

rebellions which menaced the very existence of the Protestant dynasty in England.

The economical and moral effects of the penal laws were profoundly disastrous. The productive energies of the nation were fatally diminished. Almost all Catholics of energy and talent who refused to abandon their faith emigrated to foreign lands. The relation of classes was permanently vitiated, for almost all of the land-holders of the country belonged to one religion, while the great majority of their tenants were of another. The Catholics, excluded from almost every possibility of eminence, and consigned by the Legislature to utter ignorance, soon sank into the condition of broken and dispirited helots. A total absence of industrial virtues, a cowering and abject deference to authority, a recklessness about the future, a love of secret illegal combinations, became general among them. Above all, they learned to regard law as merely the expression of force, and its moral weight was utterly destroyed. For the greater part of a century the main object of the Legislature was to extirpate a religion by the encouragement of some of the worst and the punishment of some of the best qualities of our nature. Its rewards were reserved for the informer, for the hypocrite, for the undutiful son, or for the faithless wife. Its penalties were directed against religious constancy and the honest discharge of ecclesiastical duty. It would, indeed, be scarcely possible to conceive a more infamous system of legal tyranny than that which in the middle of the eighteenth century crushed every class and almost every interest in Ireland.

The history of the penal laws should furnish a lasting warning to persecutors of all religions. Arthur Young asserts that the numerical proportion of the Roman Catholics in Ireland was not even diminished, if any thing, the reverse; and that it was admitted, by those who asserted the contrary, that it would take four thousand years, according to the then rate of progress, to convert them. It was stated in Parliament that

only four thousand and fifty-five had conformed in seventy-one years under the system; and what little the religion may have lost in number it gained in intensity. The poorer classes in Ireland emerged from their long ordeal, penetrated with an attachment to their religion almost unparalleled in Europe. With the exception of the inhabitants of Bavaria and the Tyrol, there is, perhaps, no nation in Europe whose character has been so completely molded and permeated by it, or in which skeptical doubts are more completely unknown.

The code perished at last by its own atrocity. It became, after a time, so out of harmony with the prevailing tone of Irish opinion that it ceased to be enforced, and the Irish Protestants took the initiative in obtaining its mitigation.

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## LVI.

### IMPEACHMENT OF HASTINGS.—MACAULAY.

[Ireland was still in a state of agitation when the attention of the English Parliament became absorbed in one of the most remarkable of modern criminal trials. In 1773 Warren Hastings was made the first governor-general of India. During the twelve years of his administration he rendered inestimable service in extending and consolidating England's power in the East, but his glory was sullied by many crimes. Soon after his retirement from office he was impeached (1788) by the House of Commons, before the bar of the Lords, on charges of misgovernment in India. The trial dragged on for eight years, and, in the end, Hastings was acquitted; but the object for which the impeachment had been begun was attained. The crimes of Hastings have never been repeated, even by the worst of his successors.]

In the mean time the preparations for the trial had proceeded rapidly, and, on the 13th of February, 1788, the sittings of the court commenced. There have been spectacles more dazzling to the eye, more gorgeous with jewelry and

cloth of gold, more attractive to grown-up children than that which was then exhibited at Westminster; but, perhaps, there never was a spectacle so well calculated to strike a highly cultivated, a reflecting, an imaginative mind. All the various kinds of interest which belong to the near and to the distant, to the present and to the past, were collected on one spot, and in one hour. All the talents and all the accomplishments which are developed by liberty and civilization were now displayed, with every advantage that could be derived from co-operation and from contrast. Every step in the proceedings carried the mind either backward, through many troubled centuries, to the days when the foundations of our constitution were laid, or far away, over boundless seas and deserts, to dusky nations living under strange stars, worshipping strange gods, and writing strange characters from right to left. The High Court of Parliament was to sit, according to forms handed down from the days of the Plantagenets, on an Englishman accused of exercising tyranny over the lord of the holy city of Benares, and over the ladies of the princely house of Oude.

The place was worthy of such a trial. It was the great hall of William Rufus, the hall which had resounded with acclamations at the inauguration of thirty kings, the hall which had witnessed the just sentence of Bacon and the just absolution of Somers, the hall where the eloquence of Strafford had for a moment awed and melted a victorious party inflamed with just resentment, the hall where Charles had confronted the High Court of Justice with the placid courage which has half-redeemed his fame. Neither military nor civil pomp was wanting. The avenues were lined with grenadiers. The streets were kept clear by cavalry. The peers, robed in gold and ermine, were marshaled by the heralds under garter king-at-arms. The judges, in their vestments of state, attended to give advice on points of law. Near a hundred and seventy lords, three fourths of the Upper House,

as the Upper House then was, walked in solemn order from their usual place of assembling to the tribunal. The junior baron present led the way, George Elliott, Lord Heathfield, recently ennobled for his memorable defense of Gibraltar against the fleets and armies of France and Spain. The long procession was closed by the duke of Norfolk, earl-marshal of the realm, by the great dignitaries, and by the brothers and sons of the king. Last of all came the prince of Wales, conspicuous by his fine person and noble bearing. The gray old walls were hung with scarlet. The long galleries were crowded by an audience such as has rarely excited the fears or the emulation of an orator. There were gathered together, from all parts of a great, free, enlightened, and prosperous empire, grace and female loveliness, wit and learning, the representatives of every science and of every art. There were seated round the queen the fair-haired young daughters of the house of Brunswick. There the ambassadors of great kings and commonwealths gazed with admiration on a spectacle which no other country in the world could present. There Siddons, in the prime of her majestic beauty, looked with emotion on a scene surpassing all the imitations of the stage. There the historian of the Roman Empire thought of the days when Cicero pleaded the cause of Sicily against Verres, and when, before a senate which still retained some show of freedom, Tacitus thundered against the oppressor of Africa. There were seen, side by side, the greatest painter and the greatest scholar of the age. The spectacle had allured Reynolds from that easel which has preserved to us the thoughtful foreheads of so many writers and statesmen, and the sweet smiles of so many noble matrons. It had induced Parr to suspend his labors in that dark and profound mine from which he had extracted a vast treasure of erudition, a treasure too often buried in the earth, too often paraded with injudicious and inelegant ostentation, but still precious, massive, and splendid. There appeared the voluptuous charms

of her\* to whom the heir of the throne had in secret plighted his faith. There, too, was she,† the beautiful mother of a beautiful race, the St. Cecilia, whose delicate features, lighted up by love and music, art has rescued from the common decay. There were the members of that brilliant society which quoted, criticized, and exchanged repartees under the rich peacock-hangings of Mrs. Montague. And there the ladies—whose lips, more persuasive than those of Fox himself, had carried the Westminster election against palace and treasury—shone round Georgiana, duchess of Devonshire.

The sergeants made proclamation. Hastings advanced to the bar and bent his knee. The culprit was, indeed, not unworthy of that great presence. He had ruled an extensive and populous country, had made laws and treaties, had sent forth armies, had set up and pulled down princes. And in his high place he had so borne himself that all had feared him, that most had loved him, and that hatred itself could deny him no title to glory, except virtue. He looked like a great man, and not like a bad man. A person small and emaciated, yet deriving dignity from a carriage which, while it indicated deference to the court, indicated also habitual self-possession and self respect; a high and intellectual forehead; a brow pensive, but not gloomy; a mouth of inflexible decision; a face pale and worn, but serene, on which was written, as legibly as under the picture in the council-chamber at Calcutta, *Mens aqua in arduis*; such was the aspect with which the great pro-consul presented himself to his judges.

His counsel accompanied him—men all of whom were afterward raised, by their talents and learning, to the highest posts in their profession—the bold and strong-minded Law, afterward chief-justice of the King's Bench; the more humane and eloquent Dallas, afterward chief-justice of the Common Pleas; and Plomer, who, near twenty years later, successfully conducted, in the same high court, the defense

\* Mrs. Fitzherbert.

† Mrs. Sheridan.

of Lord Melville, and subsequently became vice-chancellor and master of the rolls.

But neither the culprit nor his advocates attracted so much notice as the accusers. In the midst of the blaze of red drapery a space had been fitted up with green benches and tables for the Commons. The managers, with Burke at their head, appeared in full dress. The collectors of gossip did not fail to remark that even Fox, generally so regardless of his appearance, had paid to the illustrious tribunal the compliment of wearing a bag and sword. Pitt had refused to be one of the conductors of the impeachment; and his commanding, copious, and sonorous eloquence was wanting to that great muster of various talents. Age and blindness had unfitted Lord North for the duties of a public prosecutor; and his friends were left without the help of his excellent sense, his tact, and his urbanity. But, in spite of the absence of these two distinguished members of the Lower House, the box in which the managers stood contained an array of speakers such as, perhaps, had not appeared together since the great age of Athenian eloquence. There were Fox and Sheridan, the English Demosthenes and the English Hyperides. There was Burke, ignorant, indeed, or negligent, of the art of adapting his reasonings and his style to the capacity and taste of his hearers, but in amplitude of comprehension and richness of imagination superior to every orator, ancient or modern. There, with eyes reverentially fixed on Burke, appeared the finest gentleman of the age, his form developed by every manly exercise, his face beaming with intelligence and spirit, the ingenious, the chivalrous, the high-souled Windham. Nor, though surrounded by such men, did the youngest manager pass unnoticed. At an age when most of those who distinguish themselves in life are still contending for prizes and fellowships at college, he had won for himself a conspicuous place in Parliament. No advantage of fortune or connection was wanting that could set

off to the height his splendid talents and his unblemished honor. At twenty-three he had been thought worthy to be ranked with the veteran statesmen who appeared as the delegates of the British Commons at the bar of the British nobility. All who stood at that bar, save him alone, are gone—culprit, advocates, accusers. To the generation which is now in the vigor of life he is the sole representative of a great age which has passed away. But those who, within the last ten years, have listened with delight, till the morning sun shone on the tapestries of the House of Lords, to the lofty and animated eloquence of Charles, Earl Grey,\* are able to form some estimate of the powers of a race of men among whom he was not the foremost.

The charges and the answers of Hastings were first read. The ceremony occupied two whole days, and was rendered less tedious than it would otherwise have been by the silver voice and just emphasis of Cowper, the clerk of the court, a near relation of the amiable poet. On the third day Burke rose. Four sittings were occupied by his opening speech, which was intended to be a general introduction to all the charges. With an exuberance of thought and a splendor of diction which more than satisfied the highly raised expectation of the audience, he described the character and institutions of the natives of India, recounted the circumstances in which the Asiatic empire of Britain had originated, and set forth the constitution of the Company and of the English presidencies. Having thus attempted to communicate to his hearers an idea of Eastern society as vivid as that which existed in his own mind, he proceeded to arraign the administration of Hastings as systematically conducted in defiance of morality and public law. The energy and pathos of the great orator extorted expressions of unwonted admiration from the stern and hostile chancellor, and, for a moment, seemed to pierce even the resolute heart of the defendant.

\* Earl Grey died in 1845.

At length the orator concluded. Raising his voice till the old arches of Irish oak resounded, "Therefore," said he, "hath it with all confidence been ordered by the Commons of Great Britain, that I impeach Warren Hastings of high crimes and misdemeanors. I impeach him in the name of the Commons' House of Parliament, whose trust he has betrayed. I impeach him in the name of the English nation, whose ancient honor he has sullied. I impeach him in the name of the people of India, whose rights he has trodden under foot, and whose country he has turned into a desert. Lastly, in the name of human nature itself, in the name of both sexes, in the name of every age, in the name of every rank, I impeach the common enemy and oppressor of all."

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LVII.

TRAFALGAR—DEATH OF NELSON.—SOUTHEY.

[The trial of Hastings had but just begun when the world was startled by the outbreak of the French Revolution of 1789—the greatest event of modern history. In France, after the monarchy had been overthrown and the members of the royal family had been either put to death or driven from the country, a republic was established, which passed through various phases, and at length ended in a military despotism. Napoleon Bonaparte, the most successful soldier of the revolution, became first consul of France in 1799, and in 1804 he took the title of emperor as Napoleon the First.

England entered the contest in 1793, and ultimately became the chief rival of Napoleon. One great object, therefore, of the French emperor was to cripple or destroy England; and he labored long and earnestly in the hope of breaking her maritime supremacy. But all his plans in this direction were brought to naught by the battle of Trafalgar, by which, though England lost her ablest seaman, the combined fleets of France and Spain were annihilated, and England's naval power became greater than ever.]

THE enemy continued to fire a gun at a time at the *Victory*, till they saw that a shot had passed through her main-top-gallant-sail; then they opened their broadsides, aiming chiefly

at her rigging, in the hope of disabling her before she could close with them. Nelson, as usual, had hoisted several flags, lest one should be shot away. The enemy showed no colors until late in the action, when they began to feel the necessity of having them to strike. For this reason the *Santissima Trinidad*, Nelson's old acquaintance, as he used to call her, was distinguishable only by her four decks; and to the bow of this opponent he ordered the *Victory* to be steered. Meantime an incessant raking fire was kept up upon the *Victory*. The admiral's secretary was one of the first who fell; he was killed by a cannon-shot while conversing with Hardy. Captain Adair, of the marines, with the help of a sailor, endeavored to remove the body from Nelson's sight, who had a great regard for Mr. Scott; but he anxiously asked: "Is that poor Scott that's gone?" and being informed that it was indeed so, exclaimed, "Poor fellow!" Presently a double-headed shot struck a party of marines, who were drawn up on the poop, and killed eight of them; upon which Nelson immediately desired Captain Adair to disperse his men round the ship, that they might not suffer so much from being together. A few minutes afterward a shot struck the fore brace bits on the quarter deck, and passed between Nelson and Hardy, a splinter from the bit tearing off Hardy's buckle and bruising his foot. Both stopped, and looked anxiously at each other, each supposing the other to be wounded. Nelson then smiled, and said, "This is too warm work, Hardy, to last long."

The *Victory* had not yet returned a single gun; fifty of her men had been by this time killed or wounded, and her main-topmast, with all her studding-sails and her booms, shot away. Nelson declared that, in all his battles, he had seen nothing which surpassed the cool courage of his crew on this occasion. At four minutes after twelve she opened her fire from both sides of her deck. It was not possible to break the enemy's line without running on board one of their ships. Hardy informed him of this, and asked him

which he would prefer. Nelson replied, "Take your choice, Hardy, it does not signify much." The master was ordered to put the helm to port, and the *Victory* ran on board the *Redoubtable*, just as her tiller ropes were shot away. The French ship received her with a broadside; then instantly let down her lower-deck ports, for fear of being boarded through them, and never afterward fired a great gun during the action. Her tops, like those of all the enemy's ships, were filled with riflemen. Nelson never placed musketry in his tops; he had a strong dislike to the practice, not merely because it endangers setting fire to the sails, but also because it is a murderous sort of warfare by which individuals may suffer, and a commander now and then be picked off, but which never can decide the fate of a general engagement.

Captain Harvey, in the *Téméraire*, fell on board the *Redoubtable* on the other side. Another enemy was in like manner on board the *Téméraire*; so that these four ships formed as compact a tier as if they had been moored together, their heads lying all the same way. The lieutenants of the *Victory*, seeing this, depressed their guns of the middle and lower decks, and fired with a diminished charge, lest the shot should pass through, and injure the *Téméraire*. And because there was danger that the *Redoubtable* might take fire from the lower deck guns, the muzzles of which touched her sides when they were run out, the fireman of each gun stood ready with a bucket of water, which, as soon as the gun was discharged, he dashed into the hole made by the shot. An incessant fire was kept up from the *Victory* from both sides; her larboard guns playing upon the *Bucentaure* and the huge *Santissima Trinidad*.

It had been part of Nelson's prayer that the British fleet might be distinguished by humanity in the victory which he expected. Setting an example himself, he twice gave orders to cease firing upon the *Redoubtable*, supposing that she had struck because her great guns were silent; for, as she carried

no flag, there was no means of instantly ascertaining the fact. From this ship, which he had thus twice spared, he received his death. A ball fired from her mizzen-top, which, in the then situation of the two vessels, was not more than fifteen yards from that part of the deck where he was standing, struck the epaulette on his left shoulder, about a quarter after one, just in the heat of action. He fell upon his face, on the spot which was covered by his poor secretary's blood. Hardy, who was a few steps from him, turning round, saw three men raising him up. "They have done for me at last, Hardy," said he. "I hope not," cried Hardy. "Yes!" he replied; "my back-bone is shot through." Yet even now, not for a moment losing his presence of mind, he observed, as they were carrying him down the ladder, that the tiller-ropes, which had been shot away, were not yet replaced, and ordered that new ones should be rove immediately; then, that he might not be seen by the crew, he took out his handkerchief, and covered his face and his stars. Had he but concealed these badges of honor from the enemy, England, perhaps, would not have had cause to receive with sorrow the news of the battle of Trafalgar. The cockpit was crowded with wounded and dying men, over whose bodies he was with some difficulty conveyed, and laid upon a pallet in the midshipmen's berth. It was soon perceived, upon examination, that the wound was mortal. This, however, was concealed from all except Captain Hardy, the chaplain, and the medical attendants. He himself being certain, from the sensation in his back, and the gush of blood he felt momentarily within his breast, that no human care could avail him, insisted that the surgeon should leave him, and attend to those to whom he might be useful; "for," said he, "you can do nothing for me." All that could be done was to fan him with paper, and frequently to give him lemonade to alleviate his intense thirst. He was in great pain, and expressed much anxiety for the event of the action, which now began to declare itself. As

often as a ship struck, the crew of the *Victory* huzzaed; and at every huzza, a visible expression of joy gleamed in the eyes and marked the countenance of the dying hero. But he became impatient to see Captain Hardy; and, as that officer, though often sent for, could not leave the deck, Nelson feared that some fatal cause prevented him, and repeatedly cried, "Will no one bring Hardy to me? He must be killed! He is surely dead!" An hour and ten minutes elapsed from the time when Nelson received his wound before Hardy could come to him. They shook hands in silence, Hardy in vain struggling to suppress the feelings of that most painful and yet sublimest moment. "Well, Hardy," said Nelson, "how goes the day with us?" "Very well," replied Hardy; "ten ships have struck, but five of the van have tacked, and show an intention to bear down upon the *Victory*. I have called two or three of our fresh ships around, and have no doubt of giving them a drubbing." "I hope," said Nelson, "none of our ships have struck." Hardy answered, "There was no fear of that." Then, and not till then, Nelson spoke of himself. "I am a dead man, Hardy," said he; "I am going fast; it will be all over with me, soon. Come nearer to me. Let my dear Lady Hamilton have my hair, and all other things belonging to me." Hardy observed that he hoped Mr. Beatty could yet hold out some prospect of life. "O, no!" he replied; "it is impossible. My back is shot through; Beatty will tell you so." Captain Hardy then once more shook hands with him; and, with a heart almost bursting, hastened upon deck.

By this time all feeling below the breast was gone; and Nelson, having made the surgeon ascertain this, said to him, "You know I am gone; I know it. I feel something rising in my breast"—putting his hand on his left side—"which tells me so." And, upon Beatty's inquiring whether his pain was very great, he replied, so great that he wished he was dead. "Yet," said he, in a lower voice, "one would like to live a

little longer, too." And, after a few minutes, in the same undertone, he added, "What would become of poor Lady Hamilton, if she knew my situation!" Next to his country she occupied his thoughts. Captain Hardy, some fifty minutes after he had left the cockpit, returned; and, again taking the hand of his dying friend and commander, congratulated him on having gained a complete victory. How many of the enemy were taken he did not know, as it was impossible to perceive them distinctly; but fourteen or fifteen, at least. "That's well," cried Nelson, "but I bargained for twenty." And then, in a stronger voice, he said, "Anchor, Hardy, anchor." Hardy, upon this, hinted that Admiral Collingwood would take upon himself the direction of affairs. "Not while I live, Hardy," said the dying Nelson, ineffectually endeavoring to raise himself from the bed; "do you anchor." His previous order for preparing to anchor had shown how clearly he foresaw the necessity of this. Presently, calling Hardy back, he said to him, in a low voice. "Don't throw me overboard;" and he desired that he might be buried by his parents, unless it should please the king to order otherwise. Then, reverting to private feelings, "Take care of my dear Lady Hamilton, Hardy; take care of poor Lady Hamilton. Kiss me, Hardy," said he. Hardy knelt down, and kissed his cheek, and Nelson said, "Now I am satisfied. Thank God, I have done my duty." Hardy stood over him in silence for a moment or two, then knelt again, and kissed his forehead. "Who is that?" said Nelson; and, being informed, he replied, "God bless you, Hardy." And Hardy then left him—forever.

Nelson now desired to be turned upon his right side, and said, "I wish I had not left the deck, for I shall soon be gone." Death was, indeed, rapidly approaching. He said to the chaplain, "Doctor, I have *not* been a *great* sinner;" and after a short pause, "Remember that I leave Lady Hamilton and my daughter Horatia as a legacy to my country."

His articulation now became difficult; but he was distinctly heard to say, "Thank God, I have done my duty." These words he repeatedly pronounced; and they were the last words which he uttered. He expired at thirty minutes after four—three hours and a quarter after he had received his wound.

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 LVIII.

## BOMBARDMENT OF COPENHAGEN.—FYFFE.

[As the war went on, after Trafalgar, it developed more and more into a gigantic duel between the two great rivals, England and Napoleon, and was conducted on both sides with an utter disregard of the rights of neutral nations. One of the best illustrations of the outrageous treatment to which neutrals were subjected was the attack of the English fleet on Copenhagen, the capital of a neutral power, in the summer of 1807. In that year Napoleon had entered into a treaty with Alexander of Russia, the object of which was practically to divide the Continent between them.]

SUCH was this vast and threatening scheme, conceived by the man whose whole career had been one consistent struggle for personal domination, accepted by the man who, among the rulers of the Continent, had hitherto shown the greatest power of acting for a European end, and of interesting himself in a cause not directly his own. In the imagination of Napoleon the national forces of the western continent had now ceased to exist. Austria excepted, there was no state upon the main-land whose army and navy were not prospectively in the hands of himself and his new ally. The commerce of Great Britain, already excluded from the greater part of Europe, was now to be shut out from all the rest; the armies which had hitherto fought under British subsidies for the independence of Europe, the navies which had preserved their existence by neutrality or by friendship with England, were soon to be thrown without distinction against that last foe. If, even at this moment, an English statesman who had learned the secret agreement of Tilsit might have