blackburne for this office as to prevent any competition; and in November 1856, while Lord Palmerston was Premier, Mr Blackburne was sworn in as Lord-Justice; he was thus once more a recipient of office from the Whigs. Here he was in his element. Patient in investigating, clear and

\* Trial of Smith O’Brien, p. 2.

logical in arranging, impressive and dignified in expression, he never felt the responsibility of his high position a burden; and, while weighing the judgment of others, he was abstemious in enforcing his own. His judgments are remarkable for their moderate, dispassionate, and able expositions of the law, and were delivered in his equable, imperturbable voice. No obtrusive self-assertion, or undignified imputation upon the judgments of his brother judges, marred the effect of the decision of Lord-Justice Blackburne.

On the return of Lord Derby to the office of Prime Minister in 1866, the Lord-Justice was then over eighty years old, and though in vigorous health for his time of life, could not be considered capable of efficiently discharging the onerous duties of Lord High Chancellor of Ireland. It was the wish of the legal profession that the Right Hon. Abraham Brewster, whose political opinions were in accord with the Government, should be tendered the Great Seal, and it was with regret that he was seen to be passed over and the honour once more conferred on the octogenarian Lord-Justice. At the same time Ex-Chancellor Napier was nominated Lord-Justice of Appeal, vacant by the elevation of Mr Blackburne to be Chancellor. As the former eminent lawyer laboured under the infirmity of deafness, the high sense of honour which has ever distinguished Ex-Chancellor Napier induced him to address a very characteristic letter to the Premier, resigning the appointment.

Before concluding this memoir of Mr Blackburne, we must make some mention of his social qualities. These were very high, and deservedly endeared him to a wide circle of friends. He had great musical talent, and in his earlier days sang the melodies of his native land with a sweetness and pathos which Moore declared lent them an additional charm. He was a patron of the fine arts, and was so distinguished for his practical views on Irish matters that it is said that when a new Viceroy was sent to Ireland and inquired of some leading member of the Government the best means of governing the country, the answer was, "Provide yourself, my lord, with a good cook, and in all difficulties be guided by Blackburne."

As the Chancellor did not feel called upon to make a sacrifice similar to that of Mr Napier, he retained office in 1866, though it was manifest that his once able and judicial mind succumbed to the pressure of age and bodily infirmity. He at last became quite unequal to the labour of hearing causes, and early in 1867 he resigned the Great Seal.

Very shortly after his retirement, the following address from the Bar was presented to the Right Hon. Francis Blackburne:—

"SIR,—The Bar of Ireland desire, while they bid farewell on the occasion of your retirement from the bench, to express to you their feelings of respect and admiration for the great qualities which have distinguished you, and have reflected so much honour upon your profession. The history of your career, extending over more than sixty years, contains a record of which the Irish bar are proud, and which is in many respects without a parallel. In your earlier years at the bar those qualities which had won the great distinctions of your college course raised you to pre-eminence among rivals with whom few could have ventured to compete. Having reached the highest



point of professional eminence, and proved yourself a sound lawyer and consummate advocate, public honours and public trust soon followed as the first recognition of your well-earned position. In the discharge of your duties as first law-officer of the Crown during times of difficulty your abilities were ever equal to the occasion, while your moderation and firmness have left an example worthy of imitation. You were then in succession Master of the Rolls, Lord Chief-Justice, Lord High Chancellor, and Lord-Justice of Appeal. In the history of this country no man ever filled so many high judicial offices, and brought to the discharge of each such great and varied faculties. Calm and impressive dignity, great grasp of mind, unequalled sagacity, and a rare faculty of clothing thought in clear and simple language, conspicuously marked your administration of the law. Your uniform courtesy and kindness will be long remembered by us all, and you bear with you, into your retirement, the sincere good wishes of every member of the Irish Bar.

"Signed for the Bar of Ireland, in pursuance of a resolution unanimously adopted at a meeting held in the Law Library, Four Courts, Dublin, April 24th, 1867.

"ROBERT D. M'CREADY, *Father of the Bar.*"

The following is the reply of the Ex-Chancellor.

"GENTLEMEN,—It is with feelings of no ordinary character that I reply to your address, so kind, so touching, I would add so affectionate, and it causes me no little difficulty to find words to give adequate expression to them. It affords me the deepest gratification to receive from the Bar of Ireland such a recognition of my services, when I consider its worth, its learning, and its personal character. In your feeling address you allude to the several high offices which I have from time to time filled by favour of the Crown, and to the mode in which their attendant duties were performed. I can only say that, in the discharge of those duties, I felt that a sacred trust was committed to my keeping, and that a strict regard to the interests of justice and to the welfare of our country and perfect impartiality between man and man, should be my guiding principles of action. In bidding you farewell, at the close of a long professional career, I cannot do so without in the fullest manner reciprocating the kindly sentiments which your address contains, and wishing you, my friends, a long enjoyment of life and happiness, and of success in the noble profession of which we are members. I had hoped to have had the great pleasure of being able to receive your address in person, but I deeply regret that, owing to my lengthened illness, I am unable to do so, and must therefore send to the Father of the Bar the reply which I should so much have wished to deliver.

"FRANCIS BLACKBURNE."

The following address to the Right Hon. Francis Blackburne, late Lord High Chancellor of Ireland, was next presented by the Attorneys and Solicitors.

"SIR,—We feel that we would not properly represent the attorneys and solicitors of Ireland if we allowed an event of such importance in our legal annals, as your retirement from public life, to pass by without

an expression of our sincere esteem and admiration for your judicial character. We have seen you fill four eminent positions, any one of which would have tested the qualities of a judge, and in each we have experienced the benefit of your great ability, acumen, and learning, as well as your incomparable patience, courtesy, and impartiality. As Master of the Rolls, Lord Chief-Justice, Lord Chancellor, and Lord Justice of Appeal, you ever upheld with firmness the dignity of the bench, while you extended to the practitioners of the court every reasonable indulgence, consideration, and confidence. In your hands, both law and equity were in their respective spheres administered with equal power and ability, and with that calm, unbiassed judgment which ever inspires confidence in the minds both of the suitors and the legal profession. We desire, at the close of a judicial career, so long, so eventful, and so distinguished, to express on behalf of our profession our best wishes for your future welfare, and to assure you that you will carry into your retirement the highest esteem and respect of the attorneys and solicitors of Ireland.—I remain, Sir, on behalf of the Incorporated Law Society of Ireland, your faithful servant,

“RICHARD J. THEO. ORPEN, *President*.

“JOHN H. GODDART, *Secretary*.

“SOLICITORS’ HALL, FOUR COURTS,  
DUBLIN, May 24, 1867.”

The annexed was his lordship’s reply.

“GENTLEMEN,—It is to me a source of the most unfeigned gratification to receive such a mark of approbation as that which has been presented to me by the attorneys and solicitors of Ireland. Brought for many years, both as barrister and judge, into intimate connection with members of your profession, I should indeed be wanting if I did not express the deep sense which I have always entertained of their high character and honour, and of the talents and skill which they brought to the discharge of their arduous and responsible duties. For the manner in which you have alluded to my public services, I cannot feel too grateful. It affords me the deepest pleasure to find at the close of a long and I may add of an eventful career, that I retire from the cares and responsibilities of public life, having gained the approbation and esteem of those whom I so highly value. I should have wished, had my illness not prevented it, to have replied to your address in person, but my failing health forbids it, and I am therefore reluctantly obliged to send these few lines to your secretary.

“FRANCIS BLACKBURNE.”

On the 17th of September 1867, the Right Honourable Francis Blackburne died, just five days after the completion of his eighty-fifth year, at his residence, Rathfarnham Castle, in the County of Dublin.



HISTORICAL INTRODUCTION

TO

MODERN PERIOD.





THE  
IRISH NATION:  
ITS HISTORY  
AND  
ITS BIOGRAPHY.

BY  
JAMES WILLS, D.D.,  
AND  
FREEMAN WILLS, M.A.

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2201-2300	2201-2300	2201-2300
2301-2400	2301-2400	2301-2400
2401-2500	2401-2500	2401-2500
2501-2600	2501-2600	2501-2600
2601-2700	2601-2700	2601-2700
2701-2800	2701-2800	2701-2800
2801-2900	2801-2900	2801-2900
2901-3000	2901-3000	2901-3000
3001-3100	3001-3100	3001-3100
3101-3200	3101-3200	3101-3200
3201-3300	3201-3300	3201-3300
3301-3400	3301-3400	3301-3400
3401-3500	3401-3500	3401-3500
3501-3600	3501-3600	3501-3600
3601-3700	3601-3700	3601-3700
3701-3800	3701-3800	3701-3800
3801-3900	3801-3900	3801-3900
3901-4000	3901-4000	3901-4000
4001-4100	4001-4100	4001-4100
4101-4200	4101-4200	4101-4200
4201-4300	4201-4300	4201-4300
4301-4400	4301-4400	4301-4400
4401-4500	4401-4500	4401-4500
4501-4600	4501-4600	4501-4600
4601-4700	4601-4700	4601-4700
4701-4800	4701-4800	4701-4800
4801-4900	4801-4900	4801-4900
4901-5000	4901-5000	4901-5000











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