racter of a man entirely devoted to his country, I deliver to them, as the only answer, the scrupulous examination of my political conduct since the commencement of the revolution, as well as that of my private life.

I am far from attenuating the praises given of the First Consul, had we to thank Bonaparte for nothing but the civil code, his name would merit to pass down to posterity. But whatsoever service a citizen may have rendered his country, there are limits which honor as well as reason impose upon national gratitude. If a citizen has restored public liberty, if he has effected the safety of the country, would it be a recompence to offer to him the sacrifice of that very liberty? Would it not be annihilating his own work, in making that country his particular patrimony?

The moment the proposition was made to the French nation to vote on the question for the Consulate for life, every one could easily perceive that there existed after-views and an ulterior end.

Indeed we beheld a rapid succession of a crowd of institutions evidently monarchical; but in every instance endeavours were made to re-assure the minds that were uneasy about the fate of liberty, by declaring that these institutions were made with the view of procuring it the highest possible protection!

This day we discover in a positive manner the final end of so many preliminary measures: we are required to vote upon the formal proposition to re-establish the monarchical system, and to confer the imperial and hereditary dignity upon the First Consul!

Formerly I voted against the Consulate for life; I shall now vote in the same manner against the re-establishment of monarchy, persuaded that my office of Tribune obliges me to do so; but I shall do it with the necessary precaution not to re awake party spirit; it shall be done without personality, without any other passion than that for the public good; in remaining always in conformity with myself in the defence of the popular cause.

I invariably submitted to existing laws even at times when they displeased me most; more than once have I fallen a victim to them, and I shall not follow a different course this day. I declare therefore beforehand that, whilst I combat the proposition in question, from the moment a new order of things is established and it has received the assent of the mass of the citizens, I shall be the first to conform to it in all my actions, to [illegible] to the supreme authority every mark of deference which the constitutional hierarchy shall require. May every member of this great society emit a vow as sincere and distinguished!

I shall not discant on the preference which in general, such or such a government may merit; we have volumes without number on that subject. I shall confine myself, in a few words, and in terms the most simple, to the examination of the particular case in which circumstances have placed us.

All the arguments hitherto advanced on the subject of re-establishing monarchy in France are, that without it there can be no means to insure stability of government and public tranquility, to escape intestine trouble, to unite against external enemies; that a republican form of government had been tried in vain in every possible manner; that from all those efforts had resulted nothing but anarchy; a revolution prolonged or incessantly renewed, a perpetual fear of new disorders, and, consequently, a universal desire to see the ancient hereditary government re-established. To this an answer must be given.

I shall observe, therefore, that a government placed in one man is no pledge for stability and tranquility. The Roman Empire did not last longer than that of the Roman Republic. In the former, the interior troubles were greater, the crimes more multiplied; the republican fierceness, heroism, & the manly virtues, were there replaced by pride the most ridiculous, by adulation the most vile, by cupidity the most unbridled, and by carelessness the most destructive to the national prosperity. How have the evils been remedied by the throne being hereditary? Has it not been regarded in fact as the legitimate inheritance of the house of Augustus? Has Domitian not been the son of Vespasius, Caligula the son of Germanicus, Commodius the son of Marc Aurele?

In France, the last dynasty has indeed lasted during eight centuries, but have the people been the less tormented? How many intestine disorders! How many external wars for pretentions, rights of succession, the result of the alliances of that dynasty with foreign powers! From the moment a whole nation espouses the particular interests of one family, it is obliged to encounter a multitude of events which, without that, would to the nation be perfectly indifferent.

We could not establish among us a republican regime, though it has been tried under divers forms more or less democratic; but we must observe that, of all the constitutions which successively have been tried without success, there was none but what was the offspring of factions and the work of circumstances, as imperious as fugitive; hence all were vicious. But since the 18th Brumaire, we find an epocha, the only one perhaps in the annals of the world, to meditate, sheltered against alarms, in order to found the liberty of the nation upon a solid basis, avowed by experience and by reason. After the peace of Amiens Bonaparte could choose either a republican or a monarchical system; he might have done what he thought proper, without encountering the least opposition. The deposit of liberty was confided to his hands; he had sworn to defend it. By fulfilling his promise he would have accomplished the expectation of the nation who judged him to be the only one capable of solving the great problem of public liberty in extensive states; he had covered himself with incomparable glory. Instead of performing this great work, what are we doing to day? It is proposed to give him an absolute and hereditary property of a power of which he had received but the administration.

It is true that, antecedent to the 18th Brumaire, the state was falling into dissolution, and that absolute power dragged it from the borders of the abyss; but what are we to infer from that? What all the world knows; that political bodies are subject to maladies which can be cured but by violent means; that a momentary dictatorship is sometimes requisite to save liberty. The Romans, who were so jealous of it, were however sensible of the necessity of that supreme power at intervals. But, because a violent remedy has saved a sick person, are we to administer to him every day a violent remedy? Fabius, Cincinnatus, Camillus, have each successively saved the Roman liberty by absolute power; but it was by stripping themselves of that power as soon as they could; by a retention of the power they would have destroyed liberty. Cæsar was the first who wanted to retain it and he fell a victim to it; but liberty was annihilated for ever. Thus all that has been said to this day upon absolute power, proves only the necessity of a momentary dictatorship in the crisis of a state, but not of a permanent & immoveable power.

It is not by the nature of the government that the great republics fail in stability; it is because they are unprovided for tempests; it is invariably the exaltation that presides at their establishment. There is but one that effected the work of organised philosophy during the calm, and that republic subsists full of wisdom and vigor: This phenomenon is offered by the United States of America, whose prosperity daily encreases to the astonishment of all other nations. Thus it was reserved to the new world to convince the old that men can peaceably subsist under the regime of liberty and equality. Yes, I dare to lay down the principle that, whilst we can establish a new order of things, without any fear from the influence of factions, as the first consul was able to do, especially after the peace of Amiens, and as he still can do, it is less difficult to form a republic without anarchy than to erect a monarchy without despotism. For how can we conceive a limitation without illusion, in a government of which the chief has all the executive power in his hands, and all the places and offices to bestow? They have spoken of institutions which are said to be proper to produce that effect: but before the re-establishment of monarchy was proposed, should we not have been previously assured, and have shown to those who have to vote upon the question that such institutions are in the order of possibilities? That they are not of those metaphysical abstractions which are incessantly approaching the contrary system? Hitherto nothing has been invented to temper the supreme power but what are called the intermediate or privileged bodies. Is it then a new nobility that they mean when they speak of institutions? But is not the remedy worse than the evil? For the absolute power deprives us but of liberty, whilst the institution of privileged orders takes away both liberty and equality; and if at first the great dignities are only personal, it is well known that they always finish as the grand fiefs formerly, by becoming hereditary.

To these general principles, I will add some particular observations. Let us suppose that all Frenchmen will give their assent to the measures proposed; would it be a proof of their free will? What results from the registers where each is compelled to sign his name to his individual vote? Who is the man that is not convinced of the influence of the presiding authority in such cases? From all parts of France, they say, bursts forth the desire for the re-establishment of hereditary monarchy; but are we not authorised to regard as fabrication an opinion hitherto almost exclusively concentered among the public functionaries, when we know the inconveniencies to be encountered by manifesting a contrary opinion; when we know that the liberty of the press is annihilated to such a degree that it is impossible to get inserted in any of the Journals a complaint the most respectful and moderate?

Indeed there should be no necessity for balancing the choice of a hereditary chief were it necessary to have one. It would be absurd to draw a parallel between the First Consul and the pretenders of a family justly despised, and whose vindictive and sanguinary dispositions are but two well known. The recal of the house of Bourbon would be renewing the frightful scenes of the revolution, and proscription would infallibly extend itself both to the property and persons of the greatest part of the citizens. But the exclusion of that dynasty does not render a new dynasty necessary. May we then hope that creating a new dynasty would hasten the happy epoch of a general peace? Would not that be rather a new obstacle to it? Are we assured that the other great powers of Europe will adhere to this new title? And if they do not adhere, are we to take up arms to force them to it? Or after having reduced the title of Consul below that of an Emperor, will the Consul content himself with that title for the sake of foreign powers, whilst he is Emperor only of the French? And shall we for a vain title expose the security and prosperity of the whole nation?

It seems, therefore, to be infinitely doubtful whether the new order of things can offer more stability than the present state: There is for government but one means to consolidate itself; it is to be just; that with them favor does not exceed the services rendered; that there may be a guaranty against depredations and impositions. Far be from me any particular application or any critic on the conduct of government; it is against arbitrary power itself I am speaking, and not against those in whose hands that power may reside.

Was then liberty shown to man merely to convince him that he can never enjoy it?—Was it incessantly offered to his view as a fruit to which he cannot stretch out his hand without being struck with death? Thus nature who gives that liberty as a pressing want, should have intended to treat us as a step mother! No, I will not consent to regard as a simple illusion, this benefaction, so universally preferred to all others, and without which all others are nothing. My heart tells me that liberty is possible, that the regime of it is easy and more stable than any arbitrary government, any oligarchy.

Nevertheless, I repeat it, always ready to sacrifice my dearest affections to the interests of my country, I shall content myself with having once more made resound the accents of a free mind; and my respect for the law will be the more secured, as it is the fruit of long misfortunes, and from that reason which to-day imperiously commands us to unite in one body against the implacable enemy of us all; of that enemy who is always ready to foment among us discords, and to whom all means are legitimate, provided he can attain his aim at universal oppression, and dominion over the whole extent of the seas.

I vote against the proposition.

SHERIFF'S COURT, *Dublin, July 14.*

JUDGMENT BY DEFAULT.

Catharine Byrne.
versus
Charles Frazer Frizel, Esq.

THIS day a trial of very novel and singular circumstances, and great public expectation, was determined before Luke White, Esq. high sheriff of the county of Dublin, and a most respectable jury, selected from a pannel comprising all the rank, fortune, and character in the county. It was for the purpose of assessing the damages in the cause of Catharine Byrne, against Charles Frazer Frizel, against whom judgment was obtained by default last term, in an action of trespass, for that on the 3rd of February last, the defendant, with ensign Costly, and several soldiers under his command, broke into the plaintiff's house at Rathfarnham, and did assault the plaintiff for which she laid her damages at 500l.

Mr. *M'Nally* for the plaintiff, Mrs. Byrne, opened the pleading with the accustomed formalities.

Mr. *Curran* stated the case of the plaintiff, in one of the most eloquent and animated speeches ever delivered by him; he observed that he felt very great pleasure in seeing that laudable anxiety with which the high sheriff attended here on this occasion. That this was one of the most atrocious, the most insolent and most execrable pieces of wickedness that ever a faction was guilty of since the creation. It was thought that by letting a silent judgment go against them by default, they could have a jury cooped up before the sheriff, and thereby avoid the odious public atrocity which would be otherwise generally attached to their characters. He then stated that the plaintiff, Mrs. Byrne, was poor, old, and feeble; the defendant, young, rich and strong; that Mrs. Byrne keeps a house in Rathfarnham, where she carries on some little business, by which she obtains an honest livelihood; the Rev. Mr. Ledwich, the parish priest, her relations lodged with her, of whose character, for mildness, benevolence, and generosity, too much could not be said. On the day stated in the declaration, he returned early from his duty, a duty which, unfortunately, from his ill state of health, he is by no means calculated to undergo. At about ten at night he was in his chamber, preparing to go to bed, when hearing a confused noise of voices in the street, he went to his window and asked was no that Mr. Frizel, who answered that it was, and desired him immediately to come down, and to go with him to the guard house; he replied that being infirm and astmatic, it would be next to death to him to go out in the night air; but in the morning he knew where to find him. In drawing his head from the window, which was low, there was a stroke made at him by the defendant with a sabre, which fortunately did not reach the destination; but the blow struck deep into the window frame, which was intended for the skull of this inoffensive man; the guards were then sent for, and with Mr. Frizel and Mr. Costly at their head, fired many vollies through the windows and doors of the plaintiff's house. Mr. F. the lawyer, full of those precepts he had learned in his study, and Mr. C. the soldier, having the king's coat on his back, and the king's sword in his hand, with this most extraordinary valor, this execrable, this abominable valor, broke open the door of this defenceless old woman, and, after having destroyed every article of furniture she had in the house, the defendant with frantic violence levelled a blow with his sword at Miss Ledwich, neice to the priest, a young woman, in whose face we need but look to be inspired with far different passions, than the desire of murder; the blow was fortunately warded off by the musket of a private soldier. Three women had been praying in an adjacent room, and preparing for that instantaneous death they thought inevitable—bullets were fired through the priest's bed—the ticking was pierced with swords, conceiving him to have been there: after he made an escape over the Marquiss of Fly's wall, fifteen feet high, and glassed at the top, to save his life and remained there on a frosty night, with an habitual asthma, until morning, when he returned to his lodings, and perceiving the havoc that was made, thanked God the people did not, fired with indignation, attempt any thing contrary to the law; that he had no doubt, but the government would use every effort, would strain every nerve to bring to punishment the perpetrators of this execrable wickedness, but, to his utter astonishment, nothing was done, not a single proclamation was issued, not a single step was taken. The Grand Jury did as they ought—they immediately found a bill; but other people did not behave as they ought. "I can tell you," said Mr. Curran, "how it was received at the other side of the water, when they heard that a man, with a capital felony charged against should be admitted to bail; but so it was—such is the age in which we live. He took his trial—he did not attempt to prove any thing in palliation of his crime—he appeared as a mourning penitent, by his tears, to expiate his guilt. There was a verdict of acquittal, the jury, *immortal may they be!* scarcely waited for their names to be called over, but almost *spewed* out their verdict of acquittal. What was their reason for doing such a thing? It was because, from religious bigotry which has been the bane of this country, and which no man was ever possessed of but a *fool* or an *ass*, they thought it a victory. They being themselves of one party, thought it a decisive victory gained over the other. The plaintiff has brought her action against Mr. Frizel; as to Mr. Costly we all know what was his sentence; but I can tell you more—he is to be liberated. It is thought that a spirited young man like him should not be doomed to so long confinement—he is to be liberated, and thereby give another victory to that party who think they have already gained one by the acquittal of Mr. Frizel. It is only waited for until you shall demean yourselves by giving a verdict similar to the last, for three or four pence, perhaps the price of a pot of beer, that he may be liberated, and the whole affair may then rest in oblivion; you are now standing your own trial. You have it in your power to debase yourselves like the former jury, or to atone, by this your honest verdict, for the degradation of the name of Juror. Let me give you my advice, I say advice, for I think I am at liberty to give it, I have had it in my power to tie you up in bundles, to bring you to market, and raise myself by the sale; but I chuse rather to stay amongst you. On this account I think I have a right to give you my advice.—You can give but 500l. you cannot again indict the offender. It is past; you cannot retract the verdict of acquittal. It is past; you cannot prevent the pardon and promotion of Mr. Costly, that is past; but you might as well attempt, by putting your foot upon the earth to stop its circumvolution, as to stop the determined and well earned pardon and promotion of that most excellent young man. I do hope, therefore, that as much as in your power you will give, that is, to the full amount of the damages laid in the declaration.

Mr. Driscol, in speaking to evidence, conjured the jury to avoid, if possible, suffering their minds to be warped, or their intellects fascinated by the eloquent statement made to them—they were to discharge every political idea from their contemplation, and return a verdict commensurate to the damages which the house of Mrs. Byrne had actually sustained. A verdict against his client they were bound to give, but it was for them to regulate their consciences, and guard against a vindictive one.

Mr. M'Nally in reply, took a new and accurate species of review of this transaction, contrasting it with the outrage committed on the house of Mr. Wilkes, under a specious instrument of legal authority, making the liberality of a British jury the judge in all cases where the house, or as the law says, the castle of the proprietor is outraged or invaded. We hope this transaction may serve as a beacon to forewarn zealots of all descriptions, how they may presume to grapple with the *laws of this country, free as air for the peasant as well as for the peer!!!*

At four o'clock the jury retired; and after having been locked up for four hours, at eight found a verdict for the plaintiff—250 pounds damages, and sixpence costs.

AN INSTANCE

Of Strong superstitious credulity, said to be an authentic fact.

A widow lady at Paris, aged about 65, who lodged in a two pair of stairs floor, in the Rue de la Ferronerie, with only a maid servant, was accustomed to spend several hours every day before the altar dedicated to St. Paul in a neighbouring church. Some villains observing her extreme bigotry, resolved as she was known to be very rich, to share her wealth. One of them accordingly, took the opportunity to conceal himself behind the carved work of the altar, and, when no person but the old lady was there, in the dusk of the evening he contrived to throw a letter just before her. She took it up, and not perceiving any one near, supposed it came by a miracle. In this was she the more confirmed, when she saw it signed Paul the apostle, expressing the satisfaction he received by her prayers addressed to him, when so many canonized saints engrossed the devotion of the world, and robbed the primitive saints of their wonted adoration; and, to shew his regard to the devotee, he promised to come from Heaven, with the angel Gabriel, and sup with her at eight in the evening. It seems scarce credible that any one could be deceived by so gross a fraud; yet to what length of credulity will not superstition carry a weak mind? The infatuated lady believed the whole; and rose from her knees in transport, to prepare an entertainment for her heavenly guest.

The supper being bespoke, and the side-board set out to the best advantage, she thought that her own plate, worth about 400l. did not make so elegant an appearance as might be wished; and therefore sent to her brother, a counsellor in the parliament of Paris, to borrow all his plate. The maid, however, was charged, not to disclose the occasion, but only to say that she had company to supper, and would be obliged to him if he would lend his plate for that evening. The counsellor surprised at the application, well knowing of his sister's frugal life, began to suspect that she was enamoured of some fortune hunter, who might marry her, and thus deprive his family of what he expected at his sister's death. He therefore, positively refused to send the plate, unless the maid would tell him what guests were expected. The girl, alarmed for her mistress's honor, declared that her pious lady had no thoughts of a husband; but St. Paul having sent her a letter from heaven, promising that he and the angel Gabriel, would sup with her, she wanted to make the entertainment as elegant as possible.

The counsellor immediately suspected that some villains had imposed on her; and sending the maid with the plate proceeded directly to the commissary of that quarter. On the magistrate's going with him to a house adjoining, they saw, just before eight o'clock, a tall man, dressed in a long vestment with a white beard, and a young man in white with large wings at his shoulders, alight from a hackney coach and go up to his sister's apartment.

The commissary immediately ordered twelve of the police guards to post themselves on the stairs, while he knocked at the door, and desired admittance. The lady replied, that she had company, and could not speak to any one. But the commissary answered, that he must come in, for that he was St. Peter, and had come to ask St. Paul and the angel Gabriel, how they came out of heaven without his knowledge. The divine