HEVEY *v.* MAJOR SIRR.

KING'S BENCH.

May 17th, 1802.

As an illustration of the government of Ireland at the time of the trial, and for some years before, this case is most interesting, and CURRAN's speech equal to the occasion.

Hevey was a brewer in Dublin, and in '98 acted as a yeoman in the Roebuck cavalry. Happening to be in court during a trial, and seeing a rascal whom he had once employed, on the table, he said what he thought of him, and was then obliged to give evidence against the witness's character, and the prisoner was acquitted. For this he was seized on by Major Sirr and his gang, forced into prison, obliged to give up a valuable mare to Sandys, a comrade of Sirr's, was then hurried to Kilkenny, tried by Court-martial, and sentenced to be hanged. Lord Cornwallis saw the report of the trial, and released Hevey. In September, 1801, Major Sirr met Hevey in the Commercial Buildings, threatened him, and when Hevey defied him, Sirr thrust the unfortunate man into the provost prison in the Castle, till he signed a submission. For this the action was brought.

Lord Kilwarden (Arthur Wolfe) and a special jury tried the case. CURRAN opened for the plaintiff:—

THIS is the most extraordinary action I have ever met with. It must proceed from the most unexampled impudence in the plaintiff, if he has brought it wantonly, or the most unparalled miscreancy in the defendant, if it shall appear supported by proof. The event must stamp the most

condign and indelible disgrace on the guilty defendant, unless an unworthy verdict should shift the scandal upon another quarter.

On the record the action appears short and simple. It is an action of trespass, *vi et armis*, for an assault, battery, and false imprisonment. But the facts that led to it, that explain its nature, and its enormity, and, of course, that should measure the damages, are neither short nor simple. The novelty of them may surprise, the atrocity must shock your feelings, if you have feelings to be shocked. But I do not mean to address myself to any of your proud feelings of liberty—the season for that is past. There was, indeed, a time when, in addressing a jury upon very inferior violations of human rights, I have felt my bosom glow and swell with the noble and elevating consciousness of being a free-man, speaking to free-men, and in a free country; where, if I was not able to communicate the generous flame to their bosoms, I was not at least so cold as not to catch it from them. But that is a sympathy which I am not now so foolish as to affect either to inspire, or to participate. I shall not insult you by the bitter mockery of such an affectation; buried as they are, I do not wish to conjure up the shades of departed freedom to flutter round their tomb, to taunt or to reproach them. Where freedom is no more, it is a mischievous profanation to use her language; because it tends to deceive the man who is no longer free, upon the

most important of all points—that is, the nature of the situation to which he is reduced; and to make him confound the licentiousness of words with the real possession of freedom. I mean not, therefore, to call for a haughty verdict, that might humble the insolence of oppression, or assert the fancied rights of independence. Far from it; I only ask for such a verdict as may make some reparation for the most extreme and unmerited suffering, and may also tend to some probable mitigation of the public and general destiny. For this purpose I must carry back your attention to the melancholy period of 1798. It was at that sad crisis that the defendant, from an obscure individual, started into notice and consequence. It is in the hot-bed of public calamity that such portentous and inauspicious products are accelerated without being matured. From being a town-major, a name scarcely legible in the list of public incumbrances, he became at once invested with all the real powers of the most absolute authority. The life and the liberty of every man seemed to be given up to his disposal. With this gentleman's extraordinary elevation begins the story of the sufferings and ruin of the plaintiff.

It seems, a man of the name of M'Guire was prosecuted for some offence against the state. Mr. Hevey, the plaintiff, by accident was in court; he was then a citizen of wealth and credit, a brewer, in the first line of that business. Unfortunately for

him, he had heretofore employed the witness for the prosecution, and found him a man of infamous character. Unfortunately for himself, he mentioned this circumstance in court. The counsel for the prisoner insisted on his being sworn: he was so. The jury were convinced that no credit was due to the witness for the crown, and the prisoner was accordingly acquitted. In a day or two after, Major Sirr met the plaintiff in the street, asked how he dared to interfere in his business, and swore, "By God, he would teach him how to meddle with his people."

Gentlemen, there are two classes of prophets, one that derive their predictions from real or fancied inspiration, and are sometimes mistaken; and another who prophecy what they are determined to bring about themselves. Of this second, and by far the most authentic class, was the Major; for heaven, you see, has no monopoly of prediction.

On the following evening, poor Hevey was dogged in the dark into some lonely alley; there he was seized, he knew not by whom, nor by what authority—and became in a moment to his family and his friends, as if he had never been. He was carried away in equal ignorance of his crime and of his destiny, whether to be tortured, or hanged, or transported. His crime he soon learned; it was the treason which he had committed against the majesty of Major Sirr. He was immediately conducted to a new place of imprisonment in the

Castle-yard, called the Provost. Of this mansion of misery, of which you have since heard so much, Major Sandys was, and I believe yet is, the keeper —a gentleman of whom I know how dangerous it is to speak, and of whom every prudent man will think and talk with all due reverence. He seemed a twin star of the defendant,—equal in honour, in confidence;—equal also (for who could be superior?) in probity and humanity. To this gentleman was my client consigned, and in his custody he remained about seven weeks, unthought of by the world as if he had never existed. The oblivion of the buried is as profound as the oblivion of the dead; his family may have mourned his absence or his probable death; but why should I mention so paltry a circumstance? The fears or the sorrows of the wretched give no interruption to the general progress of things. The sun rose and the sun set, just as it did before—the business of the government, the business of the castle, of the feast, or the torture went on with their usual exactness and tranquillity.

At last Mr. Hevey was discovered among the sweepings of the prison, and was to be disposed of. He was at last honoured with the personal notice of Major Sandys. "Hevey (says the Major), I have seen you ride, I think, a smart sort of a mare; you can't use her here; you had better give me an order for her." The plaintiff, you may well suppose, by this time had a tolerable idea of his situation; he

thought he might have much to fear from a refusal, and something to hope from compliance; at all events, he saw it would be a means of apprizing his family that he was not dead;—he instantly gave the order required. The Major graciously accepted it, saying, "Your courtesy will not cost you much: you are to be sent down to-morrow to Kilkenny, to be tried for your life; you will most certainly be hanged; and you can scarcely think that your journey to the other world will be performed on horseback." The humane and honourable Major was equally a prophet with his compeer. The plaintiff on the next day took leave of his prison, as he supposed for the last time, and was sent under a guard to Kilkenny, then the head-quarters of Sir Charles Asgil, there to be tried by a court-martial for such crime as might chance to be alleged against him.

In any other country the scene that took place on that occasion might excite no little horror and astonishment; but with us, these sensations have become extinguished by frequency of repetition. I am instructed that a proclamation was sent forth, offering a reward to any man who would come forward and give any evidence against the traitor Hevey. An unhappy wretch who had been shortly before condemned to die, and was then lying ready for execution, was allured by the proposal. His integrity was not firm enough to hesitate long between the alternative proposed; pardon, favour,

and reward, with perjury on one side—the rope and the gibbet on the other. His loyalty decided the question against his soul. He was examined, and Hevey was appointed by the sentence of a mild, and no doubt enlightened court-martial, to take the place of the witness, and succeed to the vacant halter.

Hevey, you may suppose, now thought his labours at an end; but he was mistaken; his hour was not yet come. You, probably, gentlemen, or you, my lords, are accounting for his escape, by the fortunate recollection of some early circumstances that might have smote upon the sensibility of Sir Charles Asgil, and made him believe that he was in debt to Providence for the life of one innocent, though convicted victim. But it was not so; his escape was purely accidental.

The proceedings upon this trial happened to meet the eye of Lord Cornwallis. The freaks of fortune are not always cruel; in the bitterness of her jocularity, you see she can adorn the miscreancy of the slave in the trappings of power, and rank, and wealth. But her playfulness is not always inhuman; she will sometimes in her gambols, fling oil upon the wounds of the sufferer; she will sometimes save the captive from the dungeon and the grave, were it only that she might afterwards re-consign him to his destiny, by the reprisal of capricious cruelty upon fantastic commiseration. Lord Cornwallis read the transmiss of Hevey's condemnation; his

heart recoiled from the detail of stupidity and barbarity; he dashed his pen across the odious record, and ordered that Hevey should be forthwith liberated. I cannot but highly honor him for his conduct in this instance; nor, when I recollect his peculiar situation at that disastrous period, can I much blame him for not having acted towards that court with the same vigour and indignation which he hath since shown with respect to those abominable jurisdictions.

Hevey was now a man again—he shook the dust off his feet against his prison gate; his heart beat the response to the anticipated embrace of his family and his friends, and he returned to Dublin. On his arrival here, one of the first persons he met with, was his old friend, Major Sandys. In the eye of poor Hevey, justice and humanity had shorn the Major of his beams—he no longer regarded him with respect or terror. He demanded his mare; observing, that though he might have travelled to heaven on foot, he thought it more comfortable to perform his earthly journeys on horseback. "Ungrateful villain," says the Major; "is this the gratitude you show to his Majesty and to me, for our clemency to you? You shan't get possession of the beast, which you have forfeited by your treason; nor can I suppose, that a noble animal that had been honoured with conveying the weight of duty and allegiance, could condescend to load her loyal loins with the vile burden of a

convicted traitor." As to the Major, I am not surprised that he spoke and acted as he did. He was no doubt astonished at the impudence and novelty of one calling the privileges of official plunder into question. Hardened by numberless instances of that mode of unpunished acquisition, he had erected the frequency of impunity into a sort of warrant of spoil and rapine.

One of these instances I feel I am now bringing to the memory of your lordship. A learned and respected brother barrister* had a silver cup; the Major heard that for many years it had borne an inscription of "*Erin go bragh*," which meant "*Ireland for ever*." The Major considered this perseverance in guilt for such a length of years, as a forfeiture of the delinquent vessel. My poor friend was accordingly robbed of his cup. But upon writing to the then Attorney-General, that excellent officer felt the outrage, as it was his nature to feel everything that was barbarous or base; and the Major's sideboard was condemned to the grief of restitution.

And here, let me say, in my own defence, that this is the only occasion upon which I have ever mentioned this circumstance with the least appearance of lightness. I have often told the story in a way that it would not become me to tell it here. I have told it in the spirit of those feelings which were excited at seeing that one man could

* Mr. M'Nally.

be sober and humane at a crisis when so many thousands were drunk and barbarous. And probably my statement was not stinted by the recollection that I held that person in peculiar respect and regard. But little does it signify, whether acts of moderation and humanity are blazoned by gratitude, by flattery or by friendship; they are recorded in the heart from which they sprung; and in the hour of adverse vicissitude, if it should ever come, sweet is the odour of their memory, and precious is the balm of their consolation.

But to return: Hevey brought an action for his mare. The Major, not choosing to come into court, and thereby suggest the probable success of a thousand actions, restored the property, and paid the costs of the suit to the attorney of Mr. Hevey.

It may perhaps strike you, my lord, as if I were stating what was not relevant to the action. It is materially pertinent; I am stating a system of concerted vengeance and oppression. These two men acted in concert; they were Archer and Aimwell.* You master at Litchfield, and I at Coventry. You are plunderer in the gaol, and I tyrant in the street. And in our respective situations we will co-operate in the common cause of robbery and vengeance. And I state this, because I see Major Sandys in court: and because I feel I can prove the fact beyond the possibility of denial. If he does not dare to appear, so called upon, as I have called

* Two characters in the "Beaux Stratagem."

upon him, I prove it by his not daring to appear. If he does venture to come forward, I will prove it by his own oath, or if he ventures to deny a syllable that I have stated, I will prove it by irrefragable evidence that his denial was false and perjured. Thus far, gentlemen, we have traced the plaintiff through the strange vicissitudes of barbarous imprisonment, of atrocious condemnation, and of accidental deliverance.

Here Mr. CURRAN described the feelings of the plaintiff and of his family upon his restoration; his difficulties on his return, his struggle against the aspersions on his character, his renewed industry, his gradual success, the implacable malignity of Sirr and of Sandys, and the immediate cause of the present action.*

Three years had elapsed since the deliverance of my client; the public atmosphere had cleared—the private destiny of Hevey seemed to have brightened—but the malice of his enemies had not been appeased. On the 8th of September last, Mr. Hevey was sitting in a public coffee-house; Major Sirr was there. Mr. Hevey was informed that the Major had at that moment said, that he (Hevey) ought to have been hanged. The plaintiff was fired at the charge, he fixed his eye on Sirr, and asked, if he had dared to say so? Sirr declared that he had, and had said it truly. Hevey answered that he was a slanderous scoundrel. At the instant, Sirr rushed upon him, and, assisted by three

* So in the Report.

or four of his satellites, who had attended him in disguise, secured him, and sent him to the castle guard, desiring that a receipt might be given for the villain. He was sent thither. The officer of the guard chanced to be an Englishman, but lately arrived in Ireland; he said to the bailiffs,—If this were in England, I should think this gentleman entitled to bail, but I don't know the laws of this country: however, you had better loosen those irons on his wrists, or I think they may kill him.

Major Sirr, the defendant, soon arrived, went into his office, and returned with an order which he had written, and by virtue of which Mr. Hevey was conveyed to the custody of his old friend and gaoler, Major Sandys. Here he was flung into a room of about thirteen feet by twelve—it was called the hospital of the provost. It was occupied by six beds, in which were to lie fourteen or fifteen miserable wretches, some of them sinking under contagious diseases. On his first entrance, the light that was admitted by the opening of the door, disclosed to him a view of the sad fellow-sufferers, for whose loathsome society he was once more to exchange the cheerful haunts of men, the use of open air, and of his own limbs; and where he was condemned to expiate the disloyal hatred and contempt which he had dared to show to the overweening and felonious arrogance of slaves in office, and minions in authority; here he passed the first night, without bed or food.

The next morning his humane keeper, the Major, appeared. The plaintiff demanded "why he was so imprisoned;" complained of hunger, and asked for the goal allowance. Major Sandys replied with a torrent of abuse, which he concluded by saying,— "Your crime is your insolence to Major Sirr; however, he disdains to trample upon you—you may appease him by proper and contrite submission; but unless you do so, you shall rot where you are. I tell you this, that if government will not protect us, by God we will not protect them. You will probably (for I know your insolent and ungrateful hardiness,) attempt to get out by a Habeas Corpus; but in that you will find yourself mistaken, as such a rascal deserves."

Hevey was insolent enough to issue a Habeas Corpus, and a return was made upon it—"that Hevey was in custody under warrant from General Craig, on a charge of treason." That this return was a gross falsehood, fabricated by Sirr, I am instructed to assert. Let him prove the truth of it if he can. The Judge before whom this return was brought, felt that he had no authority to liberate the unhappy prisoner; and thus, by a most inhuman and malicious lie, my client was again remanded to the horrid mansion of pestilence and famine.

Mr. CURRAN proceeded to describe the feelings of Mr. Hevey—the despair of his friends—the ruin of his affairs—the insolence

of Sandys—his offer to set him at large, on condition of making an abject submission to Sirr—the indignant rejection of Hevey—the supplication of his father and sister, rather to submit to an enemy, however base and odious, than perish in such a situation; the repugnance of Hevey—the repetition of kind remonstrances; and the final submission of Hevey to their entreaties—his signing a submission dictated by Sandys, and his enlargement from confinement.

Thus was he kicked from his goal into the common mass of his fellow-slaves, by yielding to the tender entreaties of the kindred that loved him, to sign, what was in fact, a release of his claim to the common rights of a human creature, by humbling himself to the brutal arrogance of a pampered slave. But he did suffer the dignity of his nature to be subdued by its kindness: he has been enlarged, and he has brought the present action.

As to the facts I have stated, I shall make a few observations. It might be said for the defendant, that much of what was stated may not appear in proof. To that I answer, that I would not have so stated, if I had not seen Major Sandys in court. I therefore put the facts against him in a way which I thought the most likely to rouse him to a defence of his own character, if he dared to be examined as a witness. I have, I trust, made him feel, that he has no way of escaping universal detestation, but by denying those charges, if false. And if they are not denied, being thus publicly asserted, my entire case is admitted—his

original oppression in the provost is admitted—his robbery of the cup is admitted—his robbery of the mare is admitted—the lie so audaciously forged on the Habeas Corpus is admitted—the extortion of the infamous apology is admitted. Again, I challenge this worthy compeer of the worthy Major to make his election between proving his guilt by his own corporal oath, or by the more credible modesty of his silence.

I have now given you a mere sketch of this extraordinary history. No country, governed by any settled laws, or treated with common humanity, could furnish any occurrences of such unparalleled atrocity; and if the author of Caleb Williams,* or of the Simple Story,† were to read the tale of this man's sufferings, it might, I think, humble the vanity of their talents (if they are not too proud to be vain), when they saw how a much more fruitful source of incident could be found in the infernal workings of the heart of a malignant slave, than in the richest copiousness of the most fertile and creative imagination. But it is the destiny of Ireland to be the scene of such horrors, and to be stung by such reptiles to madness and to death.

And now I feel a sort of melancholy pleasure, in getting nearly rid of this odious and nauseous subject. It remains for me only to make a few observations as to the damages you ought to give,

* Godwin, † Mrs. Inchbald.

if you believe the case of the plaintiff to be as I have stated. I told you before, that neither pride nor spirit belong to our situation; I should be sorry to influence you into any apish affectation of the port or stature of freedom or independence.

But my advice to you is, to give the full amount of the damages laid in the declaration; and I will tell you why I give you that advice; I think no damages could be excessive, either as a compensation for the injury of the plaintiff, or as a punishment for the savage barbarity of the defendant; but my reasons for giving you this advice lie much deeper than such considerations; they spring from a view of our present most forlorn and disastrous situation. You are now in the hands of another country; that country has no means of knowing your real condition, except by information that she may accidentally derive from transactions of a public nature. No printer would dare to publish the thousand instances of atrocity which we have witnessed, as hideous as the present, nor any one of them, unless he did it in some sort of confidence, that he could scarcely be made a public sacrifice by brutal force, for publishing what was openly proved in a court of justice.

Mr. CURRAN here made some pointed observations on the state of a country where the freedom of the press is extinguished, and where another nation, by whose indolent mercy, or whose

instigated fury, it may be spared or sacrificed, can know nothing of the extent of its sufferings, or its delinquency, but by casual hearsay.

I know that those philosophers have been abused, who think that men are born in a state of war. I confess I go further, and firmly think they cannot be reclaimed to a state of peace. When I see the conduct of man to man I believe it. When I see the list of offences in every criminal code in Europe—when I compare the enormity of their crimes with the still greater enormity of their punishments, I retain no doubt upon the subject.

But if I could hesitate as to men in the same community, I have no doubt of the inextinguishable malignity that will for ever inflame nation against nation. Well was it said, that a "nation has no heart." Towards each other, nations are uniformly envious, vindictive, oppressive, and unjust. What did Spain feel for the murders or robberies of the West? nothing. And yet, at that time, she prided herself as much as England ever did on the elevation of her sentiment, and the refinement of her morality. Yet what an odious spectacle did she exhibit! her bosom burning with all the fury of rapine and tyranny; her mouth full of the pious praises of the living God, and her hands red with the blood of his innocent and devoted creatures. When I advise you, therefore, to mark your feeling of the case before you, do not

think I mean that you could make any general impression on the morality or tenderness of the country whose property we are become. I am not so foolish as to hope any such effect; practical justice and humanity are virtues that require laborious acts, and mortifying privations; expect not, therefore, to find them,—appeal not to them.

But there are principles and feelings substituted in their place, a stupid preference and admiration of self, an affectation of humanity, and a fondness for unmerited praise; these you may find, for they cost nothing, and upon them you may produce some effect. When outrages of this kind are held up to the world, as done under the sanction of their authority, they must become odious to mankind, unless they let fall some reprobation on the immediate instruments and abettors of such deeds. An Irish Lord Lieutenant will shrink from the imputation of countenancing them. Great Britain will see that it cannot be her interest to encourage such an infernal spirit of subaltern barbarity, that reduces man to a condition lower than that of the beast of the field. They will be ashamed of employing such instruments as the present defendant. When the government of Ireland lately gave up the celebrated O'Brien* to the hands of the executioner, I have no little reason to believe that they suffered as they deserved on the oc-

* See ante, Curran's defence of Finney.

casion. I have no doubt but that your verdict this day, if you act as you ought to do, will produce a similar effect. And as to England, I cannot too often inculcate upon you that she knows nothing of our situation. When torture was the daily and ordinary system of the executive government, it was denied in London, with a profligacy of effrontery equal to the barbarity with which it was exhibited in Dublin; and if the facts that shall appear to-day should be stated on the other side of the water, I make no doubt that very near one hundred worthy persons would be ready to deny their existence upon their honour, or, if necessary, upon their oaths.

I cannot but observe also to you, that the real state of one country is more forcibly impressed on the attention of another by a verdict on such a subject as this, than it could be by any general description. When you endeavour to convey an idea of a great number of barbarians practising a great variety of cruelties upon an incalculable multitude of sufferers, nothing defined or specific finds its way to the heart; nor is any sentiment excited, save that of a general, erratic, unappropriated, commiseration.

If, for instance, you wished to convey to the mind of an English matron the horrors of that direful period, when, in defiance of the remonstrance of the ever-to-be-lamented Abercromby, our poor people were surrendered to the licentious

brutality of the soldiery, by the authority of the state, you would vainly endeavour to give her a general picture of lust, and rapine, and murder, and conflagration. By endeavouring to comprehend every thing, you would convey nothing.

When the father of poetry* wishes to pourtray the movements of contending armies, and an embattled field, he exemplifies only, he does not describe; he does not venture to describe the perplexed and promiscuous conflicts of adverse hosts, but by the acts and fates of a few individuals he conveys a notion of the vicissitudes of the fight, and the fortunes of the day.

So should your story to her keep clear of generalities; instead of exhibiting the picture of an entire province, select a single object; and even in that single object do not release the imagination of your hearer from its task, by giving more than an outline. Take a cottage; place the affrighted mother of her orphan daughter at the door, the paleness of death upon her face, and more than its agonies in her heart; her aching eye, her anxious ear struggling through the mist of closing day, to catch the approaches of desolation and dishonour. The ruffian gang arrives; the feast of plunder begins; the cup of madness kindles in its circulation. The wandering glances of the ravisher become concentrated upon the shrinking and devoted victim. You need not

* Homer.

dilate, you need not expatiate; the unpolluted mother, to whom you tell the story of horror, beseeches you not to proceed; she presses her child to her heart, she drowns it in her tears; her fancy catches more than an angel's tongue could describe; at a single view she takes in the whole miserable succession of force, of profanation, of despair, of death.

So it is in the question before us. If any man shall hear of this day's transaction, he cannot be so foolish as to suppose that we have been confined to a single character, like those now brought before you. No, gentlemen; far from it; he will have too much common sense not to know that outrages like this are never solitary; that where the public calamity generates imps like these, their number is as the sands of the sea, and their fury as insatiable as its waves.

I am therefore anxious that our *masters* should have one authenticated example of the treatment which our unhappy country suffers under the sanction of their authority; it will put a strong question to their humanity, if they have any—to their prudence, if their pride will let them listen to it; or, at least, to that anxiety for reputation, to that pretension to the imaginary virtues of mildness and mercy, which even countries the most divested of them are so ready to assert their claim to, and so credulously disposed to believe that claim allowed.

There are some considerations respecting yourselves, and the defendant, to which I should wish to say a word. You may, perhaps, think your persons unsafe, if you find a verdict against so considerable a person. I know his power, as well as you do—I know he might send you to the Provost, as he has done the plaintiff, and forge a return on any writ you might issue for your deliverance—I know there is no spot on the devoted nation (except that on which we now are), where the story of oppression can be told or heard; but I think you can have no well-founded apprehensions. There is a time when cruelty and oppression become satiated and fatigued; in that satiety at least you will find yourselves secure. But there is still a better security for you—the gratitude of the worthy defendant. If anything could add to his honours and his credit, and his claims, it would be your verdict for the plaintiff; for in what instance have you ever seen any man so effectually accredited and recommended, as by the public execration?—what a man, for instance, might not O'Brien have been, if the envy of the gibbet had not arrested the career of his honours and preferments!

In every point of view, therefore, I recommend to you to find, and to find liberally, for the plaintiff; I have founded my advice upon the real circumstances of your situation; I have not endeavoured to stimulate you into any silly hectic of fancied

liberty. I do not call upon you to expose yourselves by the affectation of vindicating the cause of freedom and humanity; much less do I wish to exhibit ourselves to those, whose property we are, as indignant or contumacious under their authority. Far from it; they are unquestionably the proprietors of us; they are entitled of right to drive us, and to work us; but we may be permitted modestly to suggest, that for their own sakes, and for their own interest, a line of moderation may be drawn—that there are excesses of infliction that human nature cannot bear.

With respect to her western negroes, Great Britain has had the wisdom and humanity to feel the justice of this observation, and in some degree to act upon it; and I have too high an opinion of that great and philosophic nation, not to hope that she might think us not undeserving of equal mildness—provided it did not interfere with her just authority over us. It would, I should even think, be for her credit, that having the honour of so illustrious a rider, we should be kept in some sort of condition, somewhat bordering upon spirit, which cannot be maintained, if she suffers us to be utterly broken down by the malicious wantonness of her grooms and jockeys.

This cause is of no inconsiderable expectation; and in whatever light you regard it,—whether with respect to the two countries or to Ireland singly, or to the parties concerned, or to your

own sense of character and public duty, or to the natural consequences that must flow from the event, you ought to consider it with the most profound attention before you agree upon your verdict.