

# TAIT'S EDINBURGH MAGAZINE.

JANUARY, 1837.

## MEMOIRS AND TRIALS OF THE POLITICAL MARTYRS OF SCOTLAND;\* PERSECUTED DURING THE YEARS 1793-4-5.

Does any one require to be told who formed the illustrious band of patriots now familiarly termed THE SCOTTISH POLITICAL MARTYRS? The most eminent of them—those who can never be forgotten—were THOMAS MUIR, WILLIAM SKIRVING, THOMAS FYSHE PALMER, JOSEPH GERRALD, and MAURICE MARGAROT.

We do not imagine that any one of them is quite forgotten. The blood of the martyrs of the human race is the nurture of the tree of liberty. It is never spilt in vain. If history were silent concerning these illustrious men, tradition would in some sort keep alive and consecrate their memory. But one generation passeth away, and another cometh; and, amidst the struggles of life and the bustle and excitement of contemporary events, everything is swept into temporary oblivion. Even the youngest Reformers may have some vague knowledge that there were such men; and of what they did and suffered in the same cause for which the Reformers are still striving. Yet we consider the present publication peculiarly useful and well-timed. It is not alone due to their memory to keep their principles and their glorious testimony to truth in remembrance; but we consider that no better service could be performed to the cause of civil liberty, than setting before the world the example of that devotedness which they carried even unto death.

That blackest page in the recent annals of the Criminal Court of Scotland, which records their fate, also merits being exposed in the broadest light, were it only to shew the rancorous nature of Toryism, and its tendency to pervert justice, to corrupt the seat of judgment, and to convert those who should be the guardians and protectors of life and property into the vindictive and odious instruments of arbitrary power. At the present moment, we have another motive for calling attention to this subject, and for attempting to revive the memory of the Political Martyrs. We understand that Mr Hume, with the patriotic zeal and sound judgment which marks all his public conduct, is desirous that

there should be some public and national demonstration of the deep gratitude and respect which the people of the United Kingdom feel for the memory of those noble benefactors and sufferers—those heralds of the bright day that, at last, is breaking upon us, and of which, even in the darkest eclipse, they never despaired.—If we be true to ourselves, and faithful to their principles, we shall reap those blessings the distant hope of which cheered and consoled them in exile, and sustained them in death.

Shortly before Gerrald expired, he said to those who stood by his bedside, "I DIE IN THE BEST OF CAUSES; AND I DIE, AS YOU ARE MY WITNESSES, WITHOUT REPINING." On his tombstone at Farm Cove, near Port Jackson, it is recorded, that "*He died a martyr to the liberties of his country, in the 36th year of his age.*"

The final words of Skirving to judges predetermined to condemn him, (for we fancy no one will now dispute this,) were—"My Lords, I know that what has been done these two days will be re-judged: that is my comfort, and all my hope."

The words of Muir, in his address to his jury, were yet more remarkable:—"IT IS A GOOD CAUSE. IT SHALL ULTIMATELY PREVAIL—IT SHALL FINALLY TRIUMPH." And shall we leave to neglect the memory of any one of those to whom we greatly owe this coming triumph? Thousands upon thousands, we are satisfied, will warmly reciprocate Mr Hume's feelings, and vie with each other in giving effect to his wise and generous purpose. And is it not true wisdom that those who have faithfully served the People, whether they be alive or dead, should not lack due reward and homage?

Among the numerous banners which graced the Reform Procession of the metropolis of Scotland, there was one emblazoned, "TO THE MEMORY OF THE MARTYRS OF 1793-4, MUIR, SKIRVING, GERRALD;" and no one ensign, we are confident, was looked upon with deeper veneration—not even those which bore the names of Russell, Grey, and Brougham. This brief and passing show is, we imagine, all the public tribute which has yet been paid to those true patriots, in the servile city which formed the scene of their persecution, and which is adorned, or disgraced—at the reader's pleasure—with

\* I. Life and Report of the Trial of Thomas Muir, Esq., Advocate, younger of Huntershill, for Sedition.

II. Life and Trial of William Skirving.

III. Life and Trial of Joseph Gerrald.

Muir, Gowans, & Co., Glasgow; Tait, Edinburgh.

statues of Henry Dundas and William Pitt. We hope to see this national reproach wiped away, and some solemn public demonstration made of the respect felt for their courageous services to the people.

To a monument, or an enduring memorial of some kind, we should not object; yet that signifies comparatively little—

Not marble, nor the gilded monuments of princes,

Shall outlive the lofty tale—

recorded in the small publication before us. The true atonement would be, for Parliament still to express a strong opinion of the horrible injustice by which these devoted men were sacrificed, through the violated forms of law, in order that the progress of Reform might be arrested, and Tory supremacy more firmly established. Their trials were indecent mockeries of the very forms of justice. Their punishment filled all that were free in Europe with indignation and alarm. Even in these, the lowest times of Scotland's political prostration, the disgust of the people could not be repressed. An attempt was made in Parliament at the time to obtain inquiry in order to a reversal of the sentence of Muir, or some atonement for injustice, some apology to outraged freedom, for the iniquity perpetrated by the tribunals of Scotland; but in vain! In the Upper House of Parliament, Earl Stanhope, a man who, by his genius and public virtue, was an honour to the peerage, formed a glorious minority of *one*. A vigorous effort was made by the small Whig minority—then dwindled away (as, in times of trial, all mere Whig minorities will, it is to be feared, dwindle away) by the apostacy of Burke, and by either the real idiot-alarm or affected fears of the alarmists. Sheridan said that these trials in Scotland—"the transporting a man like a felon for fourteen years for lending a book—would be enough to raise the people of this country in rebellion. If Ministers attempted to make the law of Scotland the law of England, (but they dared not,) they would find it a sufficient crime to forfeit their heads."

"They charge us," said Mr Sheridan, "with making a party question of this, when we ought to have applied to the fountain of mercy." I know what mercy was shewn them before we made any question on the subject. I speak with some information: I have seen those unfortunate victims—I have visited them in those loathsome hulks, where they were confined among common felons, not indeed with irons upon them, but with irons recently taken off, separated from each other, deprived of the comfort of conversing, and that on a pretence that there was danger of sedition in this society—that two imprisoned men could create an insurrection.—I saw these gentlemen, and I boast of it; for whatever may be the feelings of some, I shall always be proud to countenance whomsoever I conceive to be suffering under oppression."

Fox, in seconding Mr Adam's motion upon this subject, made a speech full of feeling and indignant eloquence. Of the trial of Muir he "maintained that the whole of the proceedings were disgusting and monstrous to every lover of justice and humanity."

If ever this affair should again be brought under the consideration of Parliament, the debate of March 10, 1794, should be previously

perused by all the members of the House who wish to give an honest vote. We trust that the most ultra of English Tories would now shrink from such pollution of the sources of justice. Mr Adam—who made the motion for inquiry, or that the records of the Court of Justiciary upon the trial of Muir should be laid upon the table of the House, and who is now the venerable Lord High Commissioner of the Scottish Jury Court—could, at no time of his life, be accused of violent Liberalism. Yet he spoke in a strain which, save for his privilege of Parliament, would have entitled him to a place in the hulks with the political felons, had ill-fortune sent him before Scottish judges, and a Goldsmiths'-Hall jury! "Good God!" said Mr Adam, "what must be the feelings of mankind on seeing so little regard paid to the decency of justice, and the fate of a fellow-creature! The men who declared Mr Muir to be seditious, and who had acted so far against him as to exclude him a society, were yet held to be fair jurors! The treatment in regard to the witnesses was equally hostile to all justice. John Russell, a witness for the defendant, was sentenced to three weeks of imprisonment, because, at the very commencement of his examination, he had not been able to mention the names of the persons who had spoken to him on the subject of the trial. Another witness, William Muir, who, from motives of conscience, hesitated at taking an oath, was ordered to be imprisoned for ever! It was monstrous! It was impossible to speak of such an act without horror! Now, after this sort of trial, they were to consider the most material part of the whole proceeding—the discretion of the court in the sentence which they passed on the prisoner."

The world has not forgotten that cruel and iniquitous sentence, nor the untimely fate of the illustrious victims. And it ought to be remembered that Botany Bay is now a comparative Paradise to the penal colony then in its miserable infancy:—to

The lone isles of Sydney Cove,

then the harbour of the off-scourings of British society, and of them alone.

One of Mr Muir's greatest alleged crimes against the state, was lending a copy of Paine's "Rights of Man" to a person who begged a reading of that popular book. "What," said Mr Adam, "would have even been the punishment of Mr Paine himself? He might certainly say that it would have been no more than fine and imprisonment. Such would have been the punishment in England. But in Scotland they sentenced them to the most shocking species of transportation; transportation—not to America, not to a cultivated society, to an easy master, and to kind treatment—but to an inhospitable desert in the extremity of the earth—condemned to live with ruffians, whom the gibbet only had spared, and under a system of despotism rendered necessary for the government of such a tribe! The mind of man, shuddering at a disproportionate sentence, could feel no respect for the administration of justice so strained; and the hand of

authority was therefore weakened and palsied by the act. In the exercise of sound discretion it was natural to think that the court would have looked for the guides the most congenial to the feelings of the country. An article in the Union should have guided their discretion; the practice of England should have guided their discretion; unless it was meant that their authority was to be the stalking-horse for extending the same sort of severity to England. They should have remembered that, as the two countries were bound together by political and moral ties, their allegiance was the same, their duties the same."

If Whig lawyers felt thus indignant at the result of those disgraceful trials, what must the Reformers have done—the friends and associates of the victims? For a time, they appeared paralysed. Freedom and hope were condemned in the same moment with Muir and Gerrald. The sufferers alone retained fortitude and magnanimity; they alone held a good and unwavering hope; and now, at the end of forty years, much of the address of the eloquent and accomplished Gerrald to his jury, reads like prophecy fulfilled and daily fulfilling.

Before entering upon the brief narrative which is meant to revive these admirable men in public recollection, preliminary to whatever steps Mr Hume may take to do justice to their memory, we shall beseech the reader's attention to one extract from Gerrald's memorable address to his jury. We think it must bespeak favour for the little we can tell, in our present limits, of the heroic career of the POLITICAL MARTYRS.

"The particular circumstance to which I beg to chain down your attention, is the assertion of the public prosecutor, that, if you were convinced that my intentions were pure, you were bound in duty to pronounce my acquittal. Yes, gentlemen, this is the solid rock of my defence; the purity of the intention by which I was actuated. Could anything but an ardent love of truth, and a desire of promoting the happiness of my fellow-creatures, have induced me to brave the present prosecution, and, by dispelling the mist of prejudices which darkens their understandings, promote the happiness even of my prosecutors themselves? In this glorious though arduous undertaking, by what possible motive of gain or ambition could I have been actuated? Examples have not been wanting of men of whom the world was not worthy, who have fallen victims to an active and zealous virtue; but their fate will never deter firm and well-regulated minds from the performance of that which they will consider as the most sacred of duties, the fulfilment of their engagements to their oppressed and insulted country. These were the sentiments which actuated the conduct of our Common Master when he wept over the city: 'O Jerusalem, Jerusalem! thou that stonest the prophets, and slayest them that are sent unto thee; how often would I have gathered ye, even as the hen gathereth her chickens under her wing, but ye would not!'"

After alluding to the strictly lawful and constitutional objects of the British Convention—to which he had been sent by the London Corresponding Society as a delegate—and to his individual efforts to promote a reform of the representation, Mr Gerrald continued—

"Gentlemen, when I look forward to the political horizon, the prospect seems awful and gloomy to a degree at which the best men must shudder, and which the ablest men must feel themselves incompetent to describe. Everything is turbid and portentous. Indeed, a blacker cloud never hung over this island. Those who are versed in the history of their country, in the history of the human race, must know, that rigorous State prosecutions have always preceded the era of convulsion; and this era, I fear, will be accelerated by the folly and madness of our rulers. If the people are discontented, the proper mode of quieting their discontents is, not by instituting rigorous and sanguinary prosecutions, but by redressing their wrongs and conciliating their affections. Courts of justice, indeed, may be called in to the aid of ministerial vengeance; but if once the purity of their proceedings is suspected, they will cease to be objects of reverence to the nation; they will degenerate into empty and expensive pageantry, and become the partial instruments of vexatious oppression. *Whatever may become of me, my principles will last for ever. Individuals may perish; but truth is eternal. The rude blasts of tyranny may blow from every quarter; but freedom is that hardy plant which will survive the tempest, and strike an everlasting root into the most unfavourable soil.*

"Gentlemen, I am in your hands. About my life I feel not the slightest anxiety; if it would promote the cause, I would cheerfully make the sacrifice; for, if I perish on an occasion like the present, out of my ashes will arise a flame to consume the tyrants and oppressors of my country.

"Moral light is as irresistible by the mind, as physical by the eye. All attempts to impede its progress are vain. It will roll rapidly along; and as well may tyrants imagine, that by placing their feet upon the earth they can stop its diurnal motion, as that they shall be able, by efforts the most virulent and pertinacious, to extinguish the light of reason and philosophy, which, happily for mankind, is everywhere spreading around us.

"Surely the experience of all ages should have taught our rulers, that persecutions never can efface principles; and that the thunders of the state will prove impotent when wielded against patriotism, innocence, and firmness. Whether, therefore, I shall be permitted to glide gently down the current of life, in the bosom of my native country, among those kindred spirits whose approbation constitutes the great comfort of my being, or whether I be doomed to drag out the remainder of my existence amidst thieves and murderers, a wandering exile on the bleak

and melancholy shores of New Holland, my MIND, equal to either fortune, is prepared to meet the destiny that awaits me.

"Seu me tranquilla senectus,  
Expectat, seu mors atris circumvolat alis,  
Dives, inops, Romae, seu forsitan juserit.

*Exul.*

"To be torn a bleeding member from that country which we love, is indeed, upon the first view, painful in the extreme; but all things cease to be painful, when we are supported by the consciousness that we have done our duty to our fellow-creatures; and a wise man, rising superior to all local prejudices, if asked for his country, will turn his eyes from 'this dim spot which men call earth, and will point, like Anaxagoras, to the Heavens.'"<sup>\*</sup>

Thus Gerrald wound up the emphatic prophecy to which his life soon afterwards set the seal. He did not, indeed, perish in open day and upon the scaffold; but, in the language of Fox, the guillotine would have been more merciful than the felons' Bay. The scaffold and the axe had been kindnesses too great for the men left to wither inch by inch in solitary prison cells, in the hulks, and the transport-ships, with all their festering stowage of moral and physical filth and pollution—until death released Joseph Gerrald, and, within three days of his decease, William Skirving.

It is necessary to bestow a very few sentences upon the remarkable epoch and historical events which brought forward these noble spirits.—The American revolutionary war, that first struggle for liberty maintained by a people for themselves, almost without a government, and certainly without aristocratical or military leaders—the peddling agitation in Scotland for burgh reform—the Irish Volunteer Association—and the example of the apostate Pitt, of Burke, and the Duke of Richmond†—had concurred, during a period of repose and commercial prosperity, to awaken the minds of the people to Reform, and this for seven years previous to the French Revolution. This incipient agitation was especially active in Scotland, where an intelligent and thoughtful population had attained considerable political knowledge and no corresponding degree of political power. The machinery by which Dundas, and his prototypes and successors, managed the humbug of county and corporation representation, and duly sent at least forty members from Scotland—a Dundas Tail, to encumber and cripple all liberal measures in the House of Commons—will hardly now, we suppose, ever again, even in name, be connected with the people of Scotland. A people at peace, and possessing full knowledge of their rights and interests, without any direct and powerful control over their own affairs, is a condition which, of all

others, may alarm a bad government. The people of England and Scotland had reached this stage. Ireland was still in a state of strong excitement; and the shock of the French Revolution—the crash of the tumbling walls of the Bastille—of "the King's castle"—shook the old despotisms of Europe to their deepest foundations. In the words of a popular Tory song of the day—

"The Devil had entered the swine;"

and the power and consternation of "the better classe of society," was commensurate to the "madness" of the "swinish multitude." The people formed themselves into societies, to carry out the early principles of Pitt and Burke, and to petition for reform in Parliament, for short Parliaments, and an extension of the franchise; and in Scotland, the societies took the name of "Friends of the People." They met—they made speeches—they got a newspaper—they published addresses, and drew up petitions; but, above all, they acted in concert, and steadily and deliberately pursued their formidable object, until the panic of those who had either profited or hoped to profit by the established system of abuse, became real, and, as we acknowledge, not wholly groundless. Those who had so long "eat of the fat and drunk of the strong," at the expense of the people—whom they appeared to consider born to obedience and for their uses, or as a different race, whose heritage upon earth was toil and submission—were effectually disturbed in their long dream of misrule. The rebellious Americans had been sufficiently alarming; but France was a case still more in point—a living example to which Great Britain and Ireland loudly and enthusiastically responded. The grand discovery was proclaimed throughout Europe, that millions had not been created to be the slaves of one man, and the prey of his minions; and that inviolability and sacredness of life and property were quite compatible with a perfect equality of civil rights and privileges. As the Jeffries of the Scottish political trials remarked—Macqueen, Lord Braxfield, the Lord Justice Clerk of Scotland, a Judge whose brutality on the bench, and disgraceful straining of law for the basest purposes of party, can only be palliated by his furious fanaticism, and, we believe, unfeigned alarm—"were they quietly to let the Friends of the People cut their throats?" This coarse-mannered personage, with whose traditionary sayings we do not choose to disfigure our Radical pages, might not think his own particular weasand in much danger; but his party trembled for what was quite as precious as their throats. Grant the petitions of the Friends of the People, let them once obtain a fair hearing in the House of Commons, and there was imminent danger of the system which had

<sup>\*</sup> Milton.

† In the newspaper article of our November number, it was noticed that the excellent and universally respected Montgomery, the poet, had several times suffered a long imprisonment for what, in those evil days, was called *libel*. One of these punishments—an imprisonment, we think, of eighteen months or two years—was for merely reprinting the Duke of Richmond's Letter. But this was in England. If in Scotland, he must have been transported as a felon.

worked so well. Public spirit, in servile, well-bitted Scotland—a love of freedom manifested by the most enthusiastic symptoms—was a new and perilous state of things. The wild, fanatical spirit of the Covenanters had broken forth in fury, after the slumber of above a century, and in a worse shape than at first. In every village and remote hamlet societies of persons “calling themselves Friends of the People,” had, by the end of 1793, sprung up; and the People of England and Ireland were, for the first time, in unison with Scotland. The movement was simultaneous, for the impulse was the same.

Among the first and most distinguished of those who caught the generous glow of independence and freedom, was **Muir**, then a young and rising advocate at the Scottish bar. He was a native of Glasgow, and the only son of wealthy and respectable parents. From the work before us, we learn, that he had been distinguished at the University, and that, in very early life, he had displayed great firmness and ability upon an occasion when the Professors chose to punish one of their number—Mr Anderson, the Professor of Natural Philosophy, and the founder of the noble Institution which bears his name—because he not only avowed Liberal principles, but ventured to talk of reforms in the immaculate University. Young Muir headed an Andersonian party among the students, harangued them in the college-yard, and drew upon himself the hand of authority. Professor Anderson's party triumphed ultimately; but the young rebel chief did not escape unscathed; and afterwards, instead of studying divinity in Glasgow, which was his original destination, he repaired to Edinburgh to study for the bar.

He had been several years a barrister, and was successful and honourably distinguished in his profession, when the political crisis of 1792 arrived. In Edinburgh, he was active in organizing societies, and, during the recesses of the Court, he was equally so in disseminating political knowledge in Glasgow and the vicinity, by pamphlets and tracts. His talents and eloquence, the affability of his manners, the purity of his life, the general estimation in which he was held in the west of Scotland, but, above all, the contagious influence of his enthusiasm for liberty, rendered Muir a peculiarly dangerous character. An evil eye must have fallen early upon him, and, in point of fact, he was arrested,

and condemned long before any other victim had been seized, save Mr Fyshe Palmer. It was Muir who, in the autumn of 1792, drew up the plan of the internal government of affiliated societies for Reform, to be represented in a General Convention, by delegates duly elected. It was he who gave life and energy to the entire movement. The first recorded meeting of Reformers took place in the Star Inn, Glasgow, 30th October 1792. The persons present resolved to form themselves into a permanent society, under the name of

*The Associated Friends of the Constitution and of the People.*

Lieutenant-Colonel Dalrymple of Fordel was elected President;

Thomas Muir, Esq. younger of Huntershill, Advocate, Vice-President;

George Crawford, writer in Glasgow, Secretary.

The following Resolutions were then agreed to:—

**RESOLVED**, To co-operate with the Association of the Friends of the People in London, in all proper measures to accomplish an equal Representation of the People in Parliament.

**RESOLVED**, To enter into every legal and constitutional measure to obtain a shorter duration of Parliamentary delegation.

We need not copy the minor resolutions. This was a hopeful beginning; and, on the 11th December, a number of delegates met at Edinburgh. Their meetings were, however, not frequent; and every act of the Convention was strictly and studiously legal, and the language of the discussions temperate and guarded. The chief object was to petition; but the delegates also resolved to co-operate with the Society in London, of which Mr, now Earl Grey, Sir William Jones, Fox, and Whitbread, were leading members, and Sir James Mackintosh secretary. The Scottish delegates likewise exchanged greetings with their brother-Reformers in Ireland, and were even suspected of extending their good-will and courtesies to France. There was increased alarm among the Tories. Several persons of consequence had come as delegates to the Convention. There was Colonel Macleod, a Member of Parliament, who appeared as President; Mr Callander, younger of Craigforth; Colonel Dalrymple of Fordel; Lord Daer, the heir-apparent to the Earldom of Selkirk; Thomas Muir himself; Mr Wild, advocate; Mr Morland, advocate, and many respectable professional persons and dissenting clergymen.\* The people of the three kingdoms were combining for the

\* Two reverend members of this national assembly were sent from Dundee, a town always distinguished for public spirit; and it was in the same town that the Rev. Mr Fyshe Palmer laboured—a man of whom, after his condemnation, Whitbread, in Parliament, said—“That he had the honour (for an honour, in the truest sense of the word he deemed it) to be acquainted with Mr Palmer:” and he paid him many high compliments for understanding and virtue. The Dundee clerical delegates were the Rev. Niel Douglas, minister of the Relief congregation, and Mr Donaldson, who was pastor of a small congregation of Bereans. Among the numerous party squibs of the day—for the Tories tried the effect of ridicule and contempt, as well as sharper weapons—there was a popular song, enumerating the names of the members of the Convention, and stringing them together in what was meant for ludicrous contrast, as—

Anderston's drummer, and Daer—

it being alleged that such noisy functionary was actually a member of the Convention. Sir Walter Scott, though he rarely permitted his unhappy early partisanship to appear in his writings, has condescended to repeat this stale joke in one of his novels. It would have been more to the purpose to shew that the said town-drummer, if such a one ever existed, was unworthy of the distinction. The doggrel referred to was attributed to a W.S. named Bain White, an Edinburgh Parliament-House wit of the day. We are tempted to give a specimen, as we have heard the thing attributed to a much higher quarter:—

redress of their grievances, and the reform of political institutions, either corrupted or originally imperfect, and therefore no longer fit for the advanced condition of society.

An address, which is said to have been written by Grattan—though we have no evidence of the fact—was transmitted to the Convention, which we have pleasure in copying over at this distant date, as it is the earliest record of cordiality and co-operation between the Reformers of Scotland and Ireland.

*To the British Convention of Reformers, at Edinburgh.*

"BROTHER REFORMERS!—We take the liberty of addressing you in the spirit of civic union, in the fellowship of a just and a common cause. We greatly rejoice that the spirit of freedom moves over the face of Scotland—that light seems to break from the chaos of her internal government; and that a country so respectable in her attainments in science, in arts, and in arms; for men of literary eminence; for the intelligence and morality of her people, now acts from a conviction of the union between virtue, letters, and liberty; and now rises to distinction, not by a calm, contented secret wish for a Reform in Parliament, but by openly, actively, and urgently willing it, with the unity and energy of an embodied nation."

This address was written seven years before the Irish Union; but even then the people of Ireland were apprehensive of the impending measure, which they believed was to place their beloved country still more in the power of her hereditary oppressors. The union of the kingdoms, and pensioning the Catholic priesthood, was the favourite Irish policy of Pitt; and was thus justly dreaded by the Irish patriots. Their address, pointing to these views, concluded—"We rejoice that you do not consider yourselves as merged and melted down into another country; but that, in this great national question, *you are still Scotland*—the land where Buchanan wrote, and Fletcher spoke, and Wallace fought!"

The question was now to be brought to immediate issue, Whether the people were to obtain their rights, or whether by violent coercive measures, the Tory reign might not be protracted, and Reform delayed if it could not be wholly crushed.

The territory of France had by this time been violated by the Allies, and the recreant Bourbon princes; and the Government of Britain was now upon the eve of declaring war against the French Republic, while the People were sending enthusiastic addresses of encouragement to the French Convention. The Government was threatening war to the knife, and the People were fraternizing with "their natural enemy." When we witness the doings of the present enlightened day, we

may conceive the panic of the Winchelseas and Rodens of a half century back, at language like the following, addressed by Britons to French Republicans.

"It is not among the least of the Revolutions which time is unfolding to an astonished world, that two nations, nursed by some wretched craft in reciprocal hatred, should so suddenly break their common odious chain, and rush into amity.

"The principle that can produce such an effect, is the offspring of no earthly court; and, whilst it exhibits to us the expensive iniquity of former politics, it enables us, with bold felicity to say, *We have done with them!*"

"In contemplating the political condition of nations we cannot conceive a more diabolical system of government, than that which has hitherto been generally practised over the world: to feed the avarice and gratify the wickedness of ambition, the fraternity of the human race has been destroyed; as if the several nations of the earth had been created by rival gods. Man has not considered man as the work of one Creator.

"The political institutions under which he has lived have been counter to whatever religion he professed.

"Instead of that universal benevolence which the morality of every known religion declares, he has been politically bred to consider his species as his natural enemy, and to describe virtues and vices by a geographical chart."

Here was *the New Philosophy* with a vengeance! Not another moment was to be lost. Scotland, servile, prostrate Scotland, was chosen as the safest scene of action; and Thomas Muir was selected as the first victim. He was arrested early in January 1793, about a fortnight after the Convention had met, and conveyed to the office of the sheriff for examination. He declined answering many of those preliminary and ensnaring special questions, by which the legal officers of Scotland so often extort matter of accusation against a prisoner out of his own lips. This was an insidious and inquisitorial practice which Muir, as a lawyer and a friend of the rights of the subject, had always denounced. He was liberated on finding bail; and, intrusting his case to Mr James Campbell, a respectable agent in Edinburgh, who was to apprise him the moment his appearance might be required in Scotland, he proceeded to London, where he saw some of the leading members of the Corresponding Society, and thence to Paris, which he reached upon the eve of the execution of the King. That untoward event he deplored exceedingly, especially as it afforded a handle to the knavish prompters of the alarmists at home.

It was no sooner known that Muir was in France, and in favour with "the regicides," than he was indicted to stand trial for the undefined crime of sedition; and, before he could possibly

TUNE—"Fie, let us a' to the Meeting!"

Fie, let us a' to the meeting!

For many things will be said there,

Explainin' the wrongs o' Great Britain,

And pointin' them out to a hair—

And there will be grievances shewn

We never afore kend about;

And there will be things set agoing

Will end in the devil, I doubt.

For there a' the members hae sworn,

And pledged to each other their word,

That rather than want a reform,

They'll hae it by fire and by sword.

Fie, let us a', &c.

The Tories have found it so. The names were strung together in this style:—

And there will be Laing and George Innes,

The Reverend N-H Douglas, I trow,

Wha rowed frae D'undee in a pinhace,

And left the Seceders to rue, &c. &c.

This is enough of it:—

have returned and prepared for the trial, he was outlawed, and his bail was forfeited.

But, though Muir had been seized, the dogged Reformers would take no warning. The societies increased in numbers, and the cause gained new and zealous adherents by tens of thousands. WILLIAM SKIRVING, who had been the Secretary of the first Convention, was again the Secretary of that which assembled in May 1793; and, although Muir was absent, and though most of the higher order of delegates had, like the London Corresponding Society, taken fright and disappeared, the Reformers were as firm and resolute as ever; and the delegates, if not so high in station, were far more numerous and of at least equal worth. The creatures of power were not idle; and now ensued that foulest period in the modern history of Scotland—the first REIGN OF TERROR. The STY SYSTEM itself was hardly so vile; for it sought to shroud its deformity in darkness, while, at this time, villany stalked abroad in open day, rampant and unabashed. In the previous year, the Societies of the Friends of the People had been met by Tory associations, equivalent to the Orange Societies of Ireland, or the modern Conservative Associations of England. One of these, composed of some respectable Tories, and also of all that was basely subservient, and of all that was cruel, because cowardly, was formed in Edinburgh, under the name of the GOLDSMITHS'-HALL ASSOCIATION; or, familiarly, as the *Life-and-Fortune Men*, as life and fortune were pledged to the defence of that glorious constitution in Church and State, which had long made Great Britain “the envy of the surrounding nations.” The Friends of the People were also the avowed friends of the Constitution—though not of its perversions and corruptions; so they were not disposed silently to permit anybody whatever to arrogate exclusively this name. Accordingly, Muir, Skirving, and some other influential Reformers, enrolled their names at the Goldsmiths' Hall, as evidence of the purity of their designs. These obnoxious names were indignantly erased by the same individuals who, next year, were *picked* and *packed* by the judges as their jurors, and retained as such in the face of all the legal objections which the prisoners could urge, and in the face of common equity and common decency. This detestable proceeding was afterwards severely reprobated in Parliament; but what did that signify to the Scottish judges and jurors? The victims were, by that time, safe in the hulks.

From the body who, in expelling Muir and Skirving from their loyal association, as persons unworthy to defend the constitution, had virtually condemned them beforehand, was formed the jury that found them guilty. But what shall we say?—where else but from those loyal and associated bodies could any jury have been found for the purpose?

But we intended briefly to describe the state of society at this dismal period. It was now that, to borrow the powerful language of Ebenezer Elliott, “worms blasphemed the Almighty,” in trying to quench the divine spark in the mind of Robert Burns. It was at this time that Muir, by an unhappy fatality, ran himself into the tiger's throat. The impending war, and the embargo laid upon the shipping, had, for some months, suspended all regular intercourse between France and Great Britain. For all this time, his family had heard nothing of him. He was indicted; and they knew the tender mercies of the party who had marked him out. He was, also, to their everlasting honour, expelled from the Faculty of Advocates, and could no longer practise at the Scottish bar. His parents wished that he should withdraw, for a time, to the United States; and letters, clothes, and money had been transmitted to meet him in the country to which he would have been welcomed with the highest honours. Muir was still hardly twenty-eight years of age, and the only son of virtuous and pious parents, who had gloried in the bright promise of his youth, and reposed in him the hopes of their old age.\* After considerable difficulty, he appears to have left France in an American vessel that was going to Ireland. He seems to have spent some time among the Reformers of Dublin, and to have communicated with his family through the medium of the American captain, whose vessel was lying at Belfast. The letter of the anxious, tortured father, in reply to those round-about communications, is, in its affectionate simplicity, exceedingly touching. Whatever might be Muir's own purpose in returning to Scotland, his parents earnestly desired that he might not rush upon certain destruction. To the American captain, his kind, unknown correspondent, the elder Muir wrote—“I am at a very great loss how to answer your letter. If it is the *friend that I have*, if it is he, I shall be overjoyed to see his handwriting, and to know what has become of him these three months. . . . I hope, dear sir, you will shew him every civility in your power, which I hope some day gratefully to thank you for. *The loss of this young man has been a dreadful affliction to us.* Please shew our friend this letter. I honoured his draft in favour of Mr Massey. He'll get his letters in the post-office of Philadelphia. I hope, in a year or two, he can return, if he do not love America; and be so good as cause him *write me one line* in your letter. You can direct it.”

In the face of this warning, though it is not apparent that he ever received it, Muir ventured to cross over to Scotland, and by the ordinary passage at Portpatrick. He said he came voluntarily home, to face his accusers; and, from the open route he selected, such seems the fact. Besides, who, conscious of entire moral innocence,

\* It was a scoff in certain circles at the time, that the mother of Muir had dreamed that her son was Lord Chancellor of England! The son of this heart-broken matron became something infinitely greater than an Eidon or a Lyndhurst.

and of having, in no shape, violated the laws of the country, could be prepared for the horrors of the "Monster Trial" that awaited him?

He certainly wished to surrender himself, or he could never have ventured back to Scotland. On landing at Port-Patrick, he was recognised by an understrapper of the custom-house,\* who knew his person from having seen him pleading at the bar in Edinburgh, while the informer himself had been a hanger-on in an attorney's office. Muir was an outlaw. He was immediately arrested. On this person lodging information with the sheriff, Muir was lodged in the jail of Stranraer, and afterwards conveyed to Edinburgh jail, by Williamson, a notorious thief-taker and Friend-of-the-people-catcher of those times, together with all his papers. Most of the papers were of no consequence whatever; but there were some "inflammatory" pamphlets, and, among others, one containing a quotation from Milton on the liberty of unlicensed printing. There were also some letters sealed with the cap of liberty, and Muir's certificate of admission into the Society of United Irishmen, signed by Hamilton Rowan, Secretary to the association. All these, and papers more frivolous, were used against him upon his trial.

There was also his passport to America, granted by the French Minister for Foreign Affairs, which we shall copy, as it contains the only description extant, we believe, of the person and features of this "Pest of Scotland," as the Lord Advocate named him.

Permit Citizen Thomas Muir to proceed on his way to Philadelphia, domiciled at Paris, municipality of Paris, department of Paris, native of Scotland, a lawyer, 28 years of age, 5 feet 9 inches high, his hair and eye-lashes of a chestnut colour, blue eyes, aquiline nose, small mouth, round chin, high forehead, long and full face. Send him aid and assistance if in want.

Muir's trial took place on the 30th August 1793. It excited a strong feeling in Scotland,† and, as soon as the result was known, the greatest indignation in England. It was then Englishmen began justly to congratulate themselves that they were not Scots; and that in England, a jury was not another name for an instrument of oppression and injustice. As we consider this first trial to be marked with every bad feature which characterized all those that followed, we must quote a few passages from the report of it before us, though those who would see the lengths to which Toryism is ever prone to go, should peruse its entire proceedings. As a preliminary, however, to Muir's trial, we shall give these detached scenes from those of Margarot,

Skirving, and Gerrald. The judges in all the cases were the same, and the juries uniformly elected from the Goldsmiths'-Hall Life-and-Fortune men.

Margarot was his own counsel. The trial had scarcely opened when he said—

"Now, my Lord, comes a very delicate matter indeed. I mean to call upon my Lord Justice Clerk, and I hope that the questions and the answers will be given in the most solemn manner. I have received a piece of information, which I shall lay before the Court, in the course of my questions: *First*, my Lord, Are you upon oath?"

*Lord Justice Clerk.*—State your questions, and I will tell you whether I will answer them or not; if they are proper questions, I will answer them.

Q.—Did you dine at Mr Rocheid's, at Inverleith, in the course of last week?

*Lord Justice Clerk.*—And what have you to do with that, sir?

Q.—Did any conversation take place with regard to my trial.

*Lord Justice Clerk.*—Go on, sir!

Q.—Did you use these words:—"What should you think of giving him an hundred lashes, together with Botany Bay?" or words to that purpose?

*Lord Justice Clerk.*—Go on: put your questions, if you have any more.

Q.—Did any person, did a lady say to you, that the people would not allow you to whip him? and, my Lord, did you not say that the mob would be the better for losing a little blood? These are the questions, my Lord, that I wish to put to you, at present, in the presence of the Court: deny them or acknowledge them.

*Lord Justice Clerk.*—Do you think I should answer questions of that sort, my Lord Henderland?

*Lord Henderland.*—No, my Lord; they do not relate to this trial.

The rest of the Judges concurred in this opinion; and so the questions, very properly, were not answered!

But we earnestly entreat our readers to turn up to the list of Mr Muir's jurymen, and they will discover this astonishing fact, that James Rocheid of Inverleith, in whose house the Lord Justice Clerk of Scotland was alleged to have made use of the above horrible language, was one of the jurymen selected by his Lordship, and one who actually sat on the trial of Mr Muir!

The same thing occurred, but in a more direct and tangible shape, in the case of Joseph Gerrald, another Reformer, who was also tried before the same Court, about the same period.

When the Court met, Mr Gerrald rose and said:—"My Lords, I feel myself under the painful necessity of objecting to the Lord Justice Clerk sitting upon that bench—upon this plea, that his Lordship has deviated from the strict line of his duty, in prejudging that cause in which my fortune and my fame, which is more precious to me than life, are actually concerned. I beg, therefore, that this (holding a paper in his hand) may be made a minute of this Court."

In order to shew that this objection was not made at random, Joseph Gerrald offered to prove that the Lord Justice Clerk had prejudged the cause of every person who had been a member of that assembly calling itself the *British Convention*: inasmuch as he had assented, in the house of James Rocheid of Inverleith, "that the mem-

\* This person was named Carmichael. He was then commanding the Justice Hulk at Port-Patrick; but he rose and prospered in the public service every day after the arrest of Muir, in spite of the curses both loud and deep which the old Reformers poured upon him.

† A friend of ours, then a child, and bred among the most noted of the Reformers of the period, gives a lively idea of the general state of feeling in Edinburgh, by recording his own notions. The day of the trial, or of the sentence, was thundery and exceedingly dark, and the rain fell in torrents. There was but one topic, one interest—Muir, and the trial: and every one had gone to witness it. A Trial was beyond the comprehension of our friend: but, gazing through the window, he felt that some awful thing was acting by wicked men; that some terrible catastrophe was impending, like the Crucifixion or the Judgment Day, to which the dismal weather bore token, and in which the fate of Muir was somehow involved. Our young friend was only reassured by the sensible reflection, that this could not be the Day of Judgment, as the Jews, for whose conversion his Puritan grandfather regularly petitioned in his family prayer, were not yet converted and "brought in with the fulness of the Gentile nations."



bers of the British Convention deserved transportation for fourteen years, and even public whipping ;” and that, when it was objected, by a person present in company, that the people would not patiently endure the inflicting of that punishment upon the members of the British Convention, the said Lord Justice Clerk replied, that the mob would be the better for the spilling of a little blood. I pray that this may be made a minute of the Court. *I desire to have the matters alleged, substantiated by evidence.*”

*Lord Eskgrove.*—My Lords, This objection, which comes before your Lordships, is a novelty in many respects—and I don’t think this pannel, at this bar, is well advised in making it: what could be his motive for it I cannot perceive. He has the happiness of being tried before one of the ablest judges that ever sat in this Court; but he is to do as he thinks fit. I am sure he can obtain no benefit if he gains the end he has in view; and, therefore, I cannot perceive his motive, unless it is an inclination, as far as he can, to throw an indignity upon this Court.—And, after some farther remarks, his Lordship concluded by saying, that *he could ascribe the objection to nothing but malevolence and desperation.*

*Mr Gerrald.*—My Lord, I come here not to be the object of personal abuse, but to meet the justice of my country.

*Lord Henderland.*—I desire you will behave as becomes a man before this High Court. I will not suffer this Court to be insulted.

*Mr Gerrald.*—My Lord, far be it from me to insult this Court.

*Lord Henderland.*—Be silent, sir.

*Mr Gerrald.*—My Lord—

*Lord Henderland.*—I desire you will be silent, sir!

*Lord Swinton.*—My Lords, an objection of this kind, coming from any other man, I should consider as a very high insult upon the dignity of this Court; but, coming from him, standing in the peculiar situation in which he now stands at the bar, charged with a crime of little less than treason, the insolence of his objection is swallowed up in the atrocity of his crime. It appears to me that there is not the smallest relevancy in this objection.

*Lord Dunsinan.*—I think your Lordships ought to pay no attention to it, either in one shape or another.

The objection was unanimously disregarded.

On the trial of William Skirving, another Reformer, and, by all accounts, a most amiable man,

The Lord Justice Clerk proceeded to nominate the first six of the Jury, and asked the pannel if he had any objection to them.

*Mr Skirving.*—I object, in general, to all those who are members of the Goldsmiths’ Hall Association; and, in the second place, I would object to all those who hold places under Government, because this is a prosecution by Government against me: and, therefore, I apprehend they cannot with freedom of mind judge in a case where they are materially parties.

*Lord Eskgrove.*—This gentleman’s objection is, that his Jury ought to consist of the Convention of the Friends of the People; that every person wishing to support

Government is incapable of passing upon his amaze; and, by making this objection, the pannel is avowing that it was their purpose to overturn the Government.

*Lord Justice Clerk.*—Do any of your Lordships think otherwise? I dare say not.

Objection repelled.

We had almost omitted to state that, in Margarot’s trial, the Lord Justice Clerk, first of all, asked the pannel if he had any objection to his jurymer.

*Mr Margarot* replied—I have no personal objection; but I must beg to know by what law you have the picking of the Jury, and that you alone have the picking of them?

*Lord Abercrombie.*—His Lordship is not picking, but naming the Jury, according to the established law, and the established constitution of the country; and the gentleman at the bar has no right to put such a question!

The above, then, is a brief outline of the way in which the whole of these Reformers—the pannels—were treated by the Bench. And we shall now give a few examples of the way in which some of the witnesses were treated, when it was found they did not answer the purposes of the prosecution.

*James Calder* sworn.

*Lord Henderland.*—What is your trade?

*A.*—I have no trade.

*Lord Eskgrove.*—If you have no trade, how do you live?

*A.*—I am neither a placeman nor pensioner.

*Lord Justice Clerk.*—(Turning himself to the Judge.) What do you think of that, my Lords?

*Lord Henderland.*—What do you call yourself?

*A.*—A Friend of the People.

*Q.*—You don’t live by that; you must have some occupation?

*A.*—I am maintained by my father, Donald Calder, merchant in Cromarty.\*

*Lord Justice Clerk.*—Ho! my Lords, he was sent up to the British Convention.

*Witness.*—No, my Lords, I was not.

*Lord Advocate.*—I understand he is a student at the University.

*A.*—Yes: I am.

*Alexander Aitchison* sworn.†

*Lord Justice Clerk.*—You are not come here to give dissertations either on the one side or the other. You are to answer to facts according to the best of your recollection; and, according to the great oath you have taken, answer the facts that are asked of you.

*A.*—My Lord, I wish to pay all due respect to your Lordship and this Court; but I consider myself as in the presence not only of your Lordship, but also as in the presence of the King of kings and Lord of lords; and, therefore, as bound by my oath, to say everything that I can consistently with truth, to exculpate this pannel who, I am sure, is an innocent man.

*Mr Solicitor General.*—Many things you have now said, will, in my opinion, tend to do more hurt than good to the pannel.

\* Mr Calder was afterwards for many years connected with the London newspaper press. For anything that we know, he is still alive, in retirement, reaping the reward of his early enterprise and ability. “The boy Calder,” as the Judge termed him in summing up, is the individual mentioned with what we considered improper levity in the clever local work, “Sketches and Legends of Cromarty,” in referring to the *Friends of the People* in that town. The writer is evidently ignorant of the events of the early career of Mr Calder; but he might have shown a little more caution. Very many of the young Reformers of the 1793-4, were afterwards honourably connected with the public press both in Great Britain and the United States, and zealous in propagating the principles they had early imbibed. The preachers of former times could only lift up a solitary voice in behalf of truth; the exiled Reformers took possession of a more powerful engine. Their enemies are feeling its effects now.

† Alexander Aitchison whom we see mentioned here, and whom we find referred to in other trials, was originally a goldsmith in the Parliament Close, and, if we remember aright, at one time the partner of Downie, who was afterwards tried with Watt for high treason. Aitchison was a very ingenious man, fond of science; harbouring a great soul in a small and deformed body. He gave up his business and studied medicine, warmly embracing the Brownian doctrines in theory, and perhaps moderately supporting his belief by practice. He was employed by Sir John Sinclair in compiling and arranging the papers of the Statistical Account. He suffered much in his literary prospects, and consequently in his pecuniary circumstances, from his connexion with the Friends of the People. Mr Aitchison afterwards went to Perth as editor and a principal contributor to the Perth Encyclopædia. He was a person of great humour, simple-minded and warm-hearted, an enthusiastic Reformer, brave as a lion, and not the less endeared to his young friends that they ventured to take pleasant liberties with him. In the book before us, it is stated that he practised surgery in Perth.

*Witness.*—Of that, the gentlemen of the Jury will judge.

*Lord Justice Clerk.*—Mr Solicitor General, it is needless to put any more questions to this man.

*Solicitor General.*—I shall put no more, my Lord.

(Witness was ordered to withdraw.)

*Lord Justice Clerk.*—Put him out, then! Put him out!

*Witness, Aitchison.*

*Q.*—Did you ever observe anything of a seditious or riotous appearance in the Convention?

*A.*—Not in the least.

*Q.*—Did you ever hear anything mentioned, or whispered in the Convention, that might tend to overturn the Constitution?

*A.*—Never.

*Q.*—Did you ever hear anything mentioned there against placemen and pensioners?

*A.*—Often.

*Mr Margat.*—That, I suppose, is the addition that is meant to be charged.

No further questions were put to this witness.

Muir conducted his own defence, which he was in every way qualified to do, both from professional knowledge and ability. It is, however, less than creditable to the spirit of the Scottish bar to find it stated that none of his quondam brethren cared to assist in the defence of an individual so obnoxious to the bench and to the government of Scotland. Muir's alleged crimes were, lending a copy of Paine's "Rights of Man," and giving away several copies of Volney's "Dialogue between the Governors and the Governed;" and also that, at a meeting of the Convention in Edinburgh, he had read an address from the society of United Irishmen in Dublin to the Delegates for Promoting Reform in Scotland.\*

The *foreman* of the jury on this memorable trial was the late notorious Gilbert Innes of Stow; and nearly the whole were "country-gentlemen," and afterwards placemen; Mr Rocheid of Inverleith, at whose table the edifying conversation related above, had passed, being one of the former. "A Lawnmarket Jury" afterwards became exceedingly docile; but, at this momentous first trial, it was deemed advisable to *mak sikker*; and greater precaution may have been employed in *packing*. Muir confessed the crimes of lending the books and pamphlets; but he protested against being tried by a jury of the persons who had, at their own pleasure, erased his name from the books of the Goldsmiths' Hall Association. Among other forcible arguments, he urged this:—

I demand justice. Let me be tried fairly—not by a jury of the Association of Goldsmiths' Hall, not by a jury of the Association of the Friends of the People—but by men unconnected with either, whose minds cannot possibly be supposed warped with prejudices. I therefore solemnly protest, that no person who is a member of the Association in Goldsmiths' Hall, should or can be of the jury in my trial.

*Solicitor-General Blair* replied, that he considered this objection to be of the most extraordinary nature. The pannel is accused of forming associations contrary to the Constitution, and he presumes to object to those gentlemen who formed associations in its defence. With

equal propriety might the pannel object to their Lordships on the bench to be his judges in this trial; their Lordships had sworn to defend the Constitution.

*Mr Muir.*—This day, I will not descend into the quibbles of a lawyer. I object to these gentlemen, not because they associated in defence of the constitution. I, too, as well as they, have associated in defence of the constitution. But my objection is, that they, by an act of theirs, have publicly accused me of being an enemy to the constitution, have already pronounced the sentence of condemnation, and have imposed upon my name the seal of proscription.

*LORD JUSTICE CLERK.*—If the objections of the pannel were relevant, it would extend far indeed; it would go to every person who had taken the oaths to government. I can see nothing in the objection, and I am clear for repelling it.

*LORD HENDERLAND.*—I can see nothing in the objection. These gentlemen entered into a society for a particular purpose, and had the right of judging of the qualification of their members; they did not think Mr Muir or his friends proper members. In no trial whatever could this be a good objection.

The objection was repelled. Mr Muir, however, continued to repeat it, as every five were sworn.

The opinion expressed by Mr Adam of this denial of justice by the Court, is cited above.

The evidence brought against Muir was of the most disgraceful kind. One individual, afterwards notorious, the Rev. Mr Lapalie, minister of Campsie, who had been the intimate personal friend of Muir, actually attended the sheriff round the country, raking up and attempting to suborn evidence against him. This very despicable clerical fanatic, if he was not something worse than a fanatic, was, according to the information before us, afterwards pensioned by the government—one of the most impudent things ever done in Scotland. We see it is inquired if the name of *Lapalie* does not occur in the Pension list yet. The fact merits inquiry. When this reverend person was called by the Lord Advocate, Muir said—

Let this witness be removed: I have many objections to state against him.

Mr Lapalie was accordingly removed.

*Mr Muir.*—I have said that I have many objections to state, both to the admissibility and credibility of this witness. My delicacy with regard to that man, will, at present, permit me to adduce the least weighty only; for I mean to prove the most important, in a different shape, in a criminal prosecution against him, when he and I shall exchange places at this bar. I know not what title this reverend gentleman has to act as an agent for the Crown; but this I offer to prove, that he assisted the messengers of the law in exploring and citing witnesses against me; that he attended the sheriffs in their different visits to the parishes of Campsie and Kirkintilloch; that, previously to the precognition, he conversed with the witnesses of the Crown; that he attended their precognition, put questions to them, and took down notes; nay, more, that, without being cited by the Prosecutor, he offered himself ultroneously against me, and insisted that his declaration should be taken in the unusual form, with his oath attending it, to attest its truth.

The Lord Advocate would not dismiss Lapalie;† but (by an oversight, perhaps) he allowed evidence to be led of the vicious intermeddling of that person, which at once quashed him as a

\* The pith of this address we have given above, in the quotation attributed to the pen of Grattan.

† Mr Lapalie was afterwards distinguished by his active hostility to Sunday Schools, Missionary Societies, and all such dangerous innovations, the natural fruits of the French Revolution and the Friends of the People. His acts

witness, and which ought to have drawn ecclesiastical censure upon him, if kirk courts had been as strict as in our times, when a clergyman was condemned for saying grace at a public dinner where Mr O'Connell was present.

One of the most shameful circumstances of this shameful trial was the production of Ann Fisher, a woman who had been in the service of Muir's family, as a witness against him. This species of evidence was strongly and indignantly stigmatized in Parliament. "The domestic and well-tutored spy" had passed into the family of a collector of cess from that of Muir; and, one way or other she had got her lesson, which she repeated volubly, and greatly to the admiration of the Bench. This miserable woman,\* in reply to the interrogatories of the public prosecutor, (Robert Dundas of Arniston, the Lord Advocate at the period,) went into matters that had never once been either charged or alluded to in the indictment; and Muir took strong legal objections to so extraordinary and loose a proceeding. "What," he asked, "is the purpose of an indictment, but to specify crimes.

If this is now to be adopted as law, what portion remains to us of our national liberties is for ever torn away. Everything is insecure; an indictment will no longer be regarded but as a piece of unmeaning paper. The unfortunate man who receives it may say, I am charged with robbery. I have many witnesses to prove I did not perpetrate this crime; but what avails preparing a defence? Not a single witness may perhaps be adduced against me for that offence. I may never hear a word of it in court, but I may be instantly called upon to defend myself against a charge of murder, of sedition, or of high treason. In short, if, under the specious pretence of being allowed to introduce what is not specified in the libel to support its generality, you establish a precedent of this kind, you strike the fatal blow against individual security, and of general safety.

This question is of little importance to the individual who is now struggling for the liberties of his country. But the eyes of your children will be fixed upon this trial, and they will tremble and shudder at the precedent! I feel for the country—I feel for posterity—I will not sanction the procedure which is to produce to both a system of injustice, of ruin, and of murder!

The Court at once overruled all objections; indeed, we do not observe that a single legal objection was ever sustained in any one of these

trials. The hair-dresser who daily attended Muir was also brought against him; but, unlike the maid-servant, he was a reluctant witness—and he contradicted her in many points. We shall not cite Muir's indignant commentary to the jury upon this woman's evidence, lest it might be fancied a coloured pleading for himself; but the evidence of one who had, too probably, been instructed "to lie in wait to take her watch, and mark to destruction those that fed her," may be viewed as a fair specimen of the sort of evidence upon which the prisoner was condemned.

She saw at that time, a good many country people coming about Mr Muir's father's shop; that Mr Muir has frequently said to these country people, that Mr Paine's book was a good book; that she has frequently bought this book for people in the shop, and that this was sometimes at the desire of Mr Muir, and sometimes at that of these people. She bought both the first and second part of Paine, at different times, and when she returned with them, she sometimes laid them on the table, and sometimes gave them to the people; that she bought two different parts at different times, for Alexander Muir, Mr Muir's uncle. She was sent for a copy by Mr John Muir, latter; but is not sure whether or not she got it. That John Muir was much pressed upon by the pannel to purchase the book; that, to the best of her remembrance, she bought one for one Barclay; that she knows Mr Muir's hair-dresser, Thomas Wilson, and she has heard Mr Muir advising him to buy Paine's "Rights of Man," and to keep them in his shop to enlighten the people, as it confuted Mr Burke entirely; she read this book herself, and got it in her master's house; that she has seen one copy on fine paper, and one or two coarse ones; that, to the best of her remembrance, she has seen the Paisley Declaration on Mr Muir's table, and sometimes in the dining-room; that she thinks she has seen the Dialogue in Mr Muir's room, and has heard him read it, in presence of his mother, sister, and others, in his father's back shop; that Mr Muir said, it was very clever, and wrote by one Volney,† one of the first wits in France; that she does not remember to have seen *The Patriot*; that she thinks she has heard part of the Paisley Declaration read by Mr Muir in the said back shop, in presence of somebody, that being the common place where he read these books; that she has been sent from the back shop, up stairs for some books; that she does not recollect whether he thus read these books on a market day; and that she has known him read some French law books; that she has heard him speak about Reform and Members of Parliament; that, if everybody had a vote, he would be made Member for Calder; that Members of Parliament were to have thirty or forty shillings a-day;

and d-eds were the subject of several clever caricatures by Kay of Edinburgh, who must have been a Radical genius. In a Life of Muir, by Mr Peter Mackenzie, we find Lapalie thus described:—"The reverend gentleman, to whom we refer, had known Mr Muir from his infancy. They were bosom friends.

\* Coupled and linked together  
With all religious strength of sacred vows."

And, after Mr Muir had gone to the bar, and was rising to eminence, this reverend friend not only kept up a correspondence with him, but used frequently to sojourn under the hospitable roof of his parents, and to pour into their ears sweet words of praise, about their darling son. He thus acquired their unbounded confidence. He applauded the political tenets of Mr Muir. Nay, he was himself a Reformer—at least, he pretended to be so, and actually recommended some of the very books for which, it will be seen, Mr Muir was afterwards condemned for the having in his possession. But the moment the ministers of the Crown denounced Mr Muir, that moment this minister of religion turned upon him like a serpent. His own sting would have been powerless, because, for aught that appeared, Mr Muir had never uttered one syllable in his presence of a criminal or seditious nature;—but, in order to supply that deficiency, he did not scruple to fish for evidence against him in every quarter where he thought he would be successful. He attended the initiatory examination of some of the witnesses for the Crown before the Sheriff, and "coaxed them to speak out." And so great was his zeal for the prosecution, that, when the trial itself drew nigh, he left his parish, and voluntarily journeyed to Edinburgh, a distance of forty miles, and, *without being subpoenaed*, he actually attempted to plant himself in the witnesses' box, as an evidence for the Crown, in regard to facts which must now rest with his own conscience. These things are not exaggerated—they were proved on the trial; and other facts of a more sickening description, were about to be unfolded by Mr Muir, when he was prudently stopped by the Lord Advocate, who, with all his zeal for the prosecution, could not defend such evidence."

\* According to a note to the Trial, this woman sank into the lowest prostitution, and died in utter misery in Glasgow.

† Volney.

and that, in that case, there would be none but honest men to keep the Constitution clear; that she has heard it said, by Mr Muir, that France was the most flourishing nation in the world, as they had abolished tyranny and got a free government; that she heard him say the Constitution of this country was very good, but that many abuses had crept in which required a thorough Reform; that the courts of law required Reform also, for they got their money for doing nothing but pronouncing sentence of death upon poor creatures; and that it was a useless parade of their coming into Glasgow.

Such were the witnesses, such the offences, for which Muir was condemned to the punishment of a felon.

Muir's address to the jury was long, able, and eloquent. Much as we regret to mutilate so perfect a whole, we must select a few passages. The infamous conduct of the Rev. Mr Lapslie, and the placing the servant girl in the witness-box, had especially excited the manly indignation of Muir. In this generous strain, he addressed that obdurate jury upon the disgusting theme of domestic espionage:—

Gentlemen, The witness next swears to a fact which must rouse your keenest indignation. Vigilant has this family-spy been in the course of her duty. She tells you what books she has seen on my table, &c. Gentlemen, from this moment lock up your libraries. If they are extensive, as you have heard mine is, there is no crime in the whole decalogue of which, by the testimony of your own servants, you may not be found guilty. The possession of Plato, of Harrington, or of Hume, will mark you down for Republicans. The misfortune of having the Koran of Mahomet will cause the shipwreck of your faith, and stigmatize you as the disciples of the conqueror of Mecca. Well do I congratulate the Lord Advocate of Scotland. He has discovered a new region in the sphere of criminality—he will not merely confine himself to one voyage of discovery, but, along with his associates, he will make many voyages to this fertile land, and return home loaded with many valuable cargoes. But seriousness becomes this place. Can it be believed, that, in the close of the 18th century—that this night—the servants of a man should be examined concerning what particular books he may have had in his house, and that the proof of possession of particular books may ruin his reputation—sweep away his property—and deprive him of life!

Gentlemen, The libel charges me with "*feloniously* circulating 'A Dialogue between the Governors and the Governed,'" extracted from the "Ruins" of Volney. This Dialogue is narrated in the indictment, and it is charged to be felonious and seditious. There is not a word in this Dialogue which is not true. Alas! in colours but too faithful, it delineates the mournful history of six thousand years—the crimes of despots, and the artifices of impostors, to subjugate and to blind the people. It is purely abstracted. It is entirely speculative. To no particular nation, much less to England, does it allude—if to any, it must be to France under the ancient system. Yet this Dialogue is libelled as seditious and inflammatory. The truth is, the crime of sedition *must* be brought home against me, and the possession of *any* book, as well as that of Volney, might be employed to substantiate it. Let us hear what the witness says concerning the "*felonious*" circulation. She heard me read it in presence of my mother, sister, and some other people—that I said it was very clever, and done by one of the first wits in France. Who were those "other people" that were in company with my mother and sister, when I read it? Her accuracy, so much extolled by the Court, again totally fails her here. But the propagation of sedition *must* not be confined to a mother and a sister—it must have a wider range: "*other people present!*" And, founding upon his beloved generality, the prosecutor has reason to argue that there might have been a full company

—a numerous meeting—nay, an immense congregation!

Gentlemen, You have heard the testimony of Fisher, and are these the arts by which I am to fall? I again say, that, if you receive such testimony, you for ever destroy domestic society—you blast the sweets of family confidence. And is it not sufficient to weep over public calamities, without thinking, that, when we retire to our own homes, we must be obliged to confine ourselves in dismal solitude, guarded by suspicion and by danger, where no kindred affections can enter, and where no reciprocal consolation can be admitted?

And the exculpatory evidence which he led was of the most honourable kind. Among the witnesses were the late excellent David Dale of New Lanark—who was one of the original Friends of the People, and had been present at the meeting in the Star Inn of Glasgow—and several other merchants and manufacturers. They all concurred in asserting that Muir had counselled calmness in deliberation, and quiet and good order in their proceedings, and only the pursuit of constitutional Reform in Parliament; that he inculcated a firm attachment to the King and constitution in his addresses to the People, and disapproved of violent party books and pamphlets. Though these witnesses were generally in the respectable ranks of middle life, one was an humble countryman, but an elder of the Kirk, and an estimable character, who had been called for the Crown. The Lord Advocate allowed himself to sneer at "a gentleman, a member of the Bar," associating with this respectable individual. The Tories had not then, nor indeed until now, become so very civil and courteous to "operatives," but especially "Conservative operatives."

The next witness is John Barclay, that old and venerable person, whom you saw adduced as a witness by the prosecutor, and who informs you that we were elders in the same parish—the parish of Calder, in which the lands of my father are situated. Gentlemen, the Lord Advocate, in speaking of this virtuous and venerable old man, exclaimed with insolent contempt, "Such men as *these* are the companions, and *such* men as *these* are the friends of Mr Muir!" Yes; I tell the Lord Advocate—I tell the aristocracy of Scotland—I glory more in the friendship of such an old, poor, and virtuous man, than in the friendship of the highest titled Peer who derives the sources of his guilty grandeur from the calamities of the People; who wrings out a splendid but a miserable revenue from their sorrow and distress, from their tears and from their blood, which he squanders in dissipation, to the ruin of private virtue and to the contamination of public morals.

At one period of Muir's speech, when he went into the legal argument against the doctrine of constructive sedition, some of the gentlemen of the jury probably fancied such fine-spun theories an uncivil delay of their dinners, which could not be eat in comfort until they had done the duty they had met for. Mr Muir instantly noticed it, and said:—

Gentlemen, if, whether right or wrong, you have come here determined to find me guilty, say so boldly, openly, and, let me add, honestly—resort not to idle pretexes and expedients to justify a stretch of power. The unprejudiced eye will soon penetrate into these pretexes, and the determination will soon receive the contempt and indignation of mankind.

Muir thus concluded his long address:—

What, then, has been my crime? Not the lending to a relation a copy of Mr Paine's works—not the giving away to another a few numbers of an innocent and constitutional publication—but my crime is *for having dared to be, according to the measure of my feeble abilities, as*

*Witnious and active advocates for an equal representation of the People in the House of the People*—for having dared to accomplish a measure, by legal means, which was to diminish the weight of their taxes, and to put an end to the profusion of their blood. Gentlemen, from my infancy to this moment, I have devoted myself to the cause of the People. IT IS A GOOD CAUSE—IT SHALL ULTIMATELY PREVAIL—IT SHALL FINALLY TRIUMPH. Say, then, openly in your verdict—if you do condemn us, which, I presume, you will not—that it is for my attachment to this cause alone, and not for those vain and wretched pretences stated in the indictment, intended only to colour and disguise the real motives of my accusation.

The summing up of the Lord Justice Clerk, the ever-famous Braxfield, looks, in this report, as if it were “nothing extenuate;” but such was the violent character and the homely style of the man. “The question for consideration,” he remarked, was—

“Is the pannel guilty of sedition, or is he not? Now, before this question can be answered, two things must be attended to that require no proof. First, That the British Constitution is the best that ever was since the creation of the world, and it is not possible to make it better. For is not every man secure?—does not every man reap the fruits of his own industry, and sit safely under his own fig-tree? The next circumstance is, that there was a spirit of seditious in this country last winter, which made every good man very uneasy. Yet Mr Muir had, at that time, gone about among ignorant country people, making them forget their work, and told them that a reform was absolutely necessary for preserving their liberty, which, if it had not been for him, they would never have thought was in danger. His Lordship did not doubt that this would appear to them, as it did to him, to be seditious.

The next thing to be attended to was the outlawry. Running away from justice—that was a mark of guilt. But, besides running away, the prisoner had gone to France, and pretended to have had influence with those wretches, the leading men. [This pretension was altogether an assumption of his Lordship.] What kind of folk were they? And his Lordship said, *he never liked the French all his days, but now he hated them.*

The pannel’s haranguing such multitudes of ignorant weavers, about their grievances, might have been attended with the worst consequences to the peace of the nation, and the safety of our glorious constitution.

Mr Muir might have known, that no attention could be paid to such a rabble. *What right had they to representation?* He could have told them that the Parliament would never listen to their petition. How could they think of it? A government in every country should be just like a corporation; and in this country it is made up of the landed interest, which alone has a right to be represented. As for the rabble, who have nothing but personal property, what hold has the nation of them? what security for the payment of their taxes? They may pack up all their property on their backs, and leave the country in the twinkling of an eye; but landed property cannot be removed.

The tendency of the pannel’s conduct, was plainly to promote a spirit of revolt, and, if what was demanded was not given, to take it by force. His Lordship had not the smallest doubt that the Jury were, like himself, convinced of the pannel’s guilt, and desired them to return such a verdict as would do them honour.

The Court retired at two o’clock, on Saturday morning, and met again at twelve o’clock of the same day, when the Jury returned a verdict *unanimously* finding the pannel “guilty of the crimes libelled.”

And, now, the *punishment* was to be considered. Lord Henderland, the father of the present *Whig* Lord Advocate of Scotland—and we find many such happy changes now-a-days—after expatiating upon the enormity of the offence, gravely remarked, that—

Banishment would be improper, as it would only be sending to another country, a man, where he might have the opportunity of exciting the same spirit of discontent, and sowing, with a plentiful hand, sedition. *Whipping* was too severe and disgraceful, the more especially to a man who had bore his character and rank in life. And imprisonment, he considered, would be but a temporary punishment, when the criminal would be again let loose, and so again disturb the happiness of the people. There remains but one punishment in our law, and *it wrung his very heart to mention it, viz. TRANSPORTATION.* It was a duty his Lordship considered he owed to his countrymen to pronounce it, in the situation in which he sat, as the punishment due to the pannel’s crimes. His Lordship observed, it was extraordinary that a gentleman of his description, of his profession, and of the talents he possessed, should be guilty of a crime deserving such a punishment; but he saw no alternative; for what security could we have against his future operations, but a removal from his country, to a place where he could do no further harm? His Lordship was, therefore, of opinion that the pannel should be recommitted to prison, there to remain till a proper opportunity should offer for transporting him to such place as his Majesty, with the advice of his Privy Council, might appoint, for the space of fourteen years from the date of the sentence; and that he should not return within that period, under the pain of death.

In this righteous opinion, every judge concurred, each vindicating his judgment by a few characteristic pedantic quiddities. The whole matter had, beyond all doubt, been previously arranged and concerted with the Government. The Justice Clerk hesitated between transportation for *life* or for fourteen years; but, upon the whole, inclined to the *merciful* side. Before sentence was pronounced, and while it was recording, Muir rose and said—“My Lords, *I have only a few words to say.* I shall not animadvert upon the severity or the leniency of my sentence. Were I to be led this moment from the bar to the scaffold, I should feel the same calmness and serenity which I now do. *My mind tells me that I have acted agreeably to my conscience, and that I have engaged in a GOOD, a JUST, and a GLORIOUS cause—A CAUSE WHICH, SOONER OR LATER, MUST AND WILL PREVAIL, AND, BY TIMELY REFORM, SAVE THIS COUNTRY FROM DESTRUCTION.*”

With inexpressible loathing and disgust, we turn from these scenes of injustice in its worst, its legalized forms, to pursue the fortunes of Muir. He lay for a short time in Edinburgh jail; but was, we believe, for some months in the hulks before the discussion took place in Parliament, which brought no alleviation to his sufferings. While in prison in Edinburgh, he was much visited by the sympathizing Reformers of the middle rank, and by those of that class of men who, first in every country, “hear the truth gladly;” but his former associates in higher station, and his brethren of the bar, had all fallen away, scared or discouraged by the blast of adversity. In a *Life of Muir*, published some years ago by Mr Peter Mackenzie of Glasgow, it is stated that those trying scenes, and parting with his unfortunate son, completely broke down the constitution of the elder Muir.

He was struck with a shock of palsy, from which he never recovered. And his poor mother, so powerful was her affection for her devoted son, periled her own life, by making frequent excursions to sea in an open boat in the winter of 1793, in order that she might again

catch a glimpse of him, and give vent to her agonized feelings.

During the last of these excursions, but before she could approach near enough to recognise him, the vessel in which Mr Muir was, got under weigh. And, if the agony of mortals could have any effect on the elements of nature, these very elements at that time would have stood motionless on account of Thomas Muir.

One of the last requests he made to his parents was, to furnish him with a small pocket Bible; and we mention that circumstance, because it will be seen how highly he prized that precious relic, and how miraculously it preserved his life under the extraordinary vicissitudes that afterwards befell him.

There were eighty-three convicts on board the Surprise transport, which carried him from England. His fellow-Reformers, Palmer, Skirving, and Margaret, were among them. But there was another individual of a very different description, indeed, in whose society Mr Muir at one time little thought he could sojourn for a single hour. This was a man of the name of Henderson, belonging to Glasgow, who had been tried there by the Circuit Court of Justiciary, about two years before, for the Murder of his wife. And, strange to tell, Mr Muir had been his counsel. He pled successfully for him, as Henderson's jury, instead of a verdict of Murder, brought in a verdict of Culpable Homicide, which saved the culprit's neck, and now he was going to expiate his crime under a like sentence of transportation for fourteen years!—O tempora! O mores! What a commentary on the different degrees of punishment!

There is but one private letter of Muir's found in the work before us. It is addressed from the hulks to a friend at Cambridge, upon the eve of Muir's departure from England. It does equal honour to his religious sensibility and his steady faith.

MY DEAR FRIEND,—I received yours at Edinburgh with the sincerest pleasure; your sentiments and mine are equally accordant—the great lesson we have to learn in this world is submission and resignation to the will of God. This lesson strikes upon the heart, not by the force of cold and abstracted precept, but by the example of Him who was the object of all sufferings, and the pattern of all perfection. Much need have I to be taught in his school. Hurléd, as it were, in a moment, from some of the most polished societies in Edinburgh and London, into one of the hulks upon the Thames, where every mouth is opened to blaspheme God and every hand stretched out to injure a neighbour, I cannot divest myself of the feelings of nature—I cannot but lament my situation; and, were it not for the hope of immortality, founded upon our common Christianity, alas! I might accuse the Father of all Justice and of all Mercy with severity. But, blessed be God, everything in the great system of nature, everything in the little system of individual man, corresponds with the great dispensations of the gospel, and demonstrates its efficacy.

Much consolation does the reflection now afford me, that in prosperity I always regarded this revelation of Heaven with the most profound reverence.

In solitary exile there is a dignity, there is a conscious pride, which, even independent of philosophy, may support the mind; but I question much, if any of the illustrious of ancient ages could have supported an exile similar to mine surrounded by the veriest outcasts of society, without the aid of religion and of the example of Jesus.

I have been separated from Mr Palmer—he is in one hulk, I am in a different one. The separation is an act of unnecessary cruelty.

My state of health is poorly. The seeds of a consumption, I apprehend, are planted in my breast. I suffer no acute pain, but daily experience a gradual decay.

Of everything relating to my future destination, I am utterly ignorant.

Honour me by your correspondence. I am sure it will ameliorate my heart.

Farewell! my truly worthy and respectable friend.

Muir and Palmer lay so long in the hulks that Skirving and Margaret were shipped off in the Surprise transport along with them. There was an attempt to mutiny in the ship; and a time-serving officer, to recommend himself, endeavoured to fasten the crime upon two of the Scottish patriots, Palmer and Skirving. But their innocence was clearly established. They were active and useful in preserving order. Though some base natures were found in the colony, the banished men, upon the whole, met with great sympathy and kindness. The medical officers were, at all times, particularly kind and attentive to them. Medicine, we apprehend, must be a more liberal and humanizing profession than arms. The Governor of the infant penal colony, Captain Hunter, himself a Scotchman, was disposed to distinguish between these unfortunate men, and the burglars, thieves, and homicides, sent out to his care. Muir especially, from his youth, his disinterested enthusiasm, and the horrible severity with which he had been treated, was an object of peculiar interest. It is related, in Dr Lang's late history of the colony, that "everything which enlightened delicacy could suggest had been done by Governor Hunter, to render Muir's situation, and that of his unfortunate friends, as little painful as possible." A letter from Governor Hunter, to one of his friends in Leith, written a few weeks after the arrival of the convicts, contains the following passage:—

"N. S. Wales, 16th Oct. 1795.

"The four gentlemen whom the activity of the Magistrates of Edinburgh provided for our colony, I have seen and conversed with separately, since my arrival here. They seem, all of them, gifted in the powers of conversation. Muir was the first I saw. I thought him a sensible young man, of a very retired turn, which certainly his situation in this country will give him an opportunity of indulging. He said nothing on the severity of his fate, but seemed to bear his circumstances with a proper degree of fortitude and resignation. Skirving was the next I saw; he appeared to me to be a sensible, well-informed man—not young, perhaps fifty. He is fond of farming, and has purchased a piece of ground, and makes good use of it, which will, by and by, turn to his advantage. Palmer paid me the next visit; he is said to be a turbulent, restless kind of man. It may be so—but I must do him the justice to say, that I have seen nothing of that disposition in him since my arrival.

Shortly afterwards, Muir wrote—

"I am pleased with my situation, as much as a man can be, separated from all he loved and respected. Palmer, Skirving, and myself, live in the utmost harmony. Of our treatment here, I cannot speak too highly. Gratitude will for ever bind me to the officers, civil and military. I have a neat little house here, and another two miles distant, at a farm across the water, which I purchased. When any money is transmitted, cause a considerable part of it to be laid out at the Cape, or at Rio, in rum, tobacco, and sugar, which are invaluable, and the only medium of exchange," &c. &c.

Dividing his time between labouring his Australian fields with his own hands, and congenial studies, Muir spent about a year and a

half in comparative tranquillity.\* His fate, and that of the other patriots, had excited the strongest interest in America; and, according to Mr Mackenzie, a few generous individuals fitted out a vessel at New York, for a pretended voyage to China; but of which the object was to bring Muir off from Sydney. Into that harbour the captain went, under pretence of being short of wood and water. The plan succeeded completely. Muir got safely on board the Otter, with no property; for he had none transportable save his Bible and a few articles of clothing. He left a letter thanking the Governor for the kindness shewn him while in the colony.

We must, however, confess that the relation of many of the circumstances attending Muir's escape and subsequent adventures appears apocryphal; and the case needs no aid of ornament. The early part of his history in the colony is well authenticated, and also the later events of his life; and it is only certain that he got off in the Otter, an American vessel. The ship, probably in the natural course of a trading voyage, touched at Nootka Sound. An English brig of war, which had sailed from Botany Bay some days before the Otter, also lay here, and both the American captain and his passenger must have been alarmed for discovery. Muir, therefore, left the ship, risking the peril of traversing the whole continent of America, rather than that of falling once more under the tender mercies of Scottish Tory judges. After undergoing extreme hardship, and suffering an imprisonment of four months at the Havannah, he was allowed to go on board a Spanish frigate bound for Cadiz. Spain was, at that time, at war with Britain, and the ally of the French Republic; and one English vessel, blockading the port of Cadiz, attacked the frigate. A desperate action ensued, in which Muir fought with the Spaniards, and against the English, with the greatest intrepidity, and was severely wounded. It was known to the English that he was on board the frigate; but, when the ship struck, the Spaniards said that he had been killed and thrown overboard during the action; and, by some means or other, he was concealed for six days, and at last sent on shore with the rest of the wounded prisoners. Mr Mackenzie states that he was recognised by a surgeon of the English ship, who had been his schoolfellow. There is an air of romantic incident about parts of the story, which throws discredit upon it, although every circumstance, for aught we know, may be true to the letter. We shall, therefore, content ourselves with what Muir himself has told. From Cadiz, of date August 14, 1797, he wrote the following letter:—

"DEAR FRIEND,—Since the memorable evening on which I took leave of you at ———, my melancholy and agitated life has been a continued series of extraordinary events. I hope to meet you again in a few months.

"Contrary to my expectation, I am at last nearly cured of my numerous wounds. The Directory have shewn me great kindness. Their solicitude for an unfortunate being who has been so cruelly oppressed, is a balm of consolation which revives my drooping spirits. The Spaniards detain me as a prisoner because I am a Scotchman. But I have no doubt that the intervention of the Directory of the Great Republic will obtain my liberty. Remember me most affectionately to all my friends, who are the friends of liberty and of mankind. I remain, dear Sir, yours ever,

THOMAS MUIR,

The French Government offered the persecuted and expatriated Scottish Reformer an asylum, and the Directory made a formal demand that the Spanish authorities should give him up; and on his way to Paris, at Bourdeaux, the first considerable French city, "The brave Scottish advocate of liberty! the adopted citizen of France!" was received in triumph. This was in February 1798, Muir, in consequence of his sufferings for some years, and of his severe wound in the action in the harbour of Cadiz, was in very delicate health. On his arrival in Paris he addressed the Directory in fervent acknowledgment of the kindness that had been shewn to him, and to the cause of liberty in his person. We shall once more quote from Mackenzie's Life. If it be not always accurate in point of fact in some minor points, we are certain it is always right in feeling.

A deputation from the French Government immediately waited on Mr Muir, to congratulate him on his arrival in Paris. His company was now courted by the highest circles in France; and, indeed, he acquired the sympathy and esteem of all classes in that great community. Nothing was wanting, on their part, to make him happy—and of this, the grateful homage of his heart fully showed that he was deeply sensible. But his constitution was fast sinking. The wounds he had received were found to be incurable; and shortly afterwards, viz. on the 27th of September 1798, he expired at Chantilly, near Paris, and was interred there by the public authorities, with every possible respect.

His venerable parents, who had heard of his escape from Sydney, and subsequent history, were, as may well be imagined, greatly agitated by fresh hopes and fears on his account. Many an anxious thought they must have had about him. They received several letters from him, all breathing the most dutiful and affectionate regard. On his deathbed, he carefully sealed up the Bible which they had given him on his departure from Scotland, and which had been so miraculously preserved by him, through all the difficulties and dangers he had encountered, leaving an injunction that it should be forwarded to his parents by the first opportunity; and it was so forwarded, and received by them with mingled feelings of satisfaction and grief. They only survived him about two years.

Muir, who had done and suffered so much, died at the age of thirty-three. His relations owe his memory and the world the debt of making public as much of his correspondences with his family as concerns the abiding interests of the human race—those interests to which Muir was the disinterested Martyr.

The next trial in Scotland was that of Palmer. He appeared before the Circuit Court of Justiciary at Perth, and for the alleged crime

\* There were few, or almost no Bibles in the colony; and it is related that Muir used to print portions of Scripture with his pen, which he gave away in the way he considered the most useful. There could have been but one motive for this first missionary labour in this quarter of the globe.

of circulating a handbill or address, known to have been written by another person; and in which we can see no harm, whoever had written it. He was sentenced to transportation; but for *seven* years only. Perambulating courts, when abroad in the fresh air, and dining socially, are generally much more lenient than the solemn tribunals cooped up in Westminster Hall, the Four Courts, or the Parliament House of Edinburgh.

Mr Palmer was an Englishman, and the pastor of a small Unitarian congregation in Dundee, where we have heard that, at the time, he seemed rather misplaced. Probably Mr Palmer did not feel it so. He was a gentleman and a scholar, refined in mind and polished in manners; but he was also a sincere lover of his race, a true friend of the people. We have seen what Whitbread said of him in Parliament. A most romantic circumstance attended the banishment of this innocent man. A member of his Church, named Ellis, as soon as he heard this iniquitous sentence pronounced, formed the resolution of sharing Palmer's exile; and he actually accompanied him to New South Wales, and shared with him the period of his banishment. "For scarcely a righteous man will one die; yet peradventure for a good man some will even dare to die." We take the quotation from the book before us. It is apt and not too bold. Where a high motive is presented, the Gothic or the Christian world will never fail of counterparts to the Damon and Pythias of classic ages. Mr Palmer died of a fever at some of the islands of the Indian seas, upon his way home.

The summary punishment inflicted upon Muir and Palmer, did not quell the courage of the Friends of the People. In October 1793, the Convention met again, now first assuming the name of the British Convention; for Gerrald and Margarot had arrived as delegates from London, and delegates were also sent by Birmingham, Sheffield, and probably other places in England. Among those who had taken a leading part all along, but especially after the arrest of Muir, was William Skirving, afterwards tried for sedition, and subjected to the same cruel and ignominious punishment as his young and illustrious friend. Skirving was a man in middle life, and one who had long occupied a respectable station in society. His private character was in every respect estimable and unblemished.

He was the son of a farmer at Libberton, near Edinburgh, and had been educated for the Burgher Secession Church. After finishing his academical course at the University of Edinburgh, he studied divinity under the celebrated Professor John Brown of Haddington. He, however, abandoned his views to the ministry—which, as in the case of many other young men, might probably be rather those of his relatives than himself—and became a tutor in the family of Sir Alexander Dick of Prestonfield. He ultimately settled as a farmer in Kinross-shire, and married the daughter and only child of Mr Abercrombie, merchant in Kirkcaldy, with whom

he obtained the small estate of Strathruddie in Fifeshire. Skirving was fond of agriculture, upon which he published some treatises; and he even stood a competition with the late Dr Coventry for the Chair of Agriculture in the Edinburgh University.

His peculiar studies and publications brought him to Edinburgh, in 1792; and his liberal opinions, and high sense of public duty, enrolled him among the Friends of the People. He became "Secretary to the General Association of the Friends of the People." In those days, a name was a crime; and it was a serious charge against Skirving, that, in some document, he had been accidentally denominated the Secretary-General,\* which, together with *citizen*, *section*, (which term the people applied to their ward or district societies,) *honours of the sitting*, and a few other idle phrases, their Lordships, the criminal judges, fancied a very truculent, Frenchified, and alarming kind of polysyllables. *Convention*, though an old and familiar name in Scotland, now inferred the pains and penalties of sedition, at the least. But there was something about a *Convention of Emergency*—an extraordinary convention, in case Hessian and Hanoverian troops were brought over, and the *habeas corpus* suspended—which, though nothing was ever agreed upon about it, amounted to treason. And, indeed, in the course of all these trials, the prisoners were often told, from the bench, that their crimes could hardly be distinguished from treason; nor can it, we own, be more difficult to prove constructive treason than constructive sedition.

Mr Skirving continued to act as Secretary to the Convention after the condemnation of Muir and the arrival of the English delegates. He was present, and engaged in performing his official but unsalaried duty, when Mr Elder, the Lord Provost of Edinburgh, attended by a posse of constables, entered the hall of meeting in Blackfriars' Wynd, where the delegates were discussing their intended petition to Parliament, and commanded them to disperse. They yielded to the magistrate, but resolved not tamely to abandon their constitutional rights; and Mr Skirving, in his capacity of Secretary, called a meeting for next night without the jurisdiction of the city magistrates, in the suburbs of the town. Here they were again dispersed by the Sheriff-Substitute of the county. On both occasions, they submitted peacefully; but protested against the illegality of dispersing a body of citizens, met calmly to deliberate upon their grievances, and to petition Parliament for Reform. Skirving was arrested that same evening on a warrant from the Sheriff, and had his whole public and private papers carried off to the Sheriff's chambers.

The ferment in which the Scottish metropolis was at this time may be imagined; and the panic spread through the whole country. The trials of Muir and Palmer were seen to be but the

\* Skirving was the "Secretary-General Strathruddie, another great man of renown," of Bain White's doggerel, quoted above.



beginning of misery. THE REIGN OF TERROR was now at its height. The Scottish delegates returned home to their constituents, spreading dismay wherever they went. Gerrald was arrested. Margarot was arrested, and several other delegates. One stroke followed hard upon another. A letter addressed by Gerrald—and written from London, whither he had gone when liberated on bail—to Henry Dundas, contains the following accusation; indiscreet it may be, but who shall call it unjust?

I was taken out of my bed, in the city of Edinburgh, in December last, at an early hour of the morning, by five men with clubs in their hands, whose practices induced me to think that they were not the officers, but the violators of justice. I was dragged out by them without the production of any warrant, though I repeatedly demanded to see it. My papers were forcibly seized in the same illegal manner, and the stolen effects soon to be produced in evidence against me, (by a process that would do honour to the Inquisition,) are now in the possession of men who owe their situations to your patronage. I now, as an Englishman, in whose person the sacred rights of his country have been violated, publicly demand of you, Henry Dundas, Secretary of State, and Member of the city of Edinburgh, to avow your sanction, or to express your disapprobation of their proceedings.

The private history of such movements is not only more picturesque and interesting, but often goes deeper into the springs of action than historical records. The dispersion of that Convention upon which the hopes of the People were placed, seemed at that time little less than if the Duke of Wellington were now to march into the House of Commons at the head of a file of soldiers, and bid them remove Mr Abercromby's "bauble." On the second night, all Edinburgh was in commotion; but it was not known where the delegates were to meet, and their stanch adherents were accordingly broken into detachments, searching for them all round the town. This fortunately prevented an excited mass from assembling in any one spot.

The place where the British Convention met for the last time, was in a cabinet-maker's workshop, near about the ground now occupied by Rankellor Street, and entering from the Cross-causeway by an alley called Cowan's Close. The myrmidons of the Sheriff were better informed than the agitated members of the Sections throughout the city. It was a dark December night, and the Sheriff's train carried torches, to light them to their prey. The delegates yielded, as, upon the previous night—the President of the Convention, which happened to be Margarot, merely requiring to be handed by the Sheriff from the chair, to shew that he was coerced. The scene was very striking. The meetings of the Convention, in compliance with the spirit of the members, had always been opened and closed with prayer. A strong vein of enthusiastic piety runs through particularly the rural speeches and addresses of the period. They are full of Hebraisms, and of those turns of phrase peculiar to the Covenanters. Religion, since become rather of good fashion among the Tories, was certainly not the characteristic of the bold cavaliers of the profligate reign of Dundas; but the leading Reformers were generally

"crop-eared, snivelling, praying knaves." A good many of the delegates were Dissenting clergymen. Muir, young as he was, had been an elder of the kirk. Skirving was educated for a Dissenting minister, and was a sincerely pious man; and, when the brilliant Gerrald came to join the puritans of Scotland, he disguised the high-bred gentleman and accomplished scholar under the sober garb of a Quaker, and wore his long hair in the primitive fashion of that sect. On the last night, Gerrald requested leave to pray as in ordinary sittings, before the Convention was finally dispersed by authority. The Sheriff granted permission; and he and the few persons with him, for his main force was stationed without doors, uncovered and stood mixed with the delegates, while Gerrald uttered this remarkable prayer—

"O thou Governor of the Universe! we rejoice that, at all times and in all circumstances, we have liberty to approach thy throne; and that we are assured that no sacrifice is more acceptable to thee, than that which is made for the relief of the oppressed. In this moment of trial and persecution, we pray that thou wouldst be our defender, our counsellor, and our guide. Oh, be thou a pillar of fire to us, as thou wast to our fathers of old, to enlighten and to direct us; and to our enemies a pillar of cloud, and darkness, and confusion.

"Thou art thyself the great patron of liberty. Thy service is perfect freedom. Prosper, we beseech thee, every endeavour which we make to promote thy cause; for we consider the cause of truth, or every cause which tends to promote the happiness of thy creatures, as *thy* cause.

"O thou merciful Father of mankind, enable us, for thy name's sake, to endure persecution with fortitude; and may we believe that all trials and tribulations of life which we endure, shall work together for good to them that love thee; and grant that, the greater the evil, and the longer it may be continued, the greater good, in thy holy and adorable providence, may be produced therefrom. And this we beg, not for our own merits, but through the merits of Him who is hereafter to judge the world in righteousness and mercy."

The thrilling power of this prayer, at a moment of great excitement, was long spoken of by the auditors as something superhuman. When the delegates left the loft, and descended in groups to the open air, the agitated crowd, and the whole scene lighted by the flaming flambeaux of the Sheriff's waiting train, was wild and striking.

"Behold!" cried Gerrald, "*the funeral torches of Liberty!*"

Skirving, as we have mentioned, was arrested on the same night; Gerrald, Margarot, and Sinclair on the following nights; and every hour brought its terrors in domiciliary visits, temporary arrests, and the seizure of papers. Skirving was tried on the 6th January 1794. He acted as his own counsel, and conducted his case with great ability and acuteness. Upon the voyage to Botany Bay, and from the colony, after eleven months, we find him writing to his wife in these terms:—

"My increasing love for you constrains me already to begin writing to you; but I shall keep my letter open while I may not lose the first opportunity of transmitting it. My unshaken faith in God our Saviour, that he is and will continue to be the husband of my widow, and the father of my fatherless, while the designs of his providence require the continuation of our separation, con-

tinnes my support in this very unpleasant voyage. I trust your experience of this grace supports your comfort, and invigorates your faith and hope in the same Almighty power and love."

"Dec. 1794.

"I am already an heritor and freeholder in New South Wales; I have purchased a farm, crop, and work already done upon it, valued above £80; I have also got all upon it, man, woman, and beast. I am not, however, in the slave trade, he assured, but shall treat them as brethren, if they behave well: I have also the servant allowed me by the Governor, and a lad of the name of Moor, belonging to Edinburgh, a free man, who was left here by accident some time ago, whom I found in a very destitute condition. In remembrance of you, I have given the name of New Strathruddie to this far away farm, and, I trust, if I get any tolerable assistance sent me, to make it soon of more value than the old."

"This excellent man and true patriot died in the spring of 1796. His death was communicated to Mrs Skirving by Palmer, in a very affecting letter, which concludes thus:—

"Mr Balmain, the principal surgeon of the settlement, and the only one at that time for this district, never paid him a single visit; but our excellent friend Mr Ross, surgeon of the *Reliance*, in spite of all the obloquy attending it, or the prejudice it might do his interest, attended him twice a-day. Be assured that every possible care and attention was paid him by me, Mr and Mrs Boston, and Ellis, who lives with me. He had soups, wine, spirits, tea, and every comfort, which friends, money, and this island could afford.

"Three days before him, died the accomplished Mr Gerrald."

JOSEPH GERRALD was undoubtedly the most brilliant of this band of Martyrs. He was one of those rare characters, combining the highest powers of intellect with their noblest direction, that arise but once in a generation. We are glad to find that the editors of the publication before us have been able to discover several interesting additional facts concerning Gerrald.

Gerrald was the only son of an Irish gentleman who had settled in the West Indies. His mother was an Englishwoman. He was born in St Kitt's, but was brought to England in infancy; and, at twelve years of age, was left an orphan, and imagined rich. Gerrald was placed under the care of Dr Parr, who, to the last, shewed him the kindness and affection of the fondest father. The conduct of this warm and right-hearted man to his pupil Gerrald, to Mr Hone, and to all Reformers in their dark and trying hours, hal- low to us every eccentricity and trifling blemish with which he has been wantonly charged: vices he had none; failings none, that did not arise from extreme good-nature and simplicity.

When Gerrald attained his majority, it was found that his fortune, like other West India possessions, was greatly embarrassed. He married rashly, and was left a young widower with two children. Misfortune and imprudence, or, at least, improvidence, threw him into pecuniary difficulty, and he went to America, and, for some years, practised at the bar. His political education, begun under Dr Parr, was thus completed in the United States.

In 1788, he returned to London, in very delicate health, to conduct a law-suit for the recovery of his patrimony; and, from this period, until, in

1793, that he arrived in Edinburgh as a delegate to the British Convention, he appears to have been a good deal interested in literary and political discussions. In boyhood, he had been known to WILLIAM PITT THE REFORMER; in manhood, he was the friend of WILLIAM GODWIN THE REFORMER.

The impassioned eloquence and enthusiastic patriotism of Gerrald, gave a strong impulse to the Reformers of Scotland. In Edinburgh, in particular, the young and ardent crowded around him night and day; hanging upon his glowing words as upon the accents of inspiration. Muir in the hulks, and, at least, as pure a patriot, was forgotten in Gerrald. Every morning his levee at the BLACK BULL was crowded with admiring delegates and worshippers from the country; and every night he was attended by a train when he visited and harangued the different sections. The alarm of Government at the increasing influence of this one man, must have justified the severity of their measures in their own eyes, though no other cause of apprehension had existed.

The traditionary accounts of the eloquence and mental power of Gerrald, will scarcely appear exaggerated to those who peruse his trial and his political writings. The Scottish bar had been shamed out of its supineness or cowardice by this time; and the Liberal counsel assigned to Gerrald by the merciful court, did their duty, as lawyers, manfully. But he was his own best advocate; and even then, his Tory judges declared that Gerrald was the most eloquent man that had ever pleaded at that bar. Had he yielded to the entreaties of Dr Parr and his other friends, he never would have appeared there; but he disdained their prudent and experienced counsels, and *dread'd his weird*.

"He heard my proposal attentively," says Dr Parr, in a written memorandum of this occurrence, "but with no emotion of joy. At first he paused; then, after discussing with me the propriety of the proposal, he peremptorily refused to accede to it; and finally, after hearing my earnest entreaties and affectionate remonstrances, closed our conversation in words to the following effect:—'In any ordinary case,' said he 'I should, without the smallest hesitation, and with the warmest gratitude, avail myself of your offer. I readily admit that my associates will not suffer more, because I suffer less. I am inclined to believe with you, that the sense of their own sufferings will be alleviated by their knowledge of my escape. But my honour is pledged; and no opportunity for flight, however favourable—no expectation of danger, however alarming—no excuse for consulting my own safety, however plausible, shall induce me to violate that pledge. I gave it to men whom I esteem, and respect, and pity; to men who, by avowing similar principles, have been brought into similar peril; to men who were confirmed in those principles and led into that peril, by the influence of my own arguments, my own persuasions, and my own example. Under these circumstances, they became partakers of my responsibility to the law; and, therefore under no circumstances, will I shrink from the participation with them in the rigours of any punishment which that law, as likely to be administered in Scotland, may ordain for us.' He uttered the foregoing words emphatically, but not turbulently; and, finding him fixedly determined upon returning that night to Scotland, I did not harass his mind by any farther remonstrance. He was very calm, before we parted; and I left him, under the very

strongest impressions of compassion for his sufferings, admiration of his courage, and moral approbation of his delicacy and his fidelity."

In this compilation, we do not find a letter written by Dr Parr to the unfortunate Gerrald in the hulks, which the most obdurate cannot read without being melted; but we meet, for the first time with a document of very great interest—a noble letter from Godwin to his friend, when upon the eve of the trial. Godwin was aware of the warm and impetuous temper of his friend Gerrald—a "child of the sun;" and, without seeking to damp his generous ardour, he offers him the wisest counsel with the warmest sympathy. We shall take but one passage from a letter which cannot be neglected in whatever memoir of its distinguished writer may appear.

"Your trial, if you so please, may be a day such as England, and, I believe the world, never saw. It may be the means of converting thousands, and progressively millions, to the cause of reason and public justice. You have a great stake. You place your fortune, your youth, your liberty, and your talents, on a single throw. If you must suffer, do not, I conjure you, suffer without first making use of this opportunity of telling a tale upon which the happiness of nations depends. Spare none of the resources of your powerful mind. Is this a day for reserves, a day to be slurred over in negligence and neglect, the day that constitutes the very crisis of your fate?"

"Never forget that juries are men, and that men are made of penetrable stuff. Probe all the recesses of their souls. Do not spend your strength in vain defiance and empty vaunting. Let every syllable you utter be fraught with persuasion. What an event would it be for England and mankind, if you could gain an acquittal! Is not such an event worthy striving for? It is in man, I am sure it is, to effect that event. Gerrald, you are that man. Fertile in genius, strong in moral feeling, prepared with every accomplishment that literature and reflection can give. Stand up to the situation. Be wholly yourself."

"Above all, let me entreat you to abstain from all harsh epithets and bitter invective. Show that you are not terrible, but kind, and anxious for the good of all. Truth will lose nothing by this. Truth can never gain by passion, violence, and resentment. It is never so strong as in the firm, fixed mind, that yields to the emotions neither of rage nor fear. It is by calm and collected boldness that we can shake the pillars of the vault of Heaven. How great will you appear if you show that all the injustice with which you are treated cannot move you; that you are too great to be wounded by their arrows; that you still hold the steadfast course which becomes the friend of man; and that, while you expose their rottenness, you harbour no revenge? Men of this unaltered spirit, whom no persecution can embitter, the public want. The jury, the world, will feel your value, if you shew yourself such a man. Let no human ferment mix in the sacred work.

"We will be sacrificers, but not butchers, Cassius.  
We'll carve them as a dish fit for the Gods—  
But brew them as a carrion fit for hounds!"

("You will not mistake my meaning in this quotation. I adopt the spirit, not the letter.")

"Imitate the courage and self-possession, but not the barbarity, of Horne Tooke, in his last trial. You will find some invaluable hints in Hawley's pamphlet.

"Farewell!—My whole soul goes with you.

"W. GODWIN.  
Jan. 29, 1794."

"YOU REPRESENT US ALL!"

Gerrald's defence justified every hope that Godwin could have entertained from the talents and power of his friend, and the event every fear of

the Reformers. He languished for above a year in Newgate, having for his companion his infant daughter. We think this poor child died soon afterwards. Upon the 2d May 1795, he was suddenly roused from a sick bed and conveyed to Gosport, where he was put on board the Sovereign transport, which was already freighted with felons, and about to sail for Botany Bay. His removal was so abrupt and unexpected that he was not allowed to provide himself with the common necessaries of life, nor even to take leave of his orphan children.

From on board the hulks at Portsmouth, Gerrald wrote farewell letters to many of his friends; and the following epistle throws so much light upon the true character of the kind-hearted Dr Parr's "dear, dear, Joseph," that we cannot forbear citing it:—

"MY DEAR MR PHILLIPS—I know not how to express the rising sentiments of my heart for your unbounded kindness to me. The best return, the only return I can make, is, to convince you, by the virtue and energy of my conduct, that I am not altogether unworthy of your friendship. A parade of professions neither suits you, nor me, nor the occasion. You know my feelings, and will, therefore, do justice to them; and with this simple observation, I close the subject. I have repeatedly attempted to write to my ever honoured and loved friend and father, Dr Parr; but it is impossible. The tender and filial affection which I bear to him, the recollection of the many endearing scenes which we have passed together, the sacred relation which subsists between Joseph Gerrald and that Samuel Parr who poured into my untutored mind the elements of all, either of learning or morals which is valuable about me; whose great instructions planted in my bosom the seeds of magnanimity, which I trust I now display, and at which persecution herself must stand abashed; all these, my friend, rush at once upon my mind, and form a conflict of feeling, an awful confusion, which I cannot describe; but which he, who is the cause, I know can feel, and feel in the most full and virtuous extent. To the greater part of my friends I have written—to Dr Parr I have not written; but to his heart my silence speaks. The painter who could not express the excessive grief, covered with a veil the face of Agamemnon. Tell him, then, my dear Mr Phillips, that, if ever I have spoken peevishly of his supposed neglect of me, he must, nay, I know he will, attribute it to its real cause—a love, vehement and jealous, and which, in a temper like Gerrald's, lights its torches at the fire of the Furies. And when my tongue uttered any harshness of expression, even at that very period my heart would have bled for him; and the compunction of the next moment inflicted a punishment far more than adequate to the guilt of the preceding one. Tell him to estimate my situation, not by the tenderness of his own feelings, but by the firmness of mine. Tell him that, if my destiny is apparently rigorous, the unconquerable firmness of my mind breaks the blow which it cannot avert; and that, enlisted as I am in the cause of truth and virtue, I bear about me a patient integrity which no blandishments can corrupt, and a heart which no dangers can daunt. Tell him, in a word; that as I have hitherto lived, let the hour of dissolution come when it may, I shall die the pupil of Samuel Parr," &c. &c.

His other letters breathe the most dignified philosophy and manly firmness. We have already told the fate of this "rash and unfortunate, but most ingenious and eloquent man."

Such were the men, THE POLITICAL MARTYRS OF SCOTLAND, for whom Mr Hume is about to bestir himself. Whatever mode he may consider best fitted to do honour to their memories, and to the cause for which they so nobly suffered, and

20\* DINNER DIRGE.—ELSPA'S SOLILOQUY.—ON DRYING SOME WILD FLOWERS.

whatever time he may deem most expedient, we are confident that every Reformer in the United Kingdom will approve his generous purpose, and cordially support his measure.

Let us again recommend the three small publications before us to Reformers. They will form a useful portion of their political manual.

DINNER DIRGE FOR THE TORIES OF THE MODERN ATHENS.

Good people, hear  
Our tale so drear,  
And us poor Tories pity,  
Who cannot get  
Our dinner eat,  
After so much entreaty.  
By some a host  
Is needed most ;  
But that is not our quest—  
We've hosts enow,  
But yet, somehow,  
We cannot get a guest.  
We bought nice prog,  
And brewed stout grog,  
To entertain our Bobby ;  
But some folks west  
Have prigged our guest,  
And swashed our guzzling hobby.  
They've clubbed their *boobs*,  
(Excuse our sobs,)  
To give Bob a rare *blow out* ;

To us a clean  
Blow up it's been,  
For our dinner's now a *roué*.  
The truth to tell,  
We know full well,  
Bob thinks (though he sings dumb)  
A banquet here  
Would be *small beer*  
After a feed so *rum*.  
Our feast has past  
Into a *fast*,  
Our laurels changed to *rus* ;  
Our *enow's* missed,  
Our *fete's* unbleat,  
We never looked so *blue*.  
But yet, Bob P—  
To feed, may feel  
Inclined some other day ;  
So, to cure grief,  
We'll *cure* our beef,  
And stow the junk away !

8.

ELSPA'S SOLILOQUY.

"There's twa moons the nicht,"  
Quoth the auld wife till hersel',  
As she toddled hame fu' cantie,  
Wi' her stomach steep'd wi' yill.  
"There's twa moons the nicht ;  
An' watery do they glow,  
As their wicks were burnin' darkly,  
An' their oil were burnin' ower.  
"An' they're aye spark-sparkin',  
As my ain auld croozie did  
Whan it blinkit by the ingle,  
An' the rain drapt on its lid.

"Oh, wae's me but I'm late the nicht !  
An' on the cauld hearth-stane,  
Puir Tammie 'll be croonin',  
Wae an' weary, a' his lane.  
"The wee bit spunk o' fire I left,  
By this time's black an' cauld—  
'Od, I'll ne'er stay oot sae late at o'en,  
For I ken I'm frail an' auld !  
"I never like till see twa moons—  
They speak o' storm an' rain ;  
An' aye whan the neist mornin' comes,  
My auld head's rack'd wi' pain."

A. P.

ON DRYING SOME WILD FLOWERS FOR A SISTER IN AMERICA.

I love them for calling me back into dreams  
Of the blue Highland mountains and echoing streams.

CAMPBELL.

Go, flow'rets of my native land, across the billow's foam !  
Bear sweet thoughts to a gentle heart of her own mountain home !  
And as she sees in fancy's eye each dear familiar spot,  
Oh, tell her that on Scotia's hills she ne'er shall be forgot !  
Her figure floats before me still with all its wonted grace—  
I see the smile of fond delight upon her lovely face ;  
And when the evening breezes sigh through the slight aspen trees,  
I think her voice is blending there its wild sweet melody.

I stood beside a corn-field, rich with autumn's golden hue,  
Where scarlet poppies to the breeze their fairy banners throw ;  
I gathered one, its leaves I traced with rude, unskilful hand—  
Yet may it bring a thought to thee of thine own blessed land.  
This blossomed by a lovely stream, the blue forget-me-not,  
As it had sprung from out the wave in that secluded spot.

It was a wild and lovely place: the torrent's dashing might  
Flung up a cloud of silver spray into the sunny light,  
And rushed among the large old rocks o'erhung with lichens grey—  
Now hid beneath the bending trees, now flashing into day.

But there was one deep pool where heaven lay glassed in  
deepest rest,  
With all the soft and dreamy clouds that wandered o'er  
her breast ;  
And those sweet flowers of purest blue grew all around  
the spot,  
Recalling many an absent form—the lov'd, the unforgot !

I would these flowers might deck thy hair, and bring thee  
back the time  
When thy foot has pressed the glowing heath in Scotia's  
happy clime !  
I would that o'er their blossoms I might breath a spell of  
power,  
To keep through many an after day the beauty of this  
hour—  
In all the freshness of their spring to meet thy gentle eye—  
To bear afar my love to thee, and in thy sight to die !  
It may not be—the fairest things but live their little hour,  
And change will cloud the clearest sky, and dim the  
brightest flower.

I would that thou wert here !—the flowers are all so fair  
and sweet,  
And showers of roses strew around a carpet for thy feet ;  
The heather bell is crimsoning upon the mountains high,  
And nature laughs in loveliness where'er I turn my eye :  
It is a glorious home of ours, this land of flood and fell—  
Soon may I hail thee back to it !—sweet sister, fare-thee-  
well !

INEX.