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Содержание

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GREAT BRITAIN AT THE COMMENCEMENT OF THE YEAR 1843

Great Britain, at the present moment, occupies a position of dignity, of grandeur, and of RESPONSIBILITY, unparalleled in either her own history, or that of any other nation ancient or modern. Let him who is inclined to doubt this assertion, of whatever country he may be, and whether friendly, hostile, or indifferent to England, glance for a moment at a map of the world, and having at length found out our little island, (which, perhaps, he may consider a mere fragment chipped off, as it were, from the continent of Europe,) turn to our stupendous possessions in the east and in the west —in fact, all over the world—and he may be apt to think of the fond speculative boast of the ancient geometrician, "Δος που στω, χαι τον χοσμον χινησο," and to paraphrase and apply it thus—"Give the genius of Great Britain but where she may place her foot—some mere point peeping above the waves of the sea—and she shall move the world." Is not this language warranted by recent facts? While our irritable but glorious neighbour France—*pace tantae gentis!*—is frittering away her warlike energies in Algeria, and Russia is worried by her unsuccessful and unjust attempts upon Circassia, behold the glorious monarch of this little island, Queen Victoria, roused by indignities and injuries offered to her most distant subjects in the East, strike single-handed a blow there, which shakes a vast and ancient empire to its very foundations, and forces its haughty emperor from his throne, to assume the attitude of a suppliant for peace, yielding her peremptory but just demands, even at the cannon's mouth, and actually relinquishing to her a large portion of his dominions. Events, these, so astonishing, that their true character and consequences have not yet been calmly considered and appreciated by either ourselves or other nations. Look, again, at recent occurrences in British India—that vast territory which only our prodigious enterprise and skill have acquired for us, and nothing but profound sagacity can preserve to the British crown—and observe, with mixed feelings, two principal matters: a perilous but temporary error of overweening ambition on the part of Great Britain, yet retrieved with power and dignity; and converted into an opportunity of displaying—where, for the interests of Great Britain, it was imperiously demanded—her irresistible valour, her moderation, her wisdom; exhibiting, under circumstances the most adverse possible, in its full splendour and majesty, the force of that OPINION by which alone we can hold India. Passing swiftly over to the Western Continent, gaze at our vast possessions *there* also—in British North America—containing considerably upwards of four millions of square geographical miles of land; that is, nearly a ninth part of the whole terrestrial surface of the globe![1]—besides nearly a million and a half miles of water —five hundred thousand of these square miles being capable, and in rapid progress, of profitable cultivation! at more than three thousand miles' distance from the mother country, and in immediate juxtaposition to the territory of our distinguished but jealous descendants and rivals—a rising nation —the United States! Pausing here in the long catalogue of our foreign possessions, let our fancied observer turn back his eye towards the little island that owns them; will he not be filled with wonder, possibly with a conviction that Great Britain is destined by Almighty God to be the instrument of effecting His sublime but hidden purposes with reference to humanity? Assume, however, our

[1] Malte Brun, xi. 179. Alison, x. 256.

observer to be actuated by a hostile and jealous spirit, and to regard our foreign possessions, and the national greatness derived from them, as only nominal and apparent—to insinuate that we could not really hold them, or vindicate our vaunted supremacy if powerfully challenged and resented. Let him then meditate upon the authentic intelligence which we have just received from the East: what must then be his real sentiments on this the 1st day of January 1843? Let us ask him, in all manly calmness, whether England has not *done* what he doubted or denied her ability to do? whether she has not shown the world that she may, indeed, do what she pleases among the nations, so long as her pleasure is regulated and supported by her accustomed sagacity and spirit? She has, however, recently had to pass through an awful ordeal, principally occasioned by the brief ascendency of incompetent councils; and while expressing, in terms of transport, our conviction that, "out of this nettle danger, we have plucked the flower safety"—we cannot repress our feelings of indignation against those who precipitated us into that danger, and of gratitude towards those who, under Divine Providence, have been instrumental in extricating us from it, not only rapidly, but with credit; not merely with credit, but with glory. To appreciate our present position, we must refer to that which we occupied some twelve or eighteen months ago; and that will necessarily involve a brief examination of the policy and proceedings of the late, and of the present Government. We shall speak in an unreserved and independent spirit in giving utterance to the reflections which have occurred to us during a watchful attention paid to the course of public affairs, both foreign and domestic, in the interval alluded to; though feeling the task which we have undertaken both a delicate and a difficult one.

After a desperate tenacity in retaining office exhibited by the late Government, which was utterly unexampled, and most degrading to the character and position of public men engaged in carrying on the Queen's Government, Sir Robert Peel was called to the head of affairs by her Majesty, in accordance with the declared wishes of a triumphant majority of her subjects—of a perfectly overwhelming majority of the educated, the thinking, and the monied classes of society. When he first placed his foot upon the commanding eminence of the premiership, the sight which presented itself to his quick and comprehensive glance, must have been, indeed, one calculated to make

> —"the boldest hold his breath
> For a time."

What appalling evidence in every direction of the ignorance and madness of his predecessors! An exchequer empty, exactly at the moment when it ought to have been fullest, in order to support our tremendous operations in the East and elsewhere: in fact, a prospect of immediate national insolvency; all resources, ordinary and extraordinary, exhausted; all income anticipated: an average deficiency of revenue, actual and estimated, in the six years next preceding the 5th of January 1843, of L.10,072,000! Symptoms of social disorganization visible on the very surface of society: ruin bestriding our mercantile interests, palsied every where by the long pressure of financial misrule: credit vanishing rapidly: the working-classes plunged daily deeper and deeper into misery and starvation, ready to listen to the most desperate suggestions: and a Government bewildered with a consciousness of incompetency, and of the swiftly approaching consequences of their misrule, at the eleventh hour—on the eve of a general election—suddenly resolving (in the language of their own leader) to stir society to its foundations, by proposing a wild and ruinous alteration in the Corn-Laws, declaring that it, and it only, would bring cheap bread to the doors of the very poorest in the land:—after the manner of giving out ardent spirits to an already infuriated mob. In Ireland, crime and sedition fearfully in the ascendant; treasonable efforts made to separate her from us; threats even held out of her entering into a foreign alliance against us. So much for our domestic—now for our foreign condition and prospects. He would see Europe exhibiting serious symptoms of distrust and hostility: France, irritated and trifled with, on the verge of actual war with us: our criminally neglected differences with America, fast ripening into the fatal bloom of war: the very existence of

the Canadas at stake. In India, the tenure by which we hold it in the very act of being loosened; our troops shedding their blood in vain, in the prosecution of as mad and wicked an enterprise as ever was undertaken by a civilized nation; the glory of our hitherto invincible arms tarnished; the finances of India deranged and wasted away in securing only fresh accessions of disgraceful defeat. In China, we were engaged, in spite of the whisper of our guardian angel, Wellington, in a *little war*, and experiencing all its degrading and ruinous consequences to our commerce, our military and naval reputation, our statesmanship, our honour. Did ever this great empire exhibit such a spectacle before as that which it thus presented to the anxious eye of the new Premier? Having concluded the disheartening and alarming survey, he must have descended to his cabinet oppressed and desponding, enquiring who is sufficient for these things? With no disposition to bestow an undue encomium on any one, we cannot but say, happy was Queen Victoria in having, at such a moment, such a man to call to the head of her distracted affairs, as Sir Robert Peel. He was a man preeminently distinguished by caution, sobriety, and firmness of character—by remarkable clear-sightedness and strength of intellect—thoroughly practical in all things—of immense knowledge, entirely at his command—of consummate tact and judgment in the conduct of public affairs—of indefatigable patience and perseverance—of imperturbable self-possession. He seemed formed by nature and habit to be the leader of a great deliberative assembly. Add to all this—a personal character of unsullied purity, and a fortune so large as to place him beyond the reach of suspicion or temptation. Such was the man called upon by his sovereign and his country, in a most serious crisis of her affairs. He was originally fortunate in being surrounded by political friends eminently qualified for office; from among whom he made, with due deliberation, a selection, which satisfied the country the instant that their names were laid before it. We know not when a British sovereign has been surrounded by a more brilliant and powerful body of ministers, than those who at this moment stand around Queen Victoria. They constitute the first real GOVERNMENT which this country has seen for the last twelve years; and they instantly addressed themselves to the discharge of the duties assigned to them with a practised skill, and energy, and system, which were quickly felt in all departments of the State. In contenting himself with the general superintendance of the affairs of his government, and devolving on another the harassing office of Chancellor of the Exchequer, which, till then, had been conjoined with that of the First Lord of the Treasury, Sir Robert Peel acted with his usual judgment, and secured, in particular, one capital object—*unity of action.*

As soon as the late Ministry and their adherents perceived that Sir Robert Peel's advent to power was inevitable, they clamorously required of him a full preliminary statement of the policy he intended to adopt on being actually installed in office! By those who had floundered on, session after session, from blunder to blunder, from folly to folly—each more glaring and destructive than the preceding one—he was modestly expected to commit himself *instanter* to some scheme struck off, to please them, at a heat! A cut-and-dried exposition of his plans of domestic and foreign policy, before it was even certain that he would ever be called on to frame or act on them; before he had had a glimpse of the authentic and official *data*, of which none but the actual adviser of the crown could be in possession. This was doubtless *their* notion of statesmanship, and faithfully acted on from first to last; but Sir Robert Peel and his friends had been brought up in another school, whose maxim was—*priusquam incipias, consulta—sed ubi consulueris, mature facto, opus est.* The Premier stood unmoved by the entreaties, the coaxings, and the threatenings of those wriggling before him in miserable discomfiture and restlessness on the abhorred benches of Opposition; calmly demonstrating to them the folly and injustice of which they were guilty. Yet the circumstances of the country made his adherence to this first determination exquisitely trying. He relied, however, on the cautious integrity of his purposes, and the necessity of the case; and amidst the silent agitation of friends, and the frenzied clamour of opponents, and with a dreadful prospect before the country in the ensuing winter—maintained the silence he had imposed upon himself, and, with his companions, entered forthwith on a searching and complete investigation of the affairs of the nation. Not seduced by the irrepressible eagerness of

friends, or dismayed by the dark threats and dismal predictions of enemies, who even appealed direct to the throne against them, Ministers pursued their course with calmness and determination, till the legitimate moment had arrived for announcing to the country their thoroughly considered plans for the future. Sir Robert Peel is undoubtedly entitled to the credit of resuscitating and re-organizing the great party all but annihilated by the passing of the Reform Bill. It is under vast obligations to him; but so is he to it. What fortitude and fidelity have been theirs! How admirable their conduct on the occasion we are alluding to! And here let us also pay a just tribute of respect to the Conservative newspaper press, both in the metropolis and in the country. To select particular instances, would be vain and invidious; but while the whole country has daily opportunities of judging of the assistance afforded to the Conservative cause by the powerful and independent metropolitan press, few are aware, as we are, of the very great ability generally displayed by the provincial Conservative press. Their resolute and persevering exposure of the dangerous false doctrines of our unscrupulous adversaries, and eloquent advocacy of Conservative principles, are above all praise, and are appreciated in the highest quarters.

The winter was at length nearly passed through when Parliament assembled. The distress which the people had suffered, and continued to suffer, no pen can adequately describe, or do justice to the touching fortitude with which those sufferings were borne. It wrung the hearts of all who had opportunities of personally observing it. They resisted, poor famishing souls! all the fiendish attempts that were systematically made to undermine their loyalty, to seduce them into insubordination and rebellion. Let us, by and by, see how far the result has justified this implied confidence of theirs in the power, the wisdom, and the integrity of the new Government. After all the boasting of the Opposition—in spite of their vehement efforts during the recess, to concert and mature what were given out as the most formidable system of tactics ever exhibited in parliament, for the dislodgement of a Ministry denounced as equally hateful to the Queen and to the country, the very first division utterly annihilated the Opposition. So overwhelming was the Ministerial majority, that it astonished their friends as much as it dismayed their enemies: and to an accurate observer of what passed in the House of Commons, it was plain that the legitimate energies of the Opposition were paralyzed thenceforth to the end of the session. Forthwith, there sprung up, however, a sort of conspiracy to *annoy* the triumphant Ministers, to exhaust their energies, to impede all legislation, as far as those ends could be attained by the most wicked and *vulgar* faction ever witnessed within the House of Commons!

The precise seat of Sir Robert Peel's difficulty at home was, that his immediate predecessors had (whether wilfully or otherwise signifies nothing for the present) raised expectations among the people, which *no party* could satisfy; while their measures has reduced the people to a state in which the disappointment of those expectations seemed to excuse, if not justify, even downright rebellion. They arrayed the agricultural and manufacturing interests in deadly hostility against each other; they sought to make the one responsible for the consequences springing only from the reckless misconduct of the other. The farmers must be run down and ruined in order to repair the effects of excessive credit and over-trading among the manufacturers; the corn-grower must smart for the sins of the cotton-spinner. Such were some of the fierce elements of discord in full action, when the affairs of the nation were committed by her Majesty to her present Ministers, on whom it lay to promote permanent domestic tranquillity, amidst this conflict between interests which had been taught that they were irreconcilable with each other; to sustain the public credit at once, without endangering our internal peace and safety, or compromising the honour of the nation in its critical and embarrassing foreign relations. How were they to effect these apparently incompatible objects? "See," said the enemies of the Ministry, "see, by and by, when parliament assembles, a cruel specimen of *class legislation*—the unjust triumph of the landed interest—the legitimate working of the Chandos clause in the Reform Bill!" But bear witness, parliamentary records, how stood the fact!

That the present Ministry are mainly indebted for their accession to power, to the prodigious exertions of the agricultural interest during the last general election, is, we presume, undeniable. It

was talked of as their mere tool or puppet. Their first act is to lower the duties on the importation of foreign cattle! "We are ruined!" cried the farmers in dismay; and the Duke of Buckingham withdrew from the Cabinet. "This is a step in the right way," said the opponents of Ministers, "but it will clearly cost Peel his place—then *we* return, and will go the rest of the journey, and quickly arrive at the goal of free-trade in corn, and every thing else, except those particular articles in which *we* deal, and which must be protected, for the benefit of the country, against foreign competition." Then the Radical journals teemed with joyful paragraphs, announcing that Sir Robert Peel's ministry was already crumbling to pieces! The farmers, it would seem, were every where up in arms; confusion (and something a vast deal worse!) was drunk at all their meetings, to Peel! Nevertheless, these happy things came not to pass; Sir Robert Peel's Ministry *would* not fall to pieces; and the curses of the farmers came not so fast or loud as their eager disinterested friends could have wished! To be serious, the alteration of the Corn-Laws was undoubtedly a very bold one, but the result of most anxious and profound consideration. A moment's reflection of the character and circumstances of the Ministry who proposed it, served first to arrest the apprehensions entertained by the agricultural interest; while the thorough discussions which took place in Parliament, demonstrating the necessity of *some* change—the moderation and caution of the one proposed—several undoubted and very great improvements in details, and, above all, *a formal recognition of the principle of agricultural protection*, still further allayed the fears of the most timorous. To *us* it appears, that the simple principle of a scale of duties, adapted to admit foreign corn when we want it, and exclude it when we can grow sufficient ourselves, is abundantly vindicated, and will not be disturbed for many years to come, if even then. Has this principle been surrendered by Sir Robert Peel? It has not; and we venture to express our confident belief, that it never will. He cannot, of course, prevent the subject from being mooted during the ensuing session, because there are persons, unfortunately, sent to Parliament for the very purpose; but while he is listening with a calm smile, and apparently thoughtfully, to the voluble tradesmen who are haranguing him upon the subject, it is not improbable that he will be revolving in his mind matters much more personally interesting and important to them; viz. how he shall put a stop to the monstrous joint-stock banking system frauds, as exhibited at this moment at Manchester, in the Northern and Central Banking Company, and other similar establishments, blessed with the disinterested patronage of the chief member of the "Anti-Corn-Law League." The mention of that snug little speculation of two or three ingenious and enterprising Manchester manufacturers, forces from us an observation or two, viz. that the thing *will not do*, after all. There is much cry, and little wool; very little corn, and a great deal of cotton. They have a smart saying at Manchester, to the effect, that it is no use whistling against thunder; which we shall interpret to mean, that all their "great meetings," speechifyings, subscriptions, and so forth, will fail to kindle a single spark of real enthusiasm in their favour, among those who are daily becoming more and more personally sensible, first, of the solid benefits conferred by the wise policy of the present Administration; secondly, of the want of personal respectability among the leaders of the League; and lastly, the necessity and vast advantage of supporting the agriculture of Old England. The recent discussions on the Corn-Laws, in Parliament and elsewhere, the masterly expositions of the true principles on which they are really based, have thrown a flood of light on the subject, now made visible and intelligible to the lowest capacity. That some further alteration may not erelong be made on the scale of duties, no one can assert, though we have no reason to believe that any such is at present contemplated; but that the principle of the "sliding scale," as it is called, will be firmly adhered to, we entertain no doubt whatever. The conduct of the agricultural interest, with reference to subjects of such vital importance to them as the Corn-Law Bill and the Tariff, has been characterized by signal forbearance and fortitude; nor, let them rest assured, will it be lost upon the Ministry or the country.

The next step in Sir Robert Peel's bold and comprehensive policy, was to devise some method of recruiting *forthwith* its languishing vital energies—to rescue its financial concerns from the desperate condition in which he found them. With an immediate and perspective increase of expenditure that

was perfectly frightful—in the meditation and actual prosecution of vast but useless enterprises—of foreign interference and aggrandizement, to secure a little longer continuance of popular favour, they deliberately destroyed a principal source of revenue, by the reduction of the postage duties, in defiance of the repeated protests and warnings of Sir Robert Peel, when in Opposition. They had, in fact, brought matters to such a pitch, as to render it almost impossible for even "a heaven-born minister" to conduct the affairs of the nation, with safety and honour, without inflicting grievous disappointment and sufferings, and incurring thereby a degree of obloquy fatal to any Ministry. They seemed, in fact, to imagine, as they went on, that the day of reckoning could never arrive, because they had resolved to stave it off from time to time, however near it approached, by a series of desperate expedients, really destructive of the national prosperity, but provocative of what served their purposes, viz. temporary popular enthusiasm. What cruelty! what profligacy! what madness! And all under the flag on which were inscribed "*Peace! Retrenchment! Reform!*" Acting on the salutary maxim, that the knowledge of the disease is half the cure, Sir Robert Peel resolved to lay before the nation *the whole truth*, however appalling. Listen to the following pregnant sentences which he addressed to the House of Commons, within a few moments after he had risen to develope his financial policy, we mean on the 11th of March 1842:—"It is sometimes necessary, on the occasion of financial statements of this kind, to maintain great reserve, and to speak with great caution. A due regard for the public interest, may impose on a Minister the duty of only partially disclosing matters of importance. But I am hampered by no fetters of official duty. I mean to lay before you the truth—the unexaggerated truth, but to conceal nothing. I do this, because in great financial difficulties, the first step towards improvement is to look those difficulties boldly in the face. This is true of individuals—it is true also of nations. There can be no hope of improvement or of recovery, *if you consent to conceal from yourselves the real difficulties with which you have to contend*."[2] There was no gainsaying the facts which, amidst an agitated and breathless silence, he proceeded to detail with dreadful clearness and brevity; and out of which the question instantly sprung into the minds of every one—*are we not on the very verge of national insolvency*? He proceeded to demonstrate that his predecessors had exhausted every device which their financial ingenuity could suggest, down to their last supposed master-stroke, the addition of 10 per cent to the assessed taxes—thus adding very nearly the last straw which was to break the camel's back—the last peculiarly cruel pressure on the lower orders.

"Shall we persevere," he continued, "in the system on which we have been acting for the last five years? Shall we, in time of peace, have recourse to the miserable expedient of continued loans? Shall we try issues of Exchequer bills? Shall we resort to Savings' banks?—in short, to any of those expedients which, *call* them by what name you please, are neither more nor less than a permanent addition to the public debt? We have a deficiency of nearly L.5,000,000 in the last two years: *is there a prospect of reduced expenditure?* Without entering into details, but looking at your extended empire, at the demands which are made for the protection of your commerce, and the general state of the world, and calling to mind the intelligence which has lately reached us," [from Affghanistan,] "can you anticipate for the year after the next, the possibility, consistent with the honour and safety of this country, of greatly reducing the public expenses? I am forced to say, I cannot calculate on that.... Is the deficiency I have mentioned a casual deficiency? Sir, it is not; it has existed for the last seven or eight years. At the close of 1838, the deficiency was L.1,428,000; of 1839, L.430,000; of 1840, L.1,457,000; of 1841, L.1,851,000. I estimate that the deficiency of 1842 will be L.2,334,030; and that of 1843, L.2,570,000; making an aggregate deficiency, in six years, of L.10,072,000! ... With this proof that it is not with an occasional or casual deficiency that we have to deal, will you, I ask, have recourse to the miserable expedient of continued *loans*? It is impossible that I could be a party to a proceeding which, I should think, might perhaps have been justifiable at first, *before you knew exactly the nature of your revenue and expenditure*; but with these facts before me, I should

[2] Hansard, vol. lxi. col. 423.

think I were degrading the situation which I hold, if I could consent to such a paltry expedient as this. I can hardly think that Parliament will adopt a different view. I can hardly think that you, who inherit the debt contracted by your predecessors—when, having a revenue, they reduced the charges of the post-office, and inserted in the preamble of the bill a declaration that the reduction of the revenue should be made good by increased taxation—will now refuse to make it good. The effort having been made, but the effort having failed, that pledge is still unredeemed. *I advised you not to give that pledge*; but if you regard the pledges of your predecessors, it is for you now to redeem them.... I apprehend that, with almost universal acquiescence, I may abandon the idea of supplying the deficiency by the miserable desire of fresh loans, of an issue of Exchequer bills. Shall I, then, if I must resort to taxation, levy it *upon the articles of consumption*, which constitute, in truth, almost all the necessaries of life? *I cannot consent to any proposal for increasing taxation on the great articles of consumption by the labouring classes of society*." [Is it the friend or the enemy *of the people*, that is here speaking?] "I say, moreover, I can give you conclusive proofs that you have arrived at the limits of taxation on articles of consumption."[3] Sir Robert Peel then proceeded, with calmness and dignity, to encounter the possible, if not even *probable* fatal unpopularity of proposing that which he succeeded in convincing *Parliament* was the only resource left a conscientious Minister—an INCOME TAX.

"I will now state what is the measure which I propose, under a sense of public duty, and a deep conviction that it is necessary for the public interest; and impressed at the same time with an equal conviction"—[mark, by the way, the exquisite judgment with which this suggestion was *here* thrown in!]—"that the present sacrifices which I call on you to make, will be amply compensated, ultimately, in a pecuniary point of view, and *much more* than compensated, by the effect which they will have in maintaining public credit and the ancient character of this country. Instead of looking to taxation on consumption—instead of reviving the taxes on salt or on sugar—it is my duty *to make an earnest appeal to the possessors of property*, for the purpose of repairing this mighty evil. I propose, for a time at least, (and I never had occasion to make a proposition with a more thorough conviction of its being one which the public interest of the country required)—I propose *that, for a time to be limited, the income of this country should be called on to contribute a certain sum for the purpose of remedying this mighty and growing evil*, ... should bear a charge not exceeding 7d. in the pound, which will not amount to 3 per cent, but, speaking accurately, L.2, 18s. 4d. per cent—for the purpose of not only supplying the deficiency in the revenue, but of enabling us, with confidence and satisfaction, to propose great commercial reforms, which will afford a hope of reviving commerce, and such an improvement in the manufacturing interests as will re-act on every other interest in the country; and by diminishing the prices of the articles of consumption and the cost of living, will, in a pecuniary point of view, compensate you for your present sacrifices; whilst you will be, at the same time, relieved from the contemplation of a great public evil."[4]

We have quoted the very words of Sir Robert Peel, because they are every way memorable and worthy of permanent conspicuousness. In point, for instance, of mere oratorical skill, observe the matchless tact of the speaker. Conscious that he was about to propose what would come like a clap of thunder on all present, and on the country, he prepares the way for its favourable reception, by pointing out the almost necessarily *direct pecuniary benefit* ultimately derivable from his unpalatable tax; and the instant that he has disclosed his proposal, in the same breath carries our attention to a similar topic—an assurance calculated to arouse the self-interest and excite the approbation first of the commercial classes, and then of all classes, by the means this tax will give the Minister of proposing "great commercial reforms," and "reducing the cost of living." No power of description we possess can adequately set before the reader the effect produced on the House of Commons by the delivery of the passage above quoted, and which was shared, as the intelligence was communicated,

[3] Hansard, vol. lxi. col. 429, 430, 431.

[4] Hansard, vol, lxi. col. 439.

by the country at large. One thing was plain, that the Minister, disdaining personal considerations of unpopularity, had satisfied the nation that a desperate disease had been detected, which required a desperate remedy. It was—it is, in vain to disguise that an income-tax has many disgusting, and all but absolutely intolerable, incidents and characteristics, and which were instantly appreciated by all who heard or read of the proposal for its adoption, and these topics were pounced upon by the late Ministers and their supporters, with eager and desperate determination to make the most of them. To give effect to their operations, they secured an immediate and ample interval for exasperating popular feeling against Ministers and their abominable proposition! But it was all in vain. There was a bluff English frankness about the Minister that mightily pleased the country, exciting a sympathy in every right-thinking Englishman. *Here was no humbug of any sort*, no obtaining of money under false pretences. At first hearing of it, honest John Bull staggered back several paces, with a face rueful and aghast; buttoned up his pockets, and meditated violence even; but, in a few moments, albeit with a certain sulkiness, he came back, presently shook hands with the Minister, and getting momentarily more satisfied of his honesty, and of the necessity of the case, only hoped that a little breathing-time might be given him, and that the thing might be done as quietly and genteelly as possible! To be serious, however.

By whom, let us ask, had this Minister been brought into power? by whom most furiously and unscrupulously opposed? The former were those on whom he instantly imposed this very severe and harassing tax; the latter, those whom he entirely exempted from it: the former, those who *could*, with a little inconvenience, make the effort requisite to protect themselves in the tranquil enjoyment of what they possessed, the latter, those who were already faint, oppressed, and crushed beneath *burdens they were unable to bear*. Was this justice, or injustice? It then *must* be very contradistinctive—was the Minister, in this instance, the poor man's friend, or the rich man's friend? Was he exhibiting ingratitude and insanity, or a truly wise and honest statesmanship? We need *not* "pause for a reply." It has been sounding ever since in our ears, in the accents of national concord, and of admiration of the Minister who, in his very zenith of popularity and success, perilled all, to obey the dictates of honour and conscience, fearlessly proposed a measure which seemed levelled directly at those gifted and powerful classes by whom he had been so long and enthusiastically supported; of the Minister who, in fine, looked, and made the country look, a frightful danger full in the face—till it turned and fled. In spite of all that could be done by his bitter unscrupulous factious opponents in the House of Commons, and of the eloquent and conscientious opposition of Lord Brougham in the House of Lords, backed, all the while, by the immediate self-interest of those who were to smart under the tax, Sir Robert Peel carried his great and salutary measure in triumph through both Houses, without one single material alteration, till it became the law of the land, amidst the applause of the surrounding nations; for even those, alas! too frequently bitter and jealous censors of English conduct and character, the French, "owned that the English people had exhibited a signal and glorious instance of virtue, of fortitude, of self-denial, and sagacity." We have reason to believe that, on quitting the House of Commons after hearing the speech of Sir Robert Peel, from which we have been quoting, Lord John Russell asked a gentleman of brilliant talent and independent character, but of strong liberal opinions, "what he thought of Peel's financial scheme?" The answer was, "It is so fine a thing, that I only wish it had been prepared by Lord John Russell instead of Sir Robert Peel!" On which, unless we are mistaken, Lord John shrugged his shoulders in silence. His opposition to the income-tax, on going into, and while the bill was in, committee, was temperate, and even languid; and he stood in the dignified attitude worthy of his ancient name, and of personal character, far aloof from those who, throughout the session, pursued a line of conduct unprecedented in parliamentary history, degrading to the House of Commons, but possibly in keeping with all that might have been expected from them. We are vastly mistaken if Lord John does not regard them with secret scorn, and experience a shudder of disgust from any momentary contact with them; and shall not be surprised if, during the ensuing session, he should be at no particular pains to conceal the state of his mind.

One circumstance highly honourable to the national character, in relation to the income-tax, should not escape observation: that comparatively little or no real opposition, certainly no clamorous opposition, has been offered to the *principle* of the tax, and the policy of its imposition, by those on whom its pressure falls heaviest, namely, the great capitalists and landed proprietors of the kingdom. "The grasshopper," said Mr Burke, "fills the whole field with the noise of its chirping, while the stately ox browses in silence." The clamour against the income-tax comes mainly from those who are unscathed by it; those who suffer most severely from it, suffer in silence. The inferior machinery of the income-tax is unquestionably very far from attaining that degree of perfection, which we had a right to look for from the able and practised hands which framed it. The outcry raised, however, against the income-tax on this score, particularly on the ground of the heedlessness of subordinate functionaries, is subsiding. There is evident, as far as the Government itself is concerned, an anxious desire to enforce the provisions of the act with the greatest possible degree of delicacy and forbearance, consistent with the discharge of a painful but imperative duty. We repeat that the outcry in question, however, was principally occasioned by those who had least real cause, on personal grounds, to complain; who (unfortunately, it may be, for themselves) never yet approached, nor have any prospect of infringing upon, the fatal dividing point of L. 150 a-year, in spite of their long and zealous literary services, under the very best-conducted and *truly liberal* Radical newspapers, which they have filled, with persevering ingenuity, day after day, with eloquent descriptions of the awful state of feeling in the country on this most atrocious subject. Where, patriotic, but most imaginative gentlemen! where have been the great meetings summoned to condemn the principle of the tax? The great landholders, the great capitalists, the great merchants, are pouring their contributions into the exhausted Treasury, with scarce a murmur at the temporary inconvenience it may occasion them!—thus nobly responding to the appeal so earnestly and nobly made to them by the Prime Minister. So, moreover, are the vast majority of those persons on whom the tax falls with peculiar severity—we allude to the occupants of schedule D—who must pay this tax out of an income, alas! evanescent as the morning mist; which, on the approach of sickness or of death is instantly annihilated. These also suffer with silent fortitude; and we think we have heard it upon sufficient authority, that it was on these persons that Ministers felt the greatest reluctance in imposing the tax—at least to its present extent, only under an absolute compulsion of state policy. The total, or even partial exemption of this class of persons from the operation of the income-tax, would have been attended with consequences that were not to be contemplated for a moment, and into which it is impracticable here satisfactorily to enter. The tax undoubtedly pinches severely men of small and uncertain incomes, who are striving, on slender means, to maintain a respectable station in society; the man who, with a large family to be supported *and educated*, and who moves in a respectable sphere of society, has to pay his L.9 or L.12 out of his precarious L.300 or L.400 a-year, is an object of most earnest sympathy. Still, let him not lose sight of the undoubted hardships borne by his wealthier brethren. Is it nothing for a man—say the Duke of Buccleuch, the Marquis of Westminster, the Duke of Sutherland, or Lord Ashburton, or Mr Rothschild—to have to pay down their L.3000, L.4000, or L.5000 clear per annum, as the per-centage on their magnificent incomes, in sudden and unexpected addition to the innumerable and imperative calls upon them already existing, such as compulsory upholding of many great establishments in different parts of the country—various members of their families—married and single—to support in a style adequate to their rank and position in the country? It is needless, however, to pursue the matter further. The plain truth is, there is no help for it; the burthen is one that must be borne, and it is being borne bravely.

But why must this dreadful income-tax be borne? What has led to it? The vast majority of honest and thinking men in the nation have but one answer to give to the question. That the income-tax is the penalty the nation must pay for its weakness and folly, in permitting a Whig Ministry to get into power, and continue in power, "playing such fantastic tricks" as theirs, for the last ten years, both at home and abroad, as the nation *ought to have foreseen* would be inevitably followed

by some such grievous results as the present. This income-tax, however, let our opponents know, will serve for many years to come, long after it may have been removed, as a memento to prevent the country from tolerating the return to power of men whose reluctant and compulsory exit from power, after again doing enormous mischief, will be followed by a similar result—will impose on their Conservative successors the bitter necessity of imposing another income-tax. "The evil that they do," does indeed "live after them;" and without any "good, interred with their bones!" With the frightful deficit exhibited by Sir Robert Peel still staring us in the face; the war in the East yet to be paid for; faith to be kept with the public creditor both at home and abroad: a revenue of a *million a-year* recklessly sacrificed in reducing the postage duties:[5] a deficiency in the last quarter's revenue, that tells its own frightful story as to its cause, and an all but certain heavy deficiency to be looked for, we fear, in the ensuing quarter: with all this before him, will any *member or supporter of the late Government*—of all other persons—be found hardy enough to rise in his place next session, and bait Sir Robert Peel about the repeal of the income-tax? The country will not tolerate such audacity. We shall not reason with *them*; but to those who, like ourselves, are smarting under the effects of the late Ministry's misconduct, who have a right to complain loudly and indignantly, and enquire with eager anxiety when their suddenly augmented pressure is to cease, we feel compelled to express our opinion, founded on a careful observation of our present financial position and prospects, that we see no chance of being relieved from the burden of the income-tax, before the period originally fixed by Sir Robert Peel. Till then we must submit with what fortitude and cheerfulness we may. Under, however, a year or two's steady and enlightened administration of public affairs, matters may mend with unexpected rapidity; but it is not in the ordinary course of human affairs, that evils, the growth of many years, can be remedied in a moment. A chronic disease of the body requires a patient course of abstinence and skilful treatment, to afford a chance of the system's getting once again into a permanent state of health; even as with individuals, so is it with nations. That the sudden cessation of the drain upon our resources from the East, and the partial reimbursement we have already realized, will sensibly lighten the burthens under which the Minister has hitherto laboured, and make him with joy to realize the expectations which, in proposing the income-tax, he so distinctly, yet cautiously, held out, as to the period of its duration, we may consider as indisputable. Add to this the pacific policy which Sir Robert Peel and his Cabinet are bent upon maintaining, as far as is consistent with a jealous regard to our national honour, (and which our late resplendent successes are calculated to facilitate,) and the revival, erelong, of the revenue, concurrently with that of trade and commerce, which may be confidently anticipated under our present firm, cautious, and experienced councils, and we may give to the winds our fears as to the continuance of the income-tax one instant after it can be prudently dispensed with. What, however, as a matter of *mere speculation*, if the nation should by and by, when familiarized with the character and working of the income-tax, become more reconciled to it, and prefer its retention as a substitute for *the Assessed Taxes*, which at present press so heavily on all, but particularly on the working-classes! But while Sir Robert Peel was remodelling the Corn-Laws, and creating a new source of direct revenue, he also undertook another task—a herculean task, one utterly hopeless, and beyond the reach or even conception of any but a Minister conscious of occupying an impregnable position in the confidence of the country: we allude to his reconstruction of our entire commercial system, as represented by his *new Tariff*. What courage was requisite to grapple with this giant difficulty! What practical skill; what patience and resolution; what exact yet extensive acquaintance with mercantile affairs; what a comprehensive discernment of consequences; what firm impartiality in deciding between vast conflicting interests, were here evinced! And observe—all these great measures, effecting a complete revolution in our domestic economy and policy—the fruits of only a few months accession to office of a Conservative Ministry! All the while that the Radical press was assailing them on the ground of their insolent and cruel disregard of their duty, and

[5] Year ending 5th January 1840, L.2,390,764!—1841, L.1,342,604!—1842, L.1,495,540!—(*Finance Accounts*, 1842, p. 2.)

of the sufferings of the people, they were engaged upon the united labours of enquiry and reflection, on which alone can have been safely based the great measures which we have been briefly reviewing! "But all these," says some faithful mourner after the deceased Ministry, "they intended to have done, and would have done, *if they could*." Ay, to be sure. Admit it, for the nonce; 'twas easy to *say* it, but the thing was *to do it*—quoth Mr Blewitt! That same *doing*, is what we are congratulating the present Ministry upon. Yes, it has been done—the great experiment is being tried; may it prove as safe and successful, as it is bold and well meant. It must be regarded, however, as only a part of the entire scheme proposed by Sir Robert Peel, and judged of accordingly, with reference also to the necessity of his position, arising from the last acts of his predecessors—from the spirit and temper of the age. The long-continued languor and prostration of our commerce, undoubtedly required some decisive, but cautious and well-considered movement, in the *direction* of free-trade. How far we shall be met, in the same spirit, by France, Germany, Russia, and America, as has been long confidently predicted by those whose opinions have been perseveringly and vehemently urged upon the public, now remains to be seen. *Felix faustumque sit!* But at present, at all events, our example seems not likely to be followed by those on whom we most calculated, and time alone can decide between our course and theirs—between the doctrines of the old and of the new school of political economy—as to which is the short-sighted and mischievous—which the sagacious and successful policy. The powerful protection afforded by the new Tariff to our colonial produce, is one of its most interesting and satisfactory features. That, however, which has justly attracted to it incomparably the greatest share of public attention and discussion, is the introduction of foreign cattle. This topic is one requiring to be spoken of in a diffident spirit, and most guarded language. Whether it will effect its praiseworthy object of lowering the price of animal food, without being overbalanced by its injurious effects upon our all-important agricultural interests, we shall not for some considerable time be in a condition to determine. At present, it would appear, that the alarm of the farmers on this score was premature and excessive, and is subsiding. The combined operation of this part of the new Tariff, and of the reduction in the duties on the importation of foreign corn, may ultimately have the effect of lowering the rent of the farmer, and of stimulating him into a more energetic and scientific cultivation of the land; and generally, of inducing very important modifications in the present arrangements between landlords and tenants. In some of the most recent agricultural meetings, speeches have been made, from which many journalists have inferred the existence of rapidly-increasing convictions on the part of the agricultural interest, that a sweeping alteration in the Corn-Law is inevitable and immediate. They are, however, attaching far too much weight to a few sentences uttered, amidst temporary excitement, by a few country gentlemen, in some eight or ten places only in the whole kingdom. Let them *pause*, at all events, till they shall have more authentic *data*, viz. what the agricultural members of Parliament will say in their places, in the ensuing session. Much of the sort of panic experienced by the country gentlemen alluded to, may be referred to a recent paragraph in the *Globe* newspaper, confidently announcing the intention of Ministers to propose a fixed duty on corn. The glaring improbability, that even *were* such a project contemplated by Ministers, they would (forgetting their characteristic caution and reserve) agitate the public mind on so critical a question, and derange vast transactions and arrangements in the corn trade by its premature divulgement; and, above all, constitute the *Globe* newspaper their confidential organ upon the occasion, should alone have satisfied the most credulous of its unwarrantable and preposterous character. We acquit the *Globe* newspaper of intentional mischief, but charge it with great *thoughtlessness* of consequences. To return, however, for a moment, to that topic in the new Tariff most important to farmers. We believe that, since the day (9th July 1842) in which the new Tariff became the law of the land, the entire importation of cattle from the Continent, has fallen far short of a single fortnight's sale at Smithfield; but whether this will be the state of things two years, or even a twelvemonth hence, is another matter. At present, at all events, the new Tariff has had the beneficial effect of really lowering the price of provisions, and of other articles of consumption, essentially conducing to the comforts of the labouring classes. May

this, in any event, be a *permanent* result; and who could have brought it about, except such a Ministry as that of Sir Robert Peel, possessing their combined qualifications means, and opportunities, and equally bent upon using them promptly and honestly?

No sooner had that Parliament which had passed, in its first session, such a number of great measures, having for their object the immediate benefit of the lower orders, (and, it may really be said, almost wholly at the expense of the higher orders,) separated, after its exhausting labours, than there occurred those deplorable and alarming outrages in the principal manufacturing districts, which so ill requited the benevolent exertions of the Legislature in their behalf. They exhibited some features of peculiar malignity—many glaring indications of the existence of a base and selfish hidden conspiracy against the cause of law, of order, and of good government. Who were the real originators and contrivers of that wicked movement, and what their objects, is a question which we shall not here discuss, but leave in the hands of the present keen and vigilant Government, and of the Parliament, so soon to be assembled. If a single chance of bringing the really guilty parties to justice—of throwing light on the actors and machinery of that atrocious conspiracy shall be thrown away, the public interests will have been grievously betrayed. On this subject, however, we have no apprehensions whatever, and pass on heartily to congratulate the country on possessing a Government which acted, on the trying occasion in question, with such signal promptitude, energy, and prudence. Not one moment was lost in faltering indecision; never was the majesty of the law more quickly and completely vindicated, never was there exhibited a more striking and gratifying instance of a temperate and discriminating exercise of the vast powers of the executive. The incessant attention of all functionaries, from the very highest to the lowest, by night and by day, on that occasion, at the Home-Office, (including the Attorney and Solicitor-General,) would hardly be credited; *mercy to the misguided*, but instant vengeance upon the guilty instigators of rebellion, was then, from first to last, the rule of action. The enemies of public tranquillity reckoned fearfully without their host, in forgetting who presided at the Home-Office, and who at the Horse Guards. Nothing could be better than the Government examination into the real causes of the outbreak, instituted upon the spot the very moment it was over, while evidence was fresh and accessible, and of which the guilty parties concerned have a great deal yet to hear. The Special Commission for the trial of the rioters, was also issued with salutary expedition. The prosecutions were carried on by the Attorney and Solicitor-General, on the part of the Crown, in a dignified spirit at once of forbearance and determination, and with a just discrimination between the degree of culpability disclosed. The merciful spirit in which the prosecutions were conducted by the law-officers of the Crown, was repeatedly pointed out to the misguided criminals by the Judges; who, on many occasions, intimated that the Government had chosen to indict for the minor offence only, when the facts would have undoubtedly warranted an indictment for high treason, with all its terrible consequences. Before quitting this incidental topic of legal proceedings, let us add a word upon the substantial improvements effected in the administration of justice during the late session, and of which the last volume of the statute-book affords abundant evidence, principally under the heads of bankruptcy, insolvency, and lunacy. Great and salutary alterations have been effected in these departments, as well as various others; the leading statutory changes being most ably carried into effect by the Lord Chancellor, who continues to preside over his court, and to discharge his high and multifarious duties with his accustomed dignity and sagacity. His recent bankruptcy appointments have certainly been canvassed by the Radical press with sufficient freedom, but on very insufficient grounds. *No* appointments could have been made against which unscrupulous faction might not have raised a clamour. That temporarily excited in the present instance, has quite died away. The appointments in question have undoubtedly been made with a due regard to the public interest; but did the intelligent censors of the Radical press expect that those appointments of L.1500 a-year would be sought for or accepted by men at the bar, already making their L.3000, L.5000, L.8000, or L.10,000 a-year, and aspiring to the very highest honours of their profession? The gentlemen who have accepted these appointments, are many of them personally

known to us as very acute and able practical men, who will be found to give the utmost satisfaction in the discharge of their duties to both the profession and the public. The two Vice-Chancellors, Sir James L. Knight Bruce, and Sir James Wigram, are admirable appointments. Each must have resigned a practice very far exceeding—perhaps doubling, or even trebling—their present salaries of office. The transference to the former, without any additional salary, of the office of Chief Judge in Bankruptcy, (vacant by the recent death of Sir John Cross,) was a highly advantageous and economical arrangement for the public, at the willing expense of Vice-Chancellor Knight Bruce.

May we here be allowed to allude for an instant to a very delicate topic—the new Poor-Law—simply to call attention to the resolute support of it by the present Government (whether right or wrong), as at least a pretty decisive evidence of their uprightness and independence. On this sore subject we shall not dwell, nor do we feel bound to offer any opinion of our own as to the alleged merits or demerits of the new Poor-Law; but it certainly looks as though Ministers had resolved to do what they *believed* to be right, *ruat cælum*. What other motive they can have, is to us, at least, inconceivable.

Let us again point with undisguised triumph to IRELAND, as a very striking instance of the results of a sound and firmly-administered Conservative policy. The late Government misgoverned Ireland, in order that they might be allowed to continue misgoverning England. Their memory will ever be execrated for their surrender of that fair portion of the empire into the hands of a political reprobate and impostor, of whom we cannot trust ourselves to speak, and the like of whom has never yet appeared, and it is to be hoped never will again appear, in British history. Immediately before and after their expulsion from office, they pointed to this scene of their long misconduct, and, with a sort of heartless jocularity, asked Sir Robert Peel "What he meant to do with Ireland?"—adding, that whatever else he might be able to do, by the aid of intrigue and corruption, "he could *never* govern Ireland." How *now*, gentlemen? What will you find to lay to the charge of Ministers in the coming session? What has become of your late patron, Mr O'Connel? Is "his occupation gone?" Is he spending the short remainder of his respectable old age at Darrynane, even (begging pardon of the noble animal for the comparison)

> —"like a worn-out lion in a cave,
> That goes not out to prey?"

What can you any longer do, or affect to do, old gentleman, to earn your honourable wages? Is there not (as the lawyers would style it) a failure of consideration? If you go on any longer collecting "the rent," may you not be liable to an indictment for obtaining money under false pretences? Poor old soul! his cuckoo cry of Repeal grows feebler and feebler; yet he must keep it up, or starve. *Tempus abire senex! satis clamasti!* That Ireland is still subject to great evils, recent occurrences painfully attest. Mr Pitt, in 1799, (23d January,) pointed out what may still be regarded as their true source: —"I say that Ireland is subject to great and deplorable evils, which have a deep root: for they lie in the nature of the country itself in the present character, manners, and habits of its people; in their want of intelligence, or, in other words, in their ignorance; in the unavoidable separation of certain classes; in the state of property; in its religious distinctions; in the rancour which bigotry engenders, and superstition rears and cherishes."[6] How many of these roots of evil are still in existence!

But consider what we have done, even already, for Ireland, by giving her the blessings of a strong and honest Government; what a blow we have aimed at absenteeism, in a particular provision of our income-tax! *Nil desperandum*, gentlemen, give us a little time to unravel your long tissue of misgovernment; and, in the mean time, make haste, and go about in quest of a *grievance*, if you can find one, against the ensuing session. Depend upon it, we will redress it!

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[6] Parliamentary History, vol. xxxiv. p. 271.

The present aspect of foreign affairs is calculated to excite mixed feelings of pain and exultation in the breast of a thoughtful observer. The national character of Great Britain had unquestionably fallen in European estimation, and lost much of the commanding influence of its mere name, during the last few years preceding the accession to office of the present Government. That was an event—viz. the formation of a Cabinet at St James's, containing Sir Robert Peel, the Duke of Wellington, Lord Aberdeen, and Lord Stanley—which justly excited an instant and great sensation in all foreign courts, regard being had to the critical circumstances of the times. Every one, both at home and abroad, knew well that if WAR was at hand, here was a Government to conduct it on the part of Great Britain, even under the most adverse circumstances imaginable, with all our accustomed splendour and success. But all knew, at the same time, that imminent as was the danger, if a profound statesmanship could avert it, consistently with the preservation of the national honour, that danger would promptly disappear. The new Cabinet instantly proclaimed themselves "lovers of peace, but not afraid of war;" and an altered tone of feeling and policy was quickly observable on the Continent.

The peculiar position and interests of Great Britain impose upon her one paramount obligation —to interfere as little as possible with the affairs of other nations, especially in Europe—*never*, except upon compulsion—when bound by treaty, or when the eye of a profound and watchful statesmanship has detected in existence unquestionable elements of danger to the general peace and welfare of the world. To be always scrutinizing the movements of foreign states, with a view to convicting them of designs to destroy the balance of power (as it is called) in Europe, and thereupon evincing a disposition to assume an offensively distrustful and hostile attitude, requiring explanations, and disclaimers, and negotiations, which every one knows the slightest miscarriage may convert into inevitable pretexts and provocatives of war—is really almost to court the destruction of our very national existence. If there was one principle of action possessed by the late Government to be regarded as of more importance than another, it was that of maintaining peace, and non-intervention in the affairs of other nations. This, indeed, was emblazoned upon the banner unfurled by Lord Grey, on advancing to the head of affairs. Can it, however, be necessary to show how systematically—how perilously—this principle was set at nought by the late Government? As represented by Lord Palmerston, Great Britain had got to be regarded as the most pestilent, intrusive, mischief-making of neighbours. A little longer, and our name would have actually *stunk in the nostrils* of Europe. Some began to hate us; others, to despise us!! all, to cease *dreading* us. In the language of a powerful journalist, (the *Spectator*,) opposed on most points to the present Government, "the late Ministers commenced a career, perilous in the extreme to all the best interests of the nation—demoralizing public opinion, wasting public resources, and entangling the country in quarrels alike endless and aimless; and all this with a labouring after melodramatic stage effect, and a regardlessness of consequences perfectly unprecedented." We were, in the words of truth and soberness, fast losing our moral ascendency in Europe—by a series of querulous, petty, officious, needless, undignified interpositions; by the exhibition of a vacillating and short-sighted policy; by appearing (novel position for Great Britain) "willing to wound, but yet afraid to strike;" by conceiving and executing idle and preposterous schemes of aggrandizement and conquest. To go no further in Europe than our immediate neighbour, France, let us ask whether Lord Palmerston did not bring us to the very verge, and keep us at it for many months, of actual war with that power, which is always unhappily eager to "cry hurra, and let slip the dogs of war;" and with reference to *us*, to go out of their way to create occasions for misunderstanding, and hostilities? Were we not really on the verge of war?—of a war which would have instantly kindled all over Europe a war of extermination? Not, however, to descend to the discussion of recent occurrences familiar to every body, we shall very briefly advert to the state of our relations with America, with China, and of our affairs in British India, when Sir Robert Peel assumed the direction of affairs. Lord Palmerston has never been sufficiently called to account for his long, most disgraceful, and perilous neglect of our serious differences with America; and which had brought us to within a hair's-breadth of a declaration of war, which, whatever might have been its issue, (possibly not difficult to have foreseen,) would have

been disastrous to both countries, and to one of them utterly destructive. It is notorious that within the last eighteen or twenty months, every arrival from the west was expected to bring intelligence of the actual commencement of hostilities. The state of public feeling towards us in America was being every hour more exasperated and malignant. The accession of the present Government opened, however, a bright and happy prospect of an adjustment of all difficulties; honourable to both parties. How long had they been in power, before they had earned universal applause by their prompt and masterly move, in dispatching Lord Ashburton to America on his delicate, difficult, and most responsible mission? Was ever man selected for a great public duty so peculiarly and consummately fitted for it? And how admirably has he discharged it! as our opponents may hear for themselves early in the ensuing session. Do Ministers deserve no credit for hitting on this critical device? Was it no just cause of congratulation, to be able to find such a person amongst the ranks of their own immediate and most distinguished supporters? We are now, happily, at perfect peace with America; and, notwithstanding some present untoward appearances, trust that both countries will soon reap the advantages of it. Of what real *value* that peace may be, however, with reference to their extensive commercial relations with us, is another question, dependent entirely on the character which they may vindicate to themselves for honour and fidelity in their pecuniary transactions. That rests with themselves alone: whether they will go forward in a career of improvement and greatness, or sink into irretrievable disgrace and ruin, REPUDIATED and scouted by all mankind. We cannot quit America without a very anxious allusion to late occurrences in Canada. We feel words inadequate to express our sense of the transcendent importance of preserving in their integrity our Canadian possessions. No declaration of her Majesty since her accession gave greater satisfaction to her subjects, than that of her inflexible determination to preserve inviolate her possessions in Canada. We are of opinion that Lord Durham did incalculable, and perhaps irreparable, mischief there. We have no time, however, to enter into details concerning either his policy and proceedings, or those of Lord Sydenham; and we are exceedingly anxious also to offer no observations on the recent movements of Sir Charles Bagot, beyond a frank expression of the profound anxiety with which we await Ministerial explanations in the ensuing session. Before these pages shall have met the reader's eyes, Sir Charles Bagot may be no longer numbered among men. We therefore withhold all comment on his late proceedings, which we are satisfied have originated in an anxious desire to serve the best interests of his country. We confidently believe that Ministers will be able abundantly to satisfy the country upon this subject; and that, in the event of the necessity arising, they will choose a successor to Sir Charles Bagot every way qualified for his very responsible post, thoroughly instructed as to the line of policy he is to adopt, and capable of carrying it out with skill and energy. It is impossible to turn to India, for the purpose of taking a necessarily rapid and general view of the course of recent events there, without experiencing great emotion, arising from conflicting causes. We have already said, that our vast and glorious Indian empire is indeed the wonder of the world. Every one of our countrymen is aware of the means by which we originally acquired it, and that have subsequently augmented and retained it by an almost inconceivable amount of expenditure and exertion—by the display of overwhelming civil and military genius. If, moreover, he has entered into Indian history with proper feeling and intelligence, he will be able to appreciate the truth and force of the celebrated saying of one who contributed immensely to our ancient greatness in India, viz.—that *we hold India by* OPINION *only:* the opinion which is there entertained of our greatness of national character, intellectual and moral —of our wisdom, our justice, our power. If this fail us, our downfall in India inevitably follows; and memorable and tremendous indeed will be such an event, amongst all nations, and at all future times, till the name of England is blotted from the recollection of mankind. Therefore it is that we all regard the administration of affairs in India with profound anxiety, justly requiring, in those to whom it is entrusted, an intimate practical acquaintance with Indian character and manners, with Anglo-Indian history, and a clear view of the policy to be ever kept in sight, and ability and determination to carry it out to the uttermost. When Lord Auckland went to India, under the Whig Government, in 1836, he

found both its foreign and domestic affairs in a satisfactory state—peaceful and prosperous—with, upon the whole, a sufficient military force, notwithstanding the immense reduction of Lord William Bentinck. How did he leave it to his successor, Lord Ellenborough, in 1841? The prospect which awaited that successor was indeed dark, troubled, and bloody. An army, alas! dreadfully defeated in one quarter, and dangerously disaffected in another; a war of extermination in Affghanistan; probable hostilities with Burmah and Nepaul; an almost hopelessly involved foreign policy; and, moreover, under these desperate circumstances, with a treasury *empty!*

We shall confine ourselves to one topic, the war in Affghanistan—which we fearlessly, and with deep indignation, pronounce to have inflicted almost irreparable injury on the British nation —an almost indelible stain on the British character—and to have shaken the whole of our Eastern possessions. Lord Auckland, in listening, and his superiors at home in instructing him to listen, to the representations of Shah Soojah, and to be persuaded by him to embark in the late disastrous and disgraceful campaign, were guilty either of an incredible weakness and ignorance of the nature of the cause they were espousing, together with an inconceivable degree of short-sightedness as to the most obvious consequences of it, or of infamous hypocrisy in making the restoration of Shah Soojah only the pretext and stepping-stone to the conquest of Affghanistan, in the most criminal and reckless spirit of imaginary aggrandizement and extension of territory that ever has actuated the rules of India. Will they pretend that it was really designed, and necessarily so, solely for the purpose of defeating subtle and dangerous intrigues on the part of Russia and Persia? Listen to the language of one of the responsible authors of the policy since followed by such fearful consequences, Sir John Hobhouse —who, on the 11th July 1840, on the occasion of a dinner given to their richly and prematurely rewarded hero, Lord Keane, thus poured forth his insane, exulting avowal of the real object they had had in view:—

> "The gallant officer had alluded to the late addition made to the vast territory of the East India Company. *It was just possible* that that territory had *at that moment* received a further and important increase. *It is just possible,* that since he (Sir John Hobhouse) last met the Directors at the festive board—now about six months since —the Government of India *has been enabled to make an addition to its territory, the vast consequences of which could scarcely be imagined in the wildest dream of fancy*, and which for centuries would be of advantage to the empire!!! In the history of the world there was no instance of yearly sovereigns (as the Directors of the Company were) having conquered so vast a territory as that of India. There was no instance of such successive success. To them the happiness belonged of giving to the vast country under their control the blessing of education. It was owing to God's ministering hand, by which successive Directions had sprung up to spread the benefits of light and knowledge in India, and among a people enshrouded in darkness and idolatry. It was scarcely a hundred years ago since the power of the East India Company was felt in India; their banners were now flying from the Indus to the Burrampooter. He would say emphatically, go on in the great work of extending the religion, civilization, and education of India; for the wishes of the good are with you —go on in your great work, for the sake of India, and Great Britain itself."

What must *now* be the feelings of Sir John Hobhouse and his brother ex-Ministers on this paragraph catching his eyes; when they reflect on the frightful sacrifice of life, British and Affghan—the defeat of our arms while engaged in a shameful and wicked cause—with its perilous effects upon the stability of our tenure of India—which have directly resulted from the measures thus vaingloriously vaunted of! A thousand reflections here occur to us upon the subject of the insane (or guilty) conduct of the late Government in India; but the extent to which this article has already reached, compels us to suppress them. We the less regret this circumstance, however,

because there really seems but one opinion upon this topic among well-informed persons. After the last intelligence from India, it is idle, it is needless, to attempt reasoning on the subject; to ask how we should have strengthened ourselves by the destruction of a powerful and (according to authentic intelligence) a really friendly chief in Dost Mahommed; how we could even have *occupied* Affghanistan without a ruinous expenditure, continual alarm and danger from a perpetual series of treachery and insurrection; and to what purpose, after all, of solid advantage! The whole policy of Lord Auckland was incontestably one of mad encroachment, conquest, and aggrandizement, in utter ignorance of the character and exigencies of the times; the Duke of Wellington's memorable prediction is now far more than fulfilled! "*It will not be till Lord Auckland's policy has reached the zenith of apparent success, that its difficulties will begin to develope themselves.*" Begin to develope themselves! What would have become of us, had the councils originating that policy still been in the ascendant, we tremble to contemplate. The exulting French press, on hearing of our recent disasters, thus expressed themselves:[7] "*England is rich and energetic. She may re-establish her dominion in India for some time longer; but the term of her Indian empire is marked, it will conclude before the quarter of a century.*" Such has been the anticipated—such would have been the inevitable result of the policy which Sir Robert Peel's Government, guided by the profound sagacity of the Duke of Wellington, made it their first business *totally to reverse*; not, however, till they had completely re-established the old terror of our arms, convincing the natives of India that what we were of yore, we still are; that our punishment of treachery is instant and tremendous; that we can act with irresistible vigour and complete success, at one and the same moment, both in India and in China. In their minds, may the splendour of our recent victories efface the recollection of our previous bloody and disgraceful defeats! And if we cannot make them *forget* the wickedness—the folly—the madness which originally dictated our invasion of Affghanistan, at least we have shown them how calmly and magnanimously we can obey the dictates of justice and of prudence, *in the very moment of, fierce and exciting military triumph*. May, indeed, such be the effect of all that has recently occurred, whether adverse or prosperous, in India! For the former, the guilty councils of the late Government are alone answerable; for the latter, we are exclusively indebted to the vigour and sagacity of our present Government. The proclamation in which Lord Ellenborough announces our abandonment of Affghanistan will probably excite great discussion, and possibly (on the part of the late Government) furious objurgation, in the ensuing session of Parliament. We are so delighted at the achievement which was the subject of that proclamation, that even were there valid grounds of objection to its taste and policy, we should entirely overlook them. If even Lord Ellenborough, in the excitement of the glorious moment in which he penned the proclamation, departed from the style of all previous state documents of that character, was it not very excusable? But we are disposed to vindicate the propriety of the step he took. It may be said that it was highly impolitic to make so frank an avowal to the natives of India, that a mere change of Ministry at home may be attended with a total and instant revolution in our native policy, to place on record a formal and humiliating confession of our errors and misconduct. But let it be borne in mind how potent and glaring was already that error, that misconduct, with all its alarming consequences; and that one so intimately acquainted as Lord Ellenborough with the Indian character, may have seen, *then and there*, reasons to recommend the course he has adopted, which may not occur to us at home. That document will truly purport, in all time to come, to have been issued in a spirit of remarkable wisdom and justice, at the very moment of our having achieved the proudest triumph we could have desired for our arms. But, above all, what does that striking document tell, but *the truth*, and nothing but *the truth*? Let us, however, now confidently rely on the vast advantages which we cannot but derive from a prudent and vigorous administration of the affairs of India. We trust that Lord Ellenborough will persevere in the admirable line of conduct which he has hitherto adopted, turning neither to the right hand nor the left, disturbed

[7] The *Siècle*. (See No. cccxxi. p. 112.)

by no sinister hopes or fears. Let his grand object be, by every legitimate means at his command, *to Anglicize India*; to encourage the adoption of English habits of thought, the practical appreciation of English principles of government; in short, thoroughly to identify the people of India with the people of England, in all their partialities, and prejudices, and interests. Every thing he has hitherto done in India, we rejoice to observe, tends this way. Let him but persevere, and he will acquire imperishable renown, and reflect permanent splendour on the Government which appointed him. In a confident and well-founded reliance upon his fitness for his post, upon his capacity for thoroughly carrying out the policy of a strong and enlightened Conservative government, which has entrusted to him the management of such vast and splendid national interests—the nation now looks with a bright untroubled eye towards India.

—"Now is the winter of our discontent
Made glorious summer!
And all the clouds that lour'd upon our house
In the deep bosom of the ocean buried.
Now are our brows bound with victorious wreaths,
Our bruisèd arms hung up for monuments,
Our stern alarums changed to merry meetings,
Our dreadful marches to delightful measures!"

Our allotted space is well-nigh exhausted, and we have only now reached the confines of CHINA!—a topic on which we had prepared ourselves for a very full expression of our opinions. We are compelled, however, now to content ourselves with a mere outline of our intended observations on a subject—our victory over the Emperor of China—which is pregnant with matter for long and profound reflection. Abstractly, our triumphant assault on these distant and vast dominions, affords matter for national pride and exultation, as far as concerns our naval and military renown; and the names of Parker and Gough will never be forgotten in British history. The submission of the Emperor of China to our arms, is an event calculated of itself to distinguish the reign of our glorious sovereign, Queen Victoria, far beyond those of most of her predecessors. It is an event that concerns and affects the prospects and interests of the whole world, and though it is at this moment occupying the thoughts of all the statesmen of Europe, with reference to its contingent effects upon their respective countries, not the most experienced and sagacious of them can predict with safety what will be its effects within even the next year or two. As for ourselves, our present prevalent feeling seems to be in accordance with our daring military character, which would say merely—

"Why then, *China's* our oyster
Which we with sword have open'd."

But to those in England who are accustomed to regard occurrences with reference to their probable consequences, the recent events in China afford matter for the most anxious reflection of which thinking men are capable—whether in the character of philosophers, of statesmen, of warriors, or of merchants. Were we justified in our attack upon the Emperor of China? We have no hesitation whatever in expressing our opinion, after having had our attention for some years directed to the subject of our relation with China, in the affirmative. From the moment of our first intercourse with that people, we have had to submit to a series of indignities sufficient to kindle into fury the feelings of any one who merely reads any authentic account of those indignities. The Chinese have long derived an immense revenue, together with other great advantages, from us; encouraging us to embark a vast capital in our trade with them, and to form great permanent establishments dependent upon it. Language cannot describe the degrading circumstances under which we have been forced to carry on

our commercial intercourse with the Chinese; our long submission to such conduct having, of course, insured its continual aggravation. The Opium trade, perhaps beneficially, brought matters to a crisis. It was alleged on behalf of the Emperor, that we were surreptitiously, and from motives of gain, corrupting and destroying his people, by supplying them with opium; but it is easily demonstrable that this was only a pretence for endeavouring to effect a change in the medium of our dealings with them, vastly beneficial to the Emperor, and disadvantageous to us. We might have been permitted to quadruple our supply of opium to his subjects, if we would have been content to be paid, *not in bullion*, but by taking Chinese goods in exchange; in a word, to change the basis of our dealings from *sale* to *barter*; and all this from a totally groundless notion of the Emperor and his advisers, that we were draining his kingdom of silver —in their own words, "causing the Sycee silver to ooze out of the dominions of the Brother of the Sun and the Moon." Their desperate anxiety to carry this point, led them to take the decisive step of seizing a vast quantity of our opium, under circumstances perfectly familiar to every body; constituting a crowning indignity and injury, which, without reference to the original legality or illegality of the opium trade, gave us an unquestionable cause for war against the Emperor. He seized the person of her Majesty's representative, and those of many of her principal subjects in China; and under the threat of inflicting death upon them, extorted a delivery of an enormous amount of property belonging to her Majesty's subjects. If this was not a cause of war with any nation, whether civilized or uncivilized, there never was one; and without going into further detail, we have stated sufficient to justify, beyond all doubt, our commencement of hostilities against China. But this occurred so long ago as the month of March 1839; yet, to the eternal scandal of the then existing Government, no effectual warlike demonstration was made to redress this flagrant unparalleled outrage on the British nation, till better councils, those of the present Government, were had recourse to by her Majesty; and which led to the quick triumphant result with which the world is now ringing. Till the present vigorous Government took the affair in hand, we were *pottering* about the extremities of the empire, month after month, even year after year, at a ruinous expense, in a way justly calculated to excite the derision of even the Chinese—of the whole world who had heard of our mode of procedure. It will be in vain for the late Government to endeavour meanly to make Captain Elliot their scapegoat. Let them, if they can, satisfy the nation that, in all he appears to have done so ineffectually and disgracefully, he did not act according to the strict orders of the late Government; that in all he would have done, and wished to have done, viz. to carry hostilities at once, with an adequate force, to the right point of attack, he was not either positively overruled, or left without advice and authority. Owing to their own want of forethought, of energy, and of practical knowledge, and their financial mismanagement, even if they had contemplated the plan of operations which led ultimately to the successful enterprize on which we are now justly congratulating ourselves, they *could* not, they *did not* act upon them. No, it was left for the present Government, under the auspices of him who told us that "England *could* not carry on a little war," amidst all the embarrassments and dangers which they had just inherited from their predecessors, to send out the peremptory instructions which have been so ably acted upon; and *above all*, a naval and military force fully adequate for the occasion. This done, China succumbed; and we understand that poor Lord Palmerston is pluming himself on being able to produce, next session, a despatch which he issued to Sir Henry Pottinger, chalking out the very line of operations which was adopted with such supreme success. We, of course, cannot officially know that such is the fact: but even admitting it, why did not Lord Palmerston do this far earlier? What excuse can be offered for this vacillation and procrastination in an affair of such vast urgency? "We had not the means to equip a sufficient force," his lordship may reply, in his usual strain of bitter flippancy. And why had he not the means? The extravagance and profligacy of his Government had deprived him of them; his exchequer was empty; and had he, or they, the boldness or the virtue to propose what has been demonstrated to have been the only mode of meeting the exigency, an income-tax? In vain, therefore, may his lordship and his friends declaim in the ensuing

session, and with our bombardment of China in his ears, say "that is *my* thunder." They will be only laughed at and despised. No, no, Lord Palmerston; *palmam qui meruit, ferat.* Let the nation decide.

The late military and naval proceedings against China, reflect permanent glory upon the arms of England, naval and military, and we earnestly hope—we confidently believe—that those concerned in them will soon receive substantial and enduring marks of national gratitude. But what is the real value, what will be the consequences, of our victory? We are very anxious to take the earliest opportunity of placing on record our views upon this all-important subject, with a view of moderating the expectations, and allaying the excitement, which prevails upon the subject of the commercial advantages anticipated to follow immediately on the final ratification of the treaty. Let us take a sober and common-sense view of the affair, and reason thus:—

First of all, we must bear in mind the long-cherished hatred borne by the Emperor and his court to all barbarians, particularly towards us; exasperated now, doubtless, to a pitch of extreme intensity and malignity, by the signal humiliation and injury we have inflicted upon him. Can we expect that this will be suddenly and permanently altered? It is not in human nature, which is the same every where. With the thunder of our cannon in his ears, the supplies of his whole empire at our immediate mercy, his armies scattered like dust, and his forts and walled cities crumbling to pieces under our artillery, the necessity of his position forced him to buy peace on almost any terms. We have exacted from him what is at variance with the fixed Chinese policy of ages. The more he, by and by, reflects upon it, in the absence of our awe-inspiring military and naval forces, the more galling and intolerable will become the contemplation of what he has been compelled to concede and sacrifice. Who knows what artful falsehoods may not be perseveringly poured into his ear, day after day, month after month, year after year, to our disadvantage and disparagement in his estimation? He may not dare, perhaps, to resort to open hostility, directly to provoke our tremendous vengeance; but those best acquainted with China, know what countless facilities exist for his doing indirectly what he dares not, or may choose not, to do openly. We are not without fear, from our knowledge of the Chinese character, and of their long-established mode of procedure, that every chicane and evasion will be resorted to, in order to neutralize and nullify, as far as possible, the commercial advantages which we have, at the cannon's mouth, extorted from them. A great deal, at all events, will depend on the skill, firmness, and vigilance, of the consuls to be appointed at the five opened ports of China. We rely, also, greatly on the unquestionable eagerness of the *Chinese* people to enter into trading relations with us. The Emperor, however, and those by whose counsels he is guided, are Tartars, between whom and the Chinese there is a long-cherished and bitter hostility, which may eventually operate in our favour. Adverting, for a moment, to the proceedings of Sir Henry Pottinger, we feel very great doubt, indeed, whether our forces should not, either with or without the consent of the Chinese, have gone on to Pekin, and insisted on the negotiations being carried on *there*. What a prodigious effect would not thereby have been produced, not only on the mind of the Emperor, but of the whole nation! The painful but salutary truth of their own weakness, and our power, would have been thus "brought home to their businesses and bosoms,"—there could never afterwards have been any pretence for his or their saying, that they had been deceived in any part of the proceedings. Doubtless, however, Sir Henry Pottinger acted advisedly in abstaining from penetrating to Pekin, and also from stipulating for the residence of a British ambassador at Pekin. How such a proposal would have been received —or how, if adopted and carried into effect, it would have answered our expectations—it is difficult to say; but we have several letters lying before us, from peculiarly well-informed persons on the spot, in all of which the absence of this stipulation from the treaty is very greatly regretted. "I am afraid," says one, "we shall be again left to the tender mercies of the local mandarins, and that their old habits of arrogance and deceit and extortion, will be resumed. For what are *consuls?* They have no power of communicating even with the provincial officers: or if this should now be conceded, they have none with the government at Pekin: and may we not fear that the Chinese will continue to force away gradually, by effectual but invisible obstacles, the trade from the ports now ostensibly opened

to us?" The gentleman, from whose long and very able letter we have quoted this paragraph, takes a somewhat disheartening view of the treaty, and its probable observance and consequences. He is on the spot, and has access to the best sources of knowledge; but we confess, that for our own part, we do not share his apprehensions. Whatever disposition to do so the Emperor or his people may entertain, we believe they will neither dare at all to offend or injure us openly, or persevere long in attempting to do so indirectly. It may be a work of time but as soon as they perceive the steady benefits derivable from a prudently-conducted course of dealing with them, we think it likely that a sense of self-interest will lead them to encourage our intercourse and augment our dealings. On one thing we regret to feel certain that we must calculate—namely, on an enormous overstocking of the Chinese market with articles of British merchandize, long before any sensible, or at least important, demand for them shall have been created; which will of course lead to serious loss on the part of the adventurers. We must also expect Hong-Kong, and the five open ports, to be forthwith flooded with commercial adventurers. To all such we would earnestly say—"pause. Consider the circumstances of China—how capricious and perfidious its people are by nature—the *possibility*, at all events, of their acting on the hostile policy we have above alluded to, and discouraging your trade; or if not so, still do not imagine that the vast empire of China is standing agape for any sort of goods you may send or take out." We must, however, pass on to allude briefly to a subject both important and difficult—the opium trade with China. This is a subject imperatively demanding the best consideration of the Government. A careful examination of the subject, in all its bearings, induces us, with due diffidence, to express an opinion that the Government sale of opium in India should cease. We cannot, of course, prevent the poppy's being grown in India—nor, on the other hand, should a great source of revenue be easily parted with. Let their opium be produced and sold as before, and subject to such a tax as may appear expedient to the Government. With reference to the policy and propriety of our continuing to supply opium to the Chinese, we have already expressed our opinion as to the true ground of objection to it by the Emperor of China, namely, simply a financial, not a moral or religious one. We have reason to believe that Sir Henry Pottinger most strenuously, and, in our opinion, most judiciously, urged upon the imperial commissioners the expediency of the raising a revenue from opium, by legalizing its importation. To this they replied, however, "that they did not dare, *at present*, to bring the painful subject to the Emperor's notice." We are, notwithstanding, very strongly of opinion that the opium trade will, at no distant period, be legalized, as soon as the Emperor can be made to understand the great profit he will derive from it. In any event, it will be obviously nugatory for the Government directly to prohibit British subjects from importing opium into China. The only effect of such a measure would be, that they could carry on the trade through the intervention of foreigners.

Many other topics, such as the opportunity now afforded for the introduction of the Christian religion into China, the extent to which we shall be permitted to acquire a knowledge of the habits, the economy, the literature, and the science, of China; the exertions which may be expected from other nations to share in the advantages which we have, by our own unassisted efforts, secured—we must pass over, as inconsistent with the limits assigned us, or, indeed, the scope of this article.

Whatever may be the ultimate effects of the blow we have struck in China, there can be no doubt that it has prodigiously extended the reputation, and augmented the influence of Great Britain, especially coupled as it is with our contemporaneous brilliant successes in India, and our satisfactory adjustment of our differences with America. We are now, thank God, at peace with all the world, to whose counsels soever it is to be attributed. Let us now endeavour to make the most of the blessings which the Divine favour vouchsafes to us. Let us cultivate virtue—let us cherish religion. Let us, as a nation, give up all idle and dangerous dreams of foreign conquest, satisfied that we already possess as much as it is possible for us to hold, with safety and advantage. Let us *honour all men*. At home, let us bear with cheerfulness the burthens necessarily imposed to support the state, and each do all that lies in us to extinguish party animosities; generously and cordially co-operating with, and supporting those whom we believe honestly striving to carry on the government of this great country, at a very

critical conjuncture of affairs, with dignity and prudence. Let us discourage faction, and each, in our several spheres exert ourselves to ameliorate the condition of the inferior classes of society. May the ensuing session of Parliament commence its labours auspiciously, and in due course bring them to a peaceful and happy close, in a spirit of good will towards all men of loyalty to our Queen, and piety towards God!

LESURQUES; OR, THE VICTIM OF JUDICIAL ERROR

[Many as are the frightful cases of error recorded in the annals of every judiciary court, there are few more striking of the uncertainty of evidence respecting personal identity, and of the serious errors based upon it, than are to be read in the curious trial we are about to relate; and which has, for forty years, been the subject of parliamentary appeals in the country where it took place. The recent death of the widow of the unhappy sufferer excites a fresh interest in her wrongs, so strangely left unredressed by the very government that was the unwitting cause of them.]

I.—THE FOUR GUESTS

On the 4th Floréal of the 4th year of the Republic, one and indivisible, (23d April 1796,) four young men were seated at a splendid breakfast in the Rue des Boucheries at Paris. They were all dressed in the costume of the *Incroyables* of the period; their hair *coiffés en cadenettes* and *en oreilles de chien*, according to the fantastic custom of the day; they had all top-boots, with silver spurs, large eyeglasses, various watch-chains, and other articles of *bijouterie*; carrying also the little cane, of about a foot and a half in length, without which no dandy was complete. The breakfast was given by a M. Guesno, a van-proprietor of Douai, who was anxious to celebrate the arrival at Paris of his compatriot Lesurques, who had recently established himself with his family in the busy capital.

"Yes, *mon cher* Guesno," said Lesurques, "I have quitted for ever our good old town of Douai; or, if not for ever, at least until I have completed in Paris the education of my children. I am now thirty-three years of age. I have paid my debt to my country by serving in the regiment of Auvergne, with some distinction. On leaving the ranks I was fortunate enough to make my services of some slight use, by fulfilling, gratuitously, the functions of *chef de bureau* of the district. At present, thanks to my patrimony and the dowery of my wife, I have an income of fifteen thousand francs (L.600) a-year, am without ambition, have three children, and my only care is to educate them well. The few days that I have been at Paris have not been wasted; I have a pretty apartment, Rue Montmartre, where I expect to be furnished, and ready to receive you in my turn, with as much comfort as heartiness."

"Wisely conceived," interrupted one of the guests, who, till this moment, had maintained a profound silence; "but who can count upon the morrow in such times as these? May your projects of peace and retirement, Monsieur, be realized: if so, you will then be the happiest man in the Republic; for during the last five or six years, there has been no *citoyen*, high or low, who could predict what the next week would decide for him."

The speaker uttered this with a tone of bitterness and discouragement which contrasted strangely with the flaunting splendour of his toilet, and the appetite with which he had done honour to the breakfast. He was young, and would have been remarkably handsome, had not his dark eyes and shaggy brows given an expression of fierceness and dissimulation to his countenance, which he vainly endeavoured to hide, by never looking his interlocutor in the face. His name was Couriol. His presence at this breakfast was purely accidental. He had come to see M. Richard, (the proprietor of the house where M. Guesno alighted on his journey to Paris, and who was also one of the guests,) just as they were about to sit down to table, and was invited to join them without ceremony.

The breakfast passed off gaily, in spite of the sombre Couriol; and after two hours' conviviality, they adjourned to the Palais Royal, where, after taking their café at the *Rotonde du Caveau*, they separated.

II.—THE FOUR HORSEMEN

A few days afterwards, on the 8th Floréal, four men mounted on dashing looking horses, which, however, bore the unequivocal signs of being hired for the day, rode gaily out of Paris by the barrier of Charenton; talking and laughing loudly, caracoling with great enjoyment, and apparently with nothing but the idea of passing as joyously as possible a day devoted to pleasure.

An attentive observer, however, who did not confine his examination to their careless exteriors, might have remarked that, beneath their long *lévites,* (a peculiar cloak then in fashion,) they carried each a sabre, suspended at the waist, the presence of which was betrayed from time to time by a slight clanking, as the horses stumbled or changed their paces. He might have further remarked a sinister pre-occupation and a brooding fierceness in the countenance of one, whose dark eyes peeped out furtively beneath two thick brows. He took but little share in the boisterous gaiety of the other three, and that little was forced; his laugh was hollow and convulsive. It was Couriol.

Between twelve and one, the four horsemen arrived at the pretty village of Mongeron, on the road to Melun. One of them had preceded them at a hand-gallop to order dinner at the *Hôtel de la Poste*, kept by the Sieur Evrard. After the dinner, to which they did all honour, they called for pipes and tobacco—(cigars were then almost unknown)—and two of them smoked. Having paid their bill, they proceeded to the Cassino, where they took their café.

At three o'clock they remounted their horses, and following the road, shaded by stately elms, which leads from Mongeron to the forest of Lénart, they reached Lieursaint; where they again halted. One of their horses had cast a shoe, and one of the men had broken the little chain which then fastened the spur to the boot. The horseman to whom this accident had happened, stopped at the entrance of the village at Madame Châtelain's, a *limonadière*, whom he begged to serve him some café, and at the same time to give him a needleful of strong thread to mend the chain of his spur. She did so, but observing the traveller to be rather awkward in his use of the needle, she called her servant, *la femme* Grossetète, who fixed the chain for him, and helped him to place it on his boot. The other three travellers had, during this time, alighted at the inn kept by the Sieur Champeaux, where they drank some wine; while the landlord himself accompanied the traveller and his unshod horse to the farrier's, the Sieur Motteau. This finished, the four met at Madame Châtelain's, where they played at billiards. At half-past seven, after a parting cup with the Sieur Champeaux, whither they returned to re-saddle their horses, they set off again in the direction of Melun.

The landlord stood at his door watching the travellers till out of sight, and then turning into his house again, he saw on the table a sabre, which one of his guests had forgotten to fasten to his belt; he dispatched one of his stable-boys after them, but they were out of sight. It was not till an hour afterwards, that the traveller who had had his spur-chain mended, returned at full gallop to claim his sabre. He drank a glass of brandy, and having fastened his weapon securely, departed at furious speed in the direction taken by his comrades.

III.—THE ROBBERY AND MURDER

At the same time that the horseman left Lieursaint for Paris, the Lyons mail arrived there from Paris, and changed horses. It was about half-past eight, and the night had been obscure for some time. The courier, having charged horses and taken a fresh postilion, set forth to traverse the long forest of Senart. The mail, at this epoch, was very different from what it is at present. It was a simple post-chaise, with a raised box behind, in which were placed the despatches. Only one place, by the side of the courier, was reserved for travellers, and that was obtained with difficulty. On the night in question this seat was occupied by a man of about thirty, who had that morning taken it for Lyons, under the name of Laborde, a silk-merchant; his real name was Durochat; his object may be guessed.

At nine o'clock, the carriage having descended a declivity with great speed, now slackened its course to mount a steep hill which faced it; at this moment four horsemen bounded into the road—two of them seizing the horses' heads, the two other attacked the postilion, who fell lifeless at their feet, his skull split open by a sabre-cut. At the same instant—before he had time to utter a word—the wretched courier was stabbed to the heart by the false Laborde, who sat beside him. They ransacked the mail of a sum of seventy-five thousand francs (L.3000) in money, *assignats*, and bank-notes. They then took the postilion's horse from the chaise, and Durochat mounting it, they galloped to Paris, which they entered between four and five in the morning by the Barrier de Rambouillet.

IV.—THE ARREST

This double murder, committed with such audacity on the most frequented route of France, could not but produce an immense sensation, even at that epoch so fertile in brigandage of every sort, where the exploits of *la Chouannerie*, and the ferocious expeditions of the *Chauffeurs*,[8] daily filled them with alarm. The police were at once in pursuit. The post-horse ridden by Durochat, and abandoned by him on the Boulevard, was found wandering about the Palais Royale. It was known that four horses covered with foam had been conducted at about five in the morning to the stables of a certain Muiron, *Rue des Fossé's, Saint-Germain-l'Auxerrois*, by two men who had hired them the day before: these men were Bernard and Couriol; the former of whom was immediately arrested, the second had, with the other accomplices, taken flight.

The research was pursued with great activity at Paris, as well as at the scene of the crime, and along the route which the assassins had twice travelled. The information obtained showed that there were five culprits. The description of the four horsemen who rode from Paris, stopping at Mongeron and Lieursaint, was furnished with as much precision as concordance by the various witnesses who had seen and spoken to them on the road, and in the inns and cafés. The description of the traveller, who, under the name of Laborde, had taken the seat beside the courier, was furnished with equal exactitude by the clerks, from whom he had retained the place, and by those who saw him mount. Couriol, recognized as having with Bernard conducted back the horses to Muiron, after the crime, had left Paris for Château-Thierry, where he was lodged in the house of Citoyen Bruer, where also Guesno had gone on some business. The police followed Couriol, and arrested him. They found upon him a sum in money and assignats, nearly equivalent to a fifth share of what the courier had been robbed. Guesno and Bruer were also arrested, and had their papers seized; but they so completely established their *alibi*, that they were at once dismissed on their arrival at Paris. At the epoch of which we write, the examination of judicial affairs followed a very different course from the one now traced by the French code. It was to the Citoyen Daubenton, justice of the peace of the division of Pont Neuf, and officer of the *police judiciare*, that the Central Bureau confided the examination of this affair. This magistrate having ordered the dismissal of Guesno, told him that he might present himself at his *cabinet* on the morrow, for the papers which had been seized at Château-Thierry; at the same time he ordered an officer, Hendon, to start at once for Mangeron and Lieursaint, and to bring back the witnesses, whose names he gave him, so that they might all be collected the next day at the Bureau for examination.

Guesno, desirous of having his papers as soon as possible, went out early, and directed his steps towards the Central Bureau, which he had just reached when he encountered his compatriot Lesurques; having explained to him the motive that called him to the Bureau, he proposed to him that they should go together. Lesurques accepted, and the Citizen Daubenton not having yet arrived, they sat down in the antechamber, in order to see him as he passed, and thus expedite the matter.

About ten o'clock the judge, who had entered his cabinet by a back door, was interrupted in his examination of the documents, previous to interrogating the witnesses, by the officer Hendon, who demanded leave to make an important communication. "Amongst the witnesses," said he, "now waiting in the antechamber, are two women—one, *la femme* Santon, servant to Evrard the innkeeper at Mongeron—the other, *la fille* Grossetète, servant to Madame Châtelain the *limonadière* at Lieursaint, who assert in the most positive manner, that two of the assassins are there, waiting like them to be admitted. These women declare that they cannot deceive themselves, for one of them served the four travellers at Mongeron, and the other spoke to them at Lieursaint, and stayed an hour in the billiard-room while they were playing."

[8] An atrocious gang of thieves, who adopted the unnecessary brutality of burning the unfortunate victims they intended to rob.

The judge could not admit the probability of two of the assassins thus voluntarily placing themselves within the grasp of the law, yet he ordered the women to be shown into his presence. On interrogation, they persisted in their statements, declaring that it was impossible they could deceive themselves. Guesno was then introduced to the judge's presence, the women being continued to examine him strictly before finally pronouncing as to his identity.

"What brings you to the Central Bureau?" demanded the judge.

"I come to receive my papers," replied Guesno, "as you promised me yesterday that I should have them on application."

"Are you alone?"

"I have a compatriot with me, one Joseph Lesurques, whom I met on the way here."

The judge then ordered the second individual designated by the women to be introduced. It was Lesurques. He spoke to Lesurques and to Guesno for a few minutes, and then begged them to return into the antechamber, where their papers would be sent to them. An order was given, however, to the officer, Hendon, not to lose sight of them.

On their leaving the room, M. Daubenton again demanded of the women, if they persisted in their declarations as to the identity of these men with the criminals they were in search of. They replied, without hesitation, that they were certain of it; that they could not be deceived. The magistrate was then forced to receive their depositions in writing, and to order the arrest of Guesno and Lesurques.

From the moment of their arrest, the examination proceeded with great rapidity. Guesno and Lesurques were confronted with the witnesses brought from Mongeron and Lieursaint, and were recognised by all of them!

La femme Santon deposed, that Lesurques was the one who, after the dinner at Mongeron, wanted to pay in *assignats*, but that the big dark man (Couriol) paid in money. She was positive as to Lesurques being the man.

Champeaux and his wife, who kept the inn at Lieursaint, were equally positive as to Lesurques being the one whose spur wanted mending, and who came back to fetch the sabre which he had forgotten. Lafolie, groom at Mongeron, and *la femme* Alfroy, also recognised him; and Laurent Charbaut, labourer, who dined in the same room with the four horsemen, recognised Lesurques as the one who had silver spurs fastened by little chains to his top-boots. This combination of testimony, respecting one whom they had seen but a few days before, was sufficient to leave little doubt in the mind of any one. The trial was therefore fixed on.

The day of his arrest, Lesurques wrote the following letter to one of his friends, which was intercepted, and joined to the documentary evidence to be examined on the trial:—

> "My dear Friend,—I have met with nothing but unpleasantries since my arrival at Paris, but I did not—I could not anticipate the misfortune which has befallen me to-day. You know me—and you know whether I am capable of sullying myself with a crime—yet the most atrocious crime is imputed to me. The mere thought of it makes me tremble. I find myself implicated in the murder of the Lyons' courier. Three women and two men, whom I know not—whose residence I know not—(for you well know that I have not left Paris)—have had the impudence to swear that they recognise me, and that I was the first of the four who presented himself at their houses on horseback. You know, also, that I have not crossed a horse's back since my arrival in Paris. You may understand the importance of such an accusation, which tends at nothing less than my judicial assassination. Oblige me by lending me the assistance of your memory, and endeavour to recollect where I was and what persons I saw at Paris, on the day when they impudently assert they saw me out of

> Paris, (I believe it was the 7th or 8th,) in order that I may confound these infamous calumniators, and make them suffer the penalty of the law."

In a postscript he enumerates the persons he saw on that day: Citoyen Tixier, General Cambrai, 'Demoiselle Eugénie, Citoyen Hilaire Ledru, his wife's hairdresser, the workmen in his apartments, and the porter of the house.

V.—THE TRIAL, AND THE BLINDNESS OF ZEAL

MM. Lesurques, Guesno, Couriol, Bernard, Richard, and Bruer, were summoned before the tribunal of justice; the three first as authors or accomplices of the murder and robbery—Bernard as having furnished the horses—Richard as having concealed at his house Couriol—and his mistress, Madelaine Breban, as having received and concealed part of the stolen goods—and Bruer as having given Couriol refuge at Château-Thierry.

The witnesses persisted in their declarations as to the identity of Guesno and Lesurques. But Guesno established beyond all doubt the fact of his *alibi*; and Bruer easily refuted every charge that concerned himself. Lesurques had cited fifteen witnesses—all respectable men—and presented himself at the bar with a calmness and confidence which produced a favourable impression. Against the positive testimony of the six witnesses who asserted him to have been at Mongeron and Lieursaint on the 8th Floréal, he had brought a mass of testimony to prove an *alibi.*

Citoyen Legrand, a rich jeweller and goldsmith, compatriot of Lesurques, was first examined. He deposed, that on the 8th Floréal—the day on which the crime had been committed—Lesurques had passed a portion of the morning with him.

Aldenof, a jeweller, Hilaire Ledru, and Chausfer, deposed, that on that day they dined with Lesurques in the *Rue Montorgueil;* that, after dinner, they went to a café, took some liqueur, and went home with him.

Beudart, a painter, deposed that he was invited to the dinner, with Lesurques and his friends, but that, as one of the national guard, he was that day on service, and so was prevented attending; but that, he had gone to Lesurques that very evening in his uniform, and had seen him go to bed. In support of his deposition he produced his *billet de garde*, dated the 8th.

Finally, the workmen employed in the apartment that Lesurques was having fitted up, deposed that they saw him at various times during the 8th and 9th Floréal.

No further doubt of his innocence now remained; the *alibi* was so distinctly proved, and on such unquestionable testimony, that the jury showed in their manner that they were ready to acquit him, when a fatal circumstance suddenly changed the whole face of the matter.

The jeweller Legrand, who had manifested such zeal in the establishment of his friend's innocence, had, with an anxiety to avail himself of every trifle, declared, that to prove the sincerity of his declaration, he would cite a fact which prevented his being mistaken. On the 8th Floréal, he had made before dinner an exchange of jewellery with the witness, Aldenof. He proposed that his ledger should be sent for, as its entry there would serve to fix all recollections.

As a matter of form, the ledger was sent for. At the first glance, however, it was evident that the *date* of the transaction, mentioned by Legrand, had been *altered!* The exchange had taken place on the 9th, and an alteration, badly dissimulated by an erasure, had substituted the figure 8 for the original figure 9.

Murmurs of surprise and indignation followed this discovery, and the President, pressing Legrand with questions, and unable to obtain from him any satisfactory answer, ordered his arrest. Legrand then, trembling and terrified, retracted his former deposition, and declared that he was not certain he had seen Lesurques on the 8th Floréal, but that he had altered his book in order to give more probability to the declaration he had determined to make in his friend's favour—of whose innocence he was so assured, that it was only the conviction that he was accused erroneously, which made him perjure himself to save that innocent head.

From this moment, the jury received the depositions in favour of Lesurques with extreme prejudice—those already heard seemed little better than connivance, and those yet to be heard were listened to with such suspicion as to have no effect. The conviction of his guilt was fixed in every

mind. Lesurques, despairing to get over such fatal appearances, ceased his energetic denials, and awaited his sentence in gloomy silence. The jury retired.

At this moment a woman, agitated with the most violent emotions, demanded to speak to the President. She said that she was moved by the voice of conscience, and wished to save the criminal tribunal from a dreadful error. It was Madelaine Breban, the mistress of Couriol. Brought before the President, she declared that she knew positively Lesurques was innocent, and that the witnesses, deceived by an inexplicable resemblance, had confounded him with the real culprit, who was called Dubosq.

Prejudiced as they were against Lesurques, and suspicious of all testimony after the perjury they had already detected, the tribunal scarcely listened to Madelaine Breban; and the jury returned with their verdict, in consequence of which, Couriol, Lesurques, and Bernard were condemned to death; Richard to four-and-twenty years' imprisonment; Guesno and Bruer were acquitted.

No sooner was the sentence passed, than Lesurques rose calmly, and addressing the Judges, said, "I am innocent of the crime of which I am accused. Ah! citoyens, if it is horrible to murder on the high-road, it is not less so to murder by the law!"

Couriol, condemned to death, rose and said, "Yes, I am guilty—I avow it. But Lesurques is innocent, and Bernard did not participate in the murder."

Four times he reiterated this declaration; and, on entering his prison, he wrote to the judge a letter full of sorrow and repentance, in which he said, "I have never known Lesurques; my accomplices are Vidal, Rossi, Durochat, and Dubosq. The resemblance of Lesurques to Dubosq has deceived the witnesses."

To this declaration of Couriol was joined that of Madelaine Breban, who, after the judgment, returned to renew her protestation, accompanied by two individuals, who swore that, before the trial, she had told them Lesurques had never had any relations with the culprits; but that he was a victim of his fatal likeness to Dubosq. These testimonies threw doubt in the minds of the magistrates, who hastened to demand a reprieve from the Directory, which, terrified at the idea of seeing an innocent man perish through a judicial error, had recourse to the *Corps Législatif;* for every other resource was exhausted. The message of the Directory to the Five Hundred was pressing; its aim was to demand a reprieve, and a decision as to what course to pursue. It ended thus: "Must Lesurques perish on the scaffold because he resembles a villain?"

The *Corps Législatif* passed to the order of the day, as every condition had been legally fulfilled, that a particular case could not justify an infraction of decreed laws; and that, too, on such indications, to do away with a condemnation legally pronounced by a jury, would be to overset all ideas of justice and equality before the law.

The right of pardon had been abolished; and Lesurques had neither resources nor hope. He bore his fate with firmness and resignation, and wrote, on the day of his execution, this note to his wife:—

"*Ma bonne Amie*,—There is no eluding ones destiny, I was fated to be judicially murdered. I shall at least bear it with proper courage. I send you my locks of hair; when our children are grown up, you will divide it among them; it is the only heritage I can leave them."

He addressed also a letter to Dubosq through the newspapers. "You, in whose place I am about to perish, content yourself with the sacrifice of my life. Should you ever be brought to justice, remember my three children covered with opprobrium—remember my wife reduced to despair and do not longer prolong their misfortunes."

VI.—THE EXECUTION

The 10th March 1797, Lesurques was led to the scaffold. He wished to be dressed completely in white, as a symbol of his innocence. He wore pantaloons and frock-coat of white cotton, and his shirt-collar turned down over his shoulders. It was the day before Good Friday, and he expressed regret that he had not to die on the morrow. In passing from the prison *de la Conciergerie* to the *Place de la Grève*, where the execution took place, Couriol, placed beside Lesurques in the cart, cried out to the people in a loud voice, "Citoyens, I am guilty! I am guilty! but Lesurques is innocent."

On arriving at the platform of the guillotine, already stained with the blood of Bernard, Lesurques exclaimed, "I pardon my judges; I pardon the witnesses through whose error I die; and I pardon Legrand, who has not a little contributed to my judicial assassination. I die protesting my innocence." In another instant he was no more.

Couriol continued his declarations of Lesurques's innocence to the foot of the scaffold; and, after a final appeal, he, too, delivered himself to the executioner. The drop fell on a guilty neck, having before been stained with the blood of two innocent men.

The crowd retired with a general conviction that Lesurques had perished guiltless; and several of the judges were seriously troubled by the doubts which this day had raised in their minds. Many of the jury began to repent having relied so on the affirmations of the witnesses from Mongeron and Lieursaint, precise as they had been. M. Daubenton, the magistrate who had first ordered the arrest, went home a thoughtful man, and determined to lose no opportunity of getting at the truth, which the arrest of the three accomplices mentioned by Couriol could alone bring to light.

VII.—THE PROOFS

Two years passed on without affording any clue to the conscientious magistrate. One day, however, he heard that a certain Durochat was arrested for a recent robbery, and was confined in the Sainte Pelagie; and remembering that Durochat was the name of the one designated by Couriol as having taken the place beside the courier, under the false name of Laborde. At the epoch of the trial of Lesurques, it came out that several persons, amongst them an inspector of the *administration des postes*, had seen the false Laborde at the moment that he was awaiting the mail, and had preserved a distinct recollection of his person.

M. Daubenton, on ascertaining the day of Durochat's approaching trial for robbery, went to the *administration des postes*, and obtained through the *Chef* the permission to send for the inspector who had seen the false Laborde, and who was no longer in Paris.

The *juges du tribunal* had also been warned of the suspicions which rested on Durochat. The day of trial arrived, and he was condemned to fourteen years' imprisonment, and was about being led from the court when the inspector arrived, and declared that Durochat was the man whom he had seen on the 8th Floréal mount beside the courier under the false name of Laborde. Durochat only opposed feeble denials to this declaration, and was consequently taken to the *Conciergerie*.

On the morrow, Durochat was transferred to Versailles, where he was to be judged. Daubenton and a huissier departed with the prisoner and four gendarmes. As they reached the village of Grosbois he demanded some breakfast, for he had eaten nothing since the preceding day. They stopped at the first *auberge*, and there Durochat manifested a desire to speak to the magistrate in private.

Daubenton ordered the gendarmes to leave them together, and even the huissier, though he made him understand by a sign the danger of being alone with so desperate a villain, was begged to retire. A breakfast was ordered for the two. It was brought—but, by order of the huissier, only *one* knife was placed on the table. Daubenton took it up, and began carelessly to break an egg with it.

Durochat looked at him fixedly for a moment, and said,

"Monsieur le juge, you are afraid?"

"Afraid!" replied he calmly, "and of whom?"

"Of me," said Durochat.

"Folly!" continued the other, breaking his egg.

"You are. You arm yourself with a knife," said he sarcastically.

"Bah!" replied Daubenton, presenting him the knife, "cut me a piece of bread, and tell me what you have to communicate to me respecting the murder of the courier of Lyons."

There is something in the collected courage of a brave man more impressive than any menace; and courage is a thing which acts upon all natures, however vile. Strongly moved by the calm audacity of the magistrate the ruffian, who had seized the knife with menacing vivacity, now set it down upon the table, and with a faltering voice said, "*Vous êtes un brave, citoyen*!" then after a pause, "I am a lost man—it's all up with me; but you shall know all."

He then detailed the circumstances of the crime, as we have related them above, and confirmed all Couriol's declarations, naming Couriol, Rossi, Vidal, and Dubosq, as his accomplices. Before the tribunal he repeated this account, adding, "that he had heard an individual named Lesurques had been condemned for the crime, but that he had neither seen him at the time of the deed, nor subsequently. He did not know him."

He added, that it was Dubosq whose spur had been broken, and was mended where they had dined; for he had heard them talk about it, and that he had lost it in the scuffle. He had seen the other spur in his hand, and heard him say that he intended throwing it in the river. He further gave a description of Dubosq's person, and added, that on that day he wore a flaxen peruke.

Towards the end of the year 8—four years after the murder of the courier of Lyons—Dubosq was arrested for robbery; and was transferred to Versailles, there to be judged by the *Tribunal Correctionnel*. The president ordered that he should wear a flaxen peruke, and be confronted with the witnesses from Mongeron and Lieursaint, who now unanimously declared that he was the man they had seen. This, coupled with the declarations of Couriol, Durochat, and Madelaine Breban, sufficed to prove the identity; and he did not deny his acquaintance with the other culprits. He was therefore condemned, and perished on the scaffold for the crime.

Vidal was also arrested and executed, though persisting in his innocence; and, finally, Rossi was shortly after discovered and condemned. He exhibited profound repentance, and demanded the succours of religion. To his confessor he left this declaration—"I assert that Lesurques is innocent; but this must only be made public six months after my death."

Thus ends this strange drama; thus were the proofs of Lesurques's innocence furnished beyond a shadow of doubt; and thus, we may add, were seven men executed for a crime committed by five men; two therefore were innocent—were victims of the law.

VIII.—THE WAY IN WHICH FRANCE RECTIFIES AN ERROR

It is now forty years since the innocence of Lesurques has been established, and little has been done towards the rehabilitation of his memory, the protection of his children, and the restitution of his confiscated goods! Forty years, and his wretched widow has only recently died, having failed in the object of her life! Forty years has the government been silent.

M. Daubenton, who took so honourable and active a part in the detection of the real criminals, consecrated a great part of his life and fortune to the cause of the unfortunate widow and her children. The declaration he addressed to the Minister of Justice commenced thus:—

"The error, on which was founded the condemnation of Lesurques, arose neither with the judges nor the jury. The jury, convinced by the depositions of the witnesses, manifested that conviction judicially; and the judges, after the declaration of the jury, pronounced according to the law.

"The error of his condemnation arose from the mistake of the witnesses—from the fatal resemblance to one of the culprits not apprehended. Nothing gave reason to suspect at that time the cause of the error in which the witnesses had fallen."

We beg to observe that the whole trial was conducted in a slovenly and shameful manner. A man is condemned on the deposition of witnesses;—witnesses, be it observed, of such dulness of perception, and such confidence in their notions, that they persisted in declaring Guesno to be one of the culprits as well as Lesurques. Yet the *alibi* of Guesno was proved beyond a doubt. How, then, could the jury, with this instance of mistake before their eyes, and which they themselves had condemned as a mistake by acquitting Guesno—how could they place such firm reliance on those self-same testimonies when applied to Lesurques? If they could convict Lesurques upon such evidence, why not also convict Guesno on it? Guesno proved an *alibi*—so did Lesurques; but because one foolish friend perjured himself to serve Lesurques, the jury hastily set down all his friends as perjurers; they had no evidence of this; it was a mere indignant reaction of feeling, and, as such, a violation of their office. The case ought to have been sifted. It was shuffled over hastily. A verdict, passed in anger, was executed, though at the time a strong doubt existed in the minds of the judges as to its propriety!

Neither the Directory nor the Consulate, neither the Empire nor the Restoration, paid attention to the widow's supplications for a revision of the sentence, that her husband's name might be cleared, and his property restored. In vain did M. Salgues devote ten years to the defence of the injured family; in vain did M. Merilhou, in an important *procès*, warmly espouse the cause; the different governments believed themselves incapable of answering these solicitations.

Since 1830 the widow again supplicated the *Tribune des Chambres*. Few sessions have passed without some members, particularly from the *dèpartment du Nord*, calling attention to the subject. All that has been obtained is a restitution of part of the property seized by the *fisc* at the period of the execution.

Madame Lesurques has died unsuccessful, because a judicial error cannot be acknowledged or rectified, owing to the insufficiency of the Code. A French journal announces that the son and daughter of Lesurques, still living, pledged themselves on the death-bed of their mother to continue the endeavour which had occupied her forty long years—an endeavour to make the law comprehend that nothing is more tyrannous than the strict fulfilment of its letter—an endeavour to make the world at large more keenly feel the questionable nature of evidence as to personal identity in cases where the witnesses are ignorant, and where the evidence against their testimony is presumptive.

CALEB STUKELY

PART X

THE REVULSION

"*The companion of the wise shall be wise*." A six months' residence with the religious and self-renouncing minister could not be without its effect on the character and disposition of the disciple, newly released from sin and care, and worldly calamity. The bright example of a good man is much—that of a good and *beloved* man is more. I was bound to Mr Clayton by every tie that can endear a man to man, and rivet the ready heart of youth in truthful and confiding love. I regarded my preserver with a higher feeling than a fond son may bear towards the mere author and maintainer of his existence. For Mr Clayton, whose smallest praise it was that he had restored to me my life, in addition to a filial love, I had all the reverence that surpassing virtue claims, and lowly piety constrains. Months passed over our head, and I was still without occupation, though still encouraged by my kind friend to look for a speedy termination to my state of dependence. Painful as the thought of separation had become to Mr Clayton, my situation was far from satisfactory to myself. I knew not another individual with whom I could have established myself under similar circumstances. The sense of obligation would have been oppressive, the conviction that I was doing wrong intolerable to sustain; but the simplicity, the truth, the affectionate warmth of my benevolent host, lightened my load day after day, until I became at last insensible to the burthen. At this period of my career, the character of Mr Clayton appeared to me bright and fixed as a spotless star. He seemed the pattern of a man, pure and perfect. The dazzling light of pious fervour consumed within him the little selfishness that nature, to stamp an angel with humanity, had of necessity implanted there. He was swallowed up in holiness—his thoughts were of heaven—his daily conduct tinged and illumined with a heavenly hue. Nothing could surpass the intense devotedness of the child of God, except perhaps the self-devotion, the self-renunciation, and the profound humility which distinguished him in the world, and in his conversation amongst men. "*The companion of the wise shall be wise*." I observed my benefactor, and listened to his eloquence; I pondered on his habitual piety, until, roused to enthusiasm by the contemplation of the matchless being, I burned to follow in his glorious course, to revolve in the same celestial orbit, the most distant and the meanest of his satellites. The hand of Providence was traceable in every act, which, in due course, and step by step, had brought me to the minister. It could not be without a lofty purpose that I had been plucked a brand, as it were, from the burning; it was not an aimless love that snatched me from death to life—from darkness to mid-day light—from the depths of despondency to the heights of serenity and joy. It was that I might glorify the hand that had been outstretched on my behalf, that I might carry His name abroad, proclaim His wondrous works, sing aloud His praises, and in the face of men, give honour to the everlasting Giver of all good. It was for this and these that I had been selected from mankind, and made the especial object of a Father's grace. I believed it in all the simplicity and ingenuousness of a mind awakened to a sense of religion and human responsibility. I could not do otherwise. From the moment that I was convinced of the obligation under which I had been brought, that I could feel the force of the silent compact which had been effected between the unseen Power and my own soul, it would have been as easy for me to annihilate thought, to prevent its miraculous presence in the mind, as to withstand the urgent prickings of my conscience. I believed in my divine summons, and I was at once ready, vehement, and impatient to obey it. Had I followed the dictates of my will, I would have walked through the land, and preached aloud the wonderful

mercies of God, imploring my fellow-creatures to repentance, and directing them to the fount of all their blessings and all their happiness. I would have called upon men to turn from error and dangerous apathy, before their very strongholds. Powerful in the possession of truth, I would have thundered the saving words before their marketplaces and exchanges—at the very fortresses in which the world deems itself chiefly secure, with Mammon at its head, Satan's chief lieutenant. I would have called around me the neglected and the poor, and in the highways and in the fields disclosed to them the tenderness and loving-kindness that I had found, that they might feel, in all their fulness, if they would turn from sin, and place their trust in heaven. It was pain and anguish to be silent. Not for my own sake did I yearn to speak. Oh no! There was nothing less than a love of self in the panting desire that I felt to break the selfish silence. It was the love of souls that pressed me forward, and the confidence that the good news which it was my privilege to impart would find in every bosom a welcome as warm and ready as it would prove to be effectual. To walk abroad in silence, feeling myself to be the depositary of a celestial revelation, and believing that to communicate it to mankind would be to ensure their participation in its benefits, was hardly to be borne. There was not a man whom I encountered in the street, to whom I did not secretly wish to turn, and to pour into his ear the accents of peace and consolation; not one whom I did not regard as a witness against me on that great day of trial, when every man shall be judged according to his opportunities. I spoke to Mr Clayton. He encouraged the feeling by which I was actuated, but he dissuaded me from the manifestation of it in the form which I proposed.

Конец ознакомительного фрагмента.