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A

MEMOIR

OF THE

LIFE

OF THE RIGHT HONOURABLE

JOHN PHILPOT CURRAN,

LATE MASTER OF THE ROLLS IN IRELAND.

London :

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1817.



TO
HIS GRACE,
J A M E S,
DUKE AND EARL OF ROXBURGHE,
MARQUIS OF BEAUMONT,
&c. &c. &c.

MY LORD DUKE,

I BEG leave to dedicate to your GRACE, a MEMOIR of the LIFE of the Right Honourable JOHN CURRAN, late *Master of the Rolls in Ireland*, one of the most eloquent Men of his Age and Country.

I also gladly seize this Opportunity, thus publickly to offer my sincere and hearty Congratulations, on the Birth, and early Promise of your SON, the MARQUIS of BEAUMONT. Born on the classic Banks of the Tweed, and in the immediate Vicinity of that Spot which produced one of the most enchanting of the Scottish Poets, he will doubtless learn, from his

DEDICATION.

earliest Youth, how to estimate Men of Genius, the Patronage of whom, while it reflects Honour on the most distinguished Individuals, is intimately connected with the Glory, the Security, and the Independence of free States.

Educated, as I trust his Lordship is destined to be, under the immediate Auspices of your Grace, he will of course be taught an ardent Love of that Constitution, which placed the illustrious Family of Brunswick on the Throne of these Realms; and by including two Nations within its Pale—an Union to which your Ancestor, the first Duke of Roxburghe, most powerfully and efficaciously contributed—has conferred Happiness, Prosperity, and Security on both.

I cannot conclude, without observing, that this Mark of Esteem has been suggested solely and entirely by Gratitude for the many singular Favours conferred on,

MY LORD DUKE,

Your Grace's most humble,

And very obedient Servant,

ALEX. STEPHENS.

*Park-House, Chelsea,
Dec. 8, 1817.*

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JOHAN PHILPOT CURRAN, the sole architect of his own fame and fortune, is neither indebted to the lustre of high descent, nor to the aid of splendid connexions, for his rise in life.

A native of Munster, the village of Newmarket, in the county of Cork, lays claim to the honour of having produced him. The precise epoch of his birth is unknown; but it is supposed to have taken place, either in or about the year 1749 or 1750. His parents were at once needy and obscure; they could afford him nothing more than the first rudiments of education, in a little provincial school upwards of one hundred and twenty miles distant from the

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capital. By their fostering care and unwearied attention, however, in respect to this important point, much good was effected; within the walls of this obscure seminary, were implanted the first seeds of human knowledge; and time and opportunity at length enabled their darling son to reap a rich and luxuriant harvest.

Respecting his father's particular merits, he was in general silent; but the tenderness of his mother, at times excited the most pleasant and endearing recollections. He was accustomed to speak of her unceasing affection and domestic virtues with filial reverence; and it is not unpleasing to reflect, that she lived long enough to enjoy the inexpressible happiness of finding all her dearest and fondest hopes fully and amply realized, by the rapid advancement of her beloved offspring.

Young Curran, from his earliest infancy, exhibited an aspiring genius. Nature had bestowed an ardent temperament; and this taught him to soar far above his humble birth, and the lowly station seemingly assigned by fortune. Whatever might have been the means resorted to, or modes adopted at this early period, certain it is that his studies were liberal, and his acquirements extraordinary: for we find him, while yet a youth, alike unprotected and unknown, aspiring to complete his education at the University of Dublin. There, as at Oxford and Cambridge, it doubtless never was the intention of the munificent founders to narrow their views in such a manner, as to include the rich only within the hallowed pale of their noble institutions. Yet, in consequence of a variety of intervening circumstances, meritorious poverty, and talents devoid of wealth, are now nearly excluded from their precincts; or, if admitted

at all, the fortunate candidate is branded with a name that implies something like degradation, and placed in a situation that is supposed to be connected with servility.

It was accordingly in the humble station of a *sizer*, that this distinguished Irishman was first admitted into Trinity College; and in that capacity he there obtained his education free of expence. He does not appear to have rendered himself celebrated at this period by any extraordinary endowments of mind, or any very laborious application to his studies. Whitbread, and Fox, and Windham, three Englishmen, who afterwards astonished the senate of their native country, by the extent and variety of their talents, seem to have been undistinguished by prizes in early life; these were snatched with facility by Hare, and a number of young men, whom afterwards they left far behind them in the career of public affairs. Even Burke did not render himself conspicuous, nor were his talents fully developed until a late period; perhaps it was not without some labour and difficulty that he obtained his bachelor's degree. As for Curran, his contemporaries have taxed their memory in vain, to recollect any thing new, extraordinary, or original, respecting him: they can only remember what is not at all disreputable to the future orator, that so scanty were his finances, and so restricted his credit also, at this period, that he was only distinguished from his companions by being generally destitute of a whole coat!

Following the usual track, and performing the exercises commonly prescribed by the rules of the university, after the lapse of two years, we find that he obtained a scholarship. This was the first step in the ladder of

preferment; the second proved far more arduous. To earn a fellowship, the candidate must undergo a new, laborious, and fatiguing course of study; he ought to exhibit in the first place a high portion of classical attainments; it was also expected that he should be familiar with the whole circle of arts and sciences; and in short, the acquirements here demanded on this occasion, appear greater than what would be actually required elsewhere for a professorship. Some young men of intense application, and sanguine habits, are reported to have hurt their health by the contest; while others are said to have actually endangered their lives. Our *Tyro* was indeed of a warm and energetic spirit, burning with a desire of improvement, and not unmindful of eminence and distinction. But neither the turn of his mind, nor the strength of his body, enabled him to enter the lists with such combatants as these; what he achieved was always effected by sudden exertion, rather than by long-continued efforts; and accordingly he was not at all disposed to become a martyr to unceasing toil, coupled with uncertain success, on the present occasion.

The law has ever proved an object of honourable ambition to young and daring spirits, even when unsupported by alliances, and unaided by fortune. In respect to this profession, too, all the prejudices of the feudal ages vanish: it is merit here that alone ennobles: birth is not a necessary qualification; and wealth sickens in the contest with genius. To the bar, and perhaps to the bench—for where is the young man who ever attained such a distinction, that had not his waking dreams embellished with the ermined robe of justice, while the Great Seal dangled

before him?—To the bar, then, Mr. Curran now looked up with wistful eyes.

His struggles, his difficulties, his crosses, his repulses, and all the long list of accessory circumstances, that tended either to impede his views, or, finally, to marshal the way to his success, after the lapse of almost half a century, are now either unknown, or forgotten. It appears certain, however, as Ireland, at this period, was not only deprived of an independent legislature, but even of *Inns of Court*, that he was obliged to remove to London, for initiation; and most probably, like the rest of his countrymen, he entered himself of the Middle Temple, where the seats extending from the left of the Benchers' table, to the noble screen of high-wrought wainscot, has been long known by the appellation of the *Irish Side*. It is certain, also, that he soon after received what is termed, in the language of former times, "a call," in 1775; and, after a decent interval, finally exchanged his student's gown for that of an "utter-barrister."

This has, at present, become an expensive ceremony; and even then, when the fees were small, and a stamp-duty unknown, implied funds, and required an expenditure, the original source of which is here frankly allowed to be unknown.

We at length find Mr. Curran in his own country, attending sessions and the circuit, and appearing occasionally in the four courts at Dublin. That he was a long time "briefless," we have often heard, but do not altogether credit; certain it is, that he remained for some years in great obscurity. It would be curious, and not altogether unuseful, to learn the primary cause of his rise—correctly to trace

his humble course—and to be minutely informed in respect to the leading circumstances that at once procured for him both fame and bread!

So great, however, even then, was his confidence, either in his present powers or his future destiny, that, about this period, he actually entered into the married state, fearlessly encountering the expences of house-keeping, and the probable inconveniences incident to a young and numerous family. The lady selected by him on this occasion was a Miss O'Dell, a native of his own country, possessing respectable connexions indeed; but who, like himself, is said to have been entirely destitute of the gifts of fortune. A child, the first fruit of this early union, made its appearance in about a twelvemonth; but if it was endeared to them on one hand, by parental affection, so scanty was their income at this period, that it served, on the other, to increase their cares and incumbrances.

Passing rapidly over a multitude of melancholy reflections, arising out of an alliance, which unfortunately commenced in embarrassments, and ended some years afterwards in a legal separation; we now arrive at that period when prosperity first began to dawn on the subject of this narrative. By degrees he rendered himself known and respected. If report be correct, he was indebted for his first patron, and early fame, to his own manly spirit, coupled with that mental energy, to which a little incident proved favourable.

Happening to be retained during an election contest, in which common-place abuse and reciprocal invective are so frequently recurred to, both in England and Ireland, in preference to either law or reason, he employed both his wit

and his satire against the pretensions of the opposing candidate, and particularly objected to the eligibility of a vote tendered in his behalf. This instantly produced many gross personal allusions on the part of the adversary; and the supposed meanness of the Barrister's figure and dress, strongly implicating a want both of the outward gifts of nature and fortune, proved a fruitful, although vulgar, theme for declamation. Restrained, alone, by the presence of the presiding magistrate, from bestowing personal chastisement on the spot, Mr. Curran was forced to recur to other weapons, and instantly poured forth such a torrent of sarcastic eloquence, that he overwhelmed his opponent with shame and confusion, while he at the same time enlisted all the noble and all the generous passions of his auditors, on the side of outraged humanity.

NON SINE DIIS, ANIMOSUS PUER!

His antagonist, instead of recurring, on this occasion, to *a case of pistols*, now become the modern ordeal of right and wrong, had sense and generosity enough to acknowledge his error: nay, he did more, he granted his friendship and protection to the young lawyer, and is said to have actually contributed not a little, by his influence, to place his merits and his talents in a fairer point of view.

To a man so born and so gifted, it is not difficult to guess at his political opinions: these, both then and ever after, were of a liberal and independent cast. Attached to Ireland by the indissoluble ties of soil, education, kindred, and friendship, to which also may be fairly added *compassion*, he constantly sighed for the prosperity and independence of his native country.

He considered her connexion with England as necessary to the welfare and safety of both nations ; yet he wished the latter not to view her with the jealous eye of an outrageous step-mother, but with the kind, and tender, and affectionate looks of a fond parent. He consequently disclaimed the appelland jurisdiction affected by the Courts, and the Parliamentary authority, at that time pretended to be vested in the legislature of Great Britain. He lived, indeed, to see these pretensions withdrawn and annulled ; but the commerce of Ireland was still shackled : and as religious distinctions continued to divide and distract his parent-country, he was one of the few, who, foreseeing the progress of reason, and the career of human events, already began to anticipate those liberal concessions to policy—or rather that politic deference to justice—which has since produced much benefit to, although it has not as yet entirely healed the wounds and completed the happiness, of the land that gave him birth.

“ *Animo vidit, ingenio complexus est, eloquentia illuminavit.*”
CICERO.

The most distinguished members of the present cabinet, particularly those born in the sister island, have lately added their weight and testimony in support of his early opinions.

At length, at the close of the fatal contest with America, it was generously resolved to conciliate Ireland, still smarting under the sufferings and oppression of more than three centuries. Accordingly, an administration, deeply imbued with the necessity of such a measure, was formed, and in the spring of 1782, William Henry Cavendish, Duke of Portland, was sent,

in the capacity of Lord-Lieutenant, to Ireland, under the happiest presages. During his short administration, of only five months' duration, Mr. Curran changed his stuff gown for a silk one; and had his Grace happily remained, he would probably have been advanced to a still higher station by the crown.

Nor were his political services in Parliament deemed unworthy of acquisition, for he obtained a seat for the borough of Kilbeggin, in the county of Westmeath, and began to distinguish himself as an *Irish Whig*, in the House of Commons of his native country.

The Right Honourable Henry Flood, then also a celebrated character, was nominated his colleague upon the present occasion; and they continued, during many years, with equal zeal and eloquence, to perform a conspicuous part in all the great questions that agitated the debates of that day. From the general election, in 1783, until the dissolution which took place nearly seven years after, these youthful orators acted in concert, and cordially professed the same sentiments, on all important occasions.

In the new Parliament, convoked in July, 1790, we find Mr. Curran returned for the borough of Rathcormuck, in the county of Cork, which he continued to represent until the summer of 1797, when another dissolution ensued. He was not nominated, however, to a seat in that House of Commons which met January 9, 1798, and paved the way, by its votes, to the Union in 1800. It is not here meant to hazard any private opinion on that great and important measure. Certain it is, that it was viewed with an unfriendly eye by the subject of this memoir. He always considered the scheme to be fraught with no common evils to both nations; as cal-

culated to detract from the dignity and prosperity of Ireland on one hand, while it more than doubled the representative corruption and servility of England on the other.

Meanwhile the silk gown of the counsel was heard to rustle frequently in the King's Bench, and still oftener at the Chancery bar. His clients increased apace, and he became a *leader*; his chambers were thronged with attornies; the brilliancy of his wit, the readiness of his reply, the tartness of his retort, happily combined together, in forming a new species of eloquence, which appeared to have found a favourable reception in the superior courts.

At length, however, a "nipping frost" seemed destined to bereave him of all his honours. With Mr. Fitzgibbon, while Attorney-General, he had frequent contests both in the House of Commons and elsewhere. Bold, able, and overbearing, the latter affected to disdain the puny efforts of his rival, who, however, by means of his frequent, vigorous, irregular, and Cossack-like assaults, not unfrequently penetrated the steel-proof armour of this veteran Cuirassier; and, on more than one occasion, actually tumbled him prostrate from his lofty steed. These marked hostilities finally produced a duel, in which both combatants exhibited great courage. After such a conflict, the laws of honour infer not only reciprocal forgiveness, but something approximating to a chivalrous respect. The Earl of Clare, however, is said to have proved vindictive on this occasion, for he avenged that quarrel, which Mr. Fitzgibbon was supposed to have forgotten. In an evil hour for the fortunes of Mr. Curran, this gentleman, in 1789, was nominated Chancellor, and a Peer of Ireland; and, from his high and dignified station on the bench, instantly

frowned disrepute on his former antagonist. His clients left him in dismay ; no solicitor dared to send him a retainer : he was now once more without a brief, and obliged finally to abandon a court where he had been suddenly bereaved of his practice. On mentioning the losses arising from this event to the individual who now attempts to present a feeble outline of his life and character, the lordly estimate seemed to appal the one party with surprise, while it inspired the other with a just indignation.

Mr. Curran, in the double capacity of a senator and a barrister, continued, notwithstanding this, for many years to distinguish himself both in the House of Commons, and the other courts of justice.

On this subject it is meant to be brief. The first of his recorded speeches, as a burgess in the Irish Parliament, was made in 1783, on a point which had been long settled in England, but still seems to have been an object of discussion in his native country ;—the right of the Commons of Ireland to originate all money-bills.*

Two years after this we find him arguing the question of “ attachments,” which, about the same period, and we believe on the same occasion, occupied all the powers and all the assiduity of Mr. (now Lord) Erskine. It is almost unnecessary to add, that he spoke on what is usually termed the constitutional side of the question, and was violently opposed by the then † Attorney-General, to whom he instantly rejoined in a speech full of bitterness.‡

The new commercial code, included in

* See page 59.

† Mr. Fitzgibbon.

‡ See page 65.

what is usually called "Mr. Orde's Propositions," soon after this, engaged much attention, and produced no small degree of warmth and altercation, both in the senates of England and of Ireland. He was of course averse from measures, calculated, in his opinion, to ruin the prosperity and independence of his native land; but, when the overthrow of this scheme was completed, he displayed abundant good temper, and advised his countrymen to enjoy their triumph with moderation, and reserve their power and their strength, for new and more critical occurrences*.

Mr. Curran also, in 1786, made two successive harangues in favour of the Bill for limiting Irish pensions †; and one able address, in 1796, in support of "Catholic Emancipation,"—a subject always near to his heart ‡.

No one of his speeches, as a barrister, has been edited anterior to 1790, although he had long before distinguished himself by his pleadings. The first printed one § was delivered before the Lord Lieutenant and Privy Council of Ireland, relative to the right of election, in respect to a Lord Mayor of the city of Dublin. In 1794 he defended Mr. Archibald Hamilton Rowan, on a prosecution for a libel, in the Court of King's Bench of Ireland, with much eloquence, but very inadequate success ||. He afterwards moved to set aside the verdict without effect, as that gentleman was sentenced to pay a large fine, and suffer a long imprisonment ¶. But, although the eloquent counsel

* See page 75.

† See page 95.

‡ See page 109.

§ See page 1.

|| See page 131.

¶ See page 109.

could neither prevail with the court nor with the jury, both his speeches produced, at their termination, successive and continued bursts of applause; and, on leaving the bar, he was drawn home by the populace. Now that a calm has succeeded to those days of turbulence and uproar, it will be perceived by every candid reader, that in happier times, and in a less distracted country, he might have proved more fortunate.

His defence of Mr. Finney for high treason, in 1790, was however followed by an immediate acquittal. On this occasion, too, he distinguished himself by the fine flow of his eloquence; and deemed it necessary to conclude by beseeching the jury, “if ever assailed by the ruffian-hand of the *informer*, to endeavour to find an all-powerful refuge in the example they should set that day;” he hoped also “they would never experience the tedious hours of captivity, nor pine in the damps and gloom of the dungeon;” and he solemnly adjured them to recollect they were in the presence of “an adjudging God * !”

His speeches in the case of Mr. Peter Finerty, nearly about the same time, will be read by some with surprise, by others with indignation;—by all with an accompanying sorrow †. In his defence of Mr. Oliver Bond ‡, in addition to his usual eloquence, he has contrived so to blacken and disgrace the character of a miscreant bartering blood against gold, that it is impossible to read his address without feelings of a most peculiar kind. It ought not to be forgotten that his facts and observations on this occasion have

* See page 218. † See page 242. ‡ See page 294.

been lately quoted and commented upon in the British Parliament.

After the insurrection had been happily quelled, the existing government, as usual, marked out its victims. But on this occasion measures of severity were resorted to that never had been dreamed of in Scotland, in consequence of the rebellions of either 1715 or 1745; for after the death of Lord Edward Fitzgerald, and previously to his conviction, a bill of attainder was brought into the House of Commons of Ireland, which vitally affected the claims of his heirs and descendants. On this occasion Mr. Curran, in behalf of Lady Pamela and her unprovisioned offspring, excited no inconsiderable degree of feeling and regret*. The "*acerrima proximorum odia*" of Tacitus, seems to have been felt and inflicted with more than usual rigour.

His speech against Major Sirr, for the assault and false imprisonment of Mr. John Hevey, in 1802, ought to be read by every Englishman as well as by every Irishman. The melancholy facts disclosed on that occasion, will prove what a man, "clothed in a little brief authority," is capable of achieving; and it will tend not a little to shew the numerous and intolerable wrongs that originate in religious disputes and civil combustions †. A verdict was found for the plaintiff, with 150*l.* damages and costs.

In 1803, all his efforts and exertions, great and powerful as they were, proved incapable of saving Owen Kirwan from being found "guilty," of treason ‡; but, in 1804, he himself, acting the part of a public accuser, obtained the con-

* See p. 322. † See p. 340. ‡ See p. 362.

viction of the Marquis of Headfort, for criminal conversation with the wife of the Reverend Charles Massy, accompanied by a verdict of 10,000*l.* damages*.

In the case of the King against the Honourable Mr. Justice Johnson, during the pleadings which took place in the Court of Exchequer at Dublin, in 1805, Mr. Curran acted a bold, conspicuous, and distinguished part †. This is the best of his printed speeches as a barrister, and perhaps the last of any importance delivered by him.

We have now arrived at a new, fortunate, and unexpected epoch in Mr. Curran's life. In 1806 Mr. Fox once more came into power; but it was in association with Lord Grenville, and disease by this time seizing on his vital parts, not only crippled his efforts, but actually threatened a speedy dissolution. A great change, however, instantly took place in the government of Ireland; and the law department was moulded of course nearly anew. On this occasion Mr. Ponsonby, the fellow-labourer of Mr. Curran, was instantly made a Privy Counsellor, and declared Chancellor of Ireland, while the services and the sacrifices of the latter appeared to be entirely forgotten. At length some persons seem to have remonstrated, and claimed the performance of a promise either made or implied. On this a negotiation took place with Sir Michael Smith, Knight, then Master of the Rolls, who was at length prevailed upon to retire. On that event Mr. Curran was also nominated a member of the Privy Council, and appointed his successor; but it unfortunately so

* See p. 411.

† See p. 385.

occurred, that in the course of the treaty alluded to above, the new Keeper of the Seals had himself promised to smooth the retreat of a subordinate officer, by means of an annual allowance arising out of the income of the Rolls. This was resisted, however, by the new Master, who was no party to the stipulation, and who afterwards exhibited a full and ample justification of his conduct in a letter to the Right Honourable Henry Grattan. The truth is, he was disappointed at his advancement; he wished for the office of Attorney General, and perhaps had conceived a hope to preside as chief of the King's Bench. On former occasions the Mastership of the Rolls, instead of being an office of great consequence and immense fatigue, as in England, was generally deemed a mere *sinecure*. Indeed the business had been usually performed by deputy; for the principals were for the most part either noblemen or persons of distinction, whose political, not legal, services had entitled them to this gainful pre-eminence. We lament that but one of his recorded decisions in the Court of Rolls exists in print, as from this specimen it may be seen, that there was no leaning in his bosom, either from religious or political motives, towards any party, denomination, or profession within the precincts of Ireland. The case to which we refer is that of Merry *versus* the Right Reverend John Power, D. D. the titular bishop of Waterford, who was termed in the pleadings, "one John Power, a Popish priest." This, coupled with the terms used in respect to a legacy then in contest, for the clothing and maintenance of a few poor women, which was designated as "a bequest for Popish and superstitious uses," would have wholly circumvented the intentions, and defeated the dying wishes of

the humane donor, in the reign of Elizabeth, or perhaps even in that of George I. But this liberal and enlightened judge not only refused the motion, but condemned the principle; and marked his sense of the impropriety of it, by dismissing the cause with full costs*.

In 1814 Mr. Curran resigned his laced gown, as Master of the Rolls, and was succeeded by the Right Honourable Sir William M'Mahon, Baronet, nearly related to the lately deceased Secretary to his Royal Highness the Prince of Wales as Regent, who had influence sufficient to secure that profitable and honourable appointment to his kinsman. In consequence of this circumstance, perhaps, his retreat on this occasion was smoothed by a very handsome pension; and as he was a man who scorned all affectation of grandeur, and did not indulge in unnecessary expence, he was now not only in easy, but even in affluent circumstances.

About this period he indulged in frequent visits to England; and immediately after his resignation repaired to France, and visited Paris. His companion on this occasion was Mr. Webb, a gentleman of amiable manners and respectable connexions, with whom he had been long acquainted. They passed through Calais and Boulogne, on their way to that gay metropolis, which they had both seen before; and as they were familiar with the language of the country, the hours passed pleasantly away.

After re-visiting Ireland, Mr. Curran once more returned to England, and finding himself subject to an asthmatic affection, he resolved no

* See p. 477.

longer to reside in any of the thick-peopled, smoky streets of London. Accordingly, at the instigation of a gentleman, who possessed a house in that neighbourhood, he removed in the spring of 1815, to Amelia Place, between Brompton and Chelsea, for the benefit of a better air; and he was accustomed to drive out daily in an open carriage. But he appeared to be already stricken by the hand of death; and it was for some time evident to his friends, not only from his hectic cough, his emaciated person, and sallow looks, but still more from his unaccustomed hesitation, his decreasing memory, and his constant agitation and uneasiness, that his destiny was about to be speedily fulfilled.

The first awful symptom of approaching dissolution took place during a dinner party, at the classical abode of his friend Mr. Moore, in the vicinity of Hornsey. Notwithstanding this he departed for Ireland in the spring of the succeeding year; and a second and more dangerous attack, which was studiously concealed, by his own express order, from his friends, occurred soon after he had disembarked from the packet-boat which conveyed him from Dublin to Holyhead.

Notwithstanding this he repaired straight to his former residence near town, whence he made a short excursion to Cheltenham. He himself had supposed, and it was flattering for others to think, that neither of these seizures partook of the nature of a *paralysis*. Even a few days previously to the last and fatal catastrophe, notwithstanding his decreasing strength, he did not decline company; and indeed he spent one evening with a dinner party. But he was

seized with an alarming illness on the succeeding day. This after a short interval was followed by a third, and last fit, which occurred at two o'clock in the morning; and from that period he seemed to entertain little or no recollection of passing events. On this occasion it fortunately happened that part of his family was at hand; and he accordingly received every possible attention that could be suggested by the presence of two sons and a married daughter. His remaining moments appear to have been unaccompanied with pain; for he at length expired in great composure, and with unusual tranquillity.

Thus, died, about five minutes before nine o'clock, on the evening of Wednesday, the 15th day of October 1817, after a few days' confinement to his chamber, the Right Honourable John Philpot Curran, whose memory will be long cherished, and whose eloquence, as exemplified and embodied in his various speeches, cannot fail to be both valued and admired.

Like his great precursor in England, John Dunning, Lord Ashburton, in his face, form, and figure, there was nothing calculated to attract attention. Nature is never lavish of a variety of gifts; and therefore seldom unites a very handsome person with extraordinary mental accomplishments. Accordingly, it must be candidly allowed that the first appearance of this gentleman did not augur favourably of his talents. His stature was considerably below even the middle size; and being uncommonly thin, as well as agile, which qualities were combined with a certain playfulness of manner, he appeared at a distance like a boy. Nor, on a nearer approach, did his features display any of the finer traits, that look of animation, or those inex-

pressible characteristics which are usually supposed at once to betoken and to accompany genius.

Yet he gradually improved in conversation, and as if to demonstrate that the want of beauty may be fully compensated by other accomplishments, all prejudice and prepossession gradually disappeared from the mind of the beholder.

But it was not until he became animated that Mr. Curran appeared interesting. Then indeed, more especially on great public occasions, he assumed a new and imposing aspect. His black piercing eyes lighted up a countenance which before seemed dark, dismal, and unmeaning; every feature became suddenly dilated; he appeared to rise taller and fairer in point of form and stature; and at length seemed actually to occupy a larger space in the eye of the delighted stranger. Every one present felt a generous compunction for the prejudices with which he had been at first viewed; and at length the pleased and enraptured audience, as if unconscious of the dignity of a court of justice, or the imposing majesty of a representative senate, by one sudden and simultaneous burst of applause, seemed unequivocally to testify that he had awakened and excited all the noblest passions of which the human heart is susceptible.

Of his character as a lawyer little requires to be said here. Having been chiefly employed in *nisi prius* and criminal causes, he doubtless possessed sufficient skill and reading for the purposes of his clients. It was rather, however, from the ample stores of his own mind than either "ancient" or "modern reports;" the depths of the "common," the conflicting but

peremptory commands of the "statute law," or the almost-forgotten rolls, denominated the "year books," that he drew his chief resources. On trifling occasions he would condescend to harness and bring forward all the light artillery of raillery, satire, and invective. He dearly loved a classical and appropriate quotation; and did not disdain even a squib or a pun. By his pleasantry he appeared for a moment to conciliate even the bench. But it was his well-directed sarcasms that served instantly to abate the nuisance, or remove the petty injustice of which he complained; and, while the frequent sallies of a happy imagination, played like lightning in the faces of his adversaries, the causticity of his wit seemed to smite, and wither, and shrivel up the puny efforts of his discomfited opponents.

On great events he affected *pathos*; and then he himself appeared to be fully imbued with, and actuated by, a due and deep sense of the wrongs of which he complained. If we are to give full credit to the testimony of some of his contemporaries, he united two rare, distinct, and opposite qualifications in his own person: the fine style of defensive eloquence, once exhibited by an Erskine, with all the subtle, nice, and discriminating powers occasionally employed by a Garrow, when he was employed to detect subornation; to lay bare guilt; to support and establish innocence.

On several memorable occasions he defied the threats of commitment, and the frowns of the court: these indeed were formidable engines; but, when the life of a fellow-creature was at stake, he always exhibited a daring and a dauntless resistance. One memorable instance is recorded of his courage. At a time when Ireland

was unhappily deluged with her own blood, and animosities sharpened to a deadly height, by the fatal feuds of party-politics and adverse religions, his eloquence was invoked for the protection of some prisoners, whose crimes appeared to him to have originated in the guilty fears of their prosecutors. As he was denouncing vengeance against these, many of whom were present and in uniform, some of the yeomen, incited by a sudden impulse, are said to have actually drawn their swords. On this he assumed a stern and undismayed look ; and, after exclaiming aloud, " You may assassinate, but you shall not intimidate me," continued his speech as if nothing had occurred !

Mr. Curran possessed some other rare accomplishments. From his earliest youth he had evinced a fine taste for poetry as well as eloquence ; and many of his verses still exist both in the recollection, and in the *port-folios* of his numerous friends. To the longest of his compositions he has assigned the whimsical title of the " Plate Warmer." One of the most distinguished poets of the present day, whose name will occur hereafter, is decidedly of opinion that his " Verses addressed to a lady, with a locket," commencing with the two lines :

" Thou emblem of faith,
Most pleasing of passions,"

possess great delicacy and elegance.

As the author was not insusceptible of love and affection, but on the contrary, possessed extreme sensibility, it may be fairly presumed,

that he indulged in many effusions of this kind. When about to lament, that no entire and original specimen could be here exhibited of his poetical powers, the four following unpublished lines, accompanied by an explanatory letter, happily presented themselves.

Amelia Place, Brompton,
January 18th, 1817.

MY DEAR SIR,

When I had the pleasure of dining at your charming little villa, on Christmas Day, you exhibited a fine specimen of marble, which you had obtained during your travels on the continent. This led to the mention and repetition of the verses written by me, in the chaise, on contemplating Bonaparte's *marble pillar*, near Boulogne.

I now comply with your request, by transmitting the enclosed copy, and I am,

Your's most truly,

J. P. CURRAN.

Alexander Stephens, Esq.
Park Lodge.

TO THE EX-EMPEROR OF FRANCE.

" When AMBITION attains her desire,
How FORTUNE must smile at the joke,
You rose in a Pillar of Fire,
You sink in a Pillar of Smoke !"

Of three other effusions, consisting of * two

* One entitled " The green Spot that blooms in the Desert of Life;" the other, " The Deserter, on the Evening previous to his Execution."

Songs, and an * Elegy, he also is the author ; but as all of them have been already printed, and two of them were set to music, it is deemed unadvisable to insert them here. It may not prove unnecessary, however, to observe, that one of these compositions was written at the foot of Thomson's grave ; and the six following lines, bewailing the temporary loss of a friend, will not perhaps be thought altogether unworthy of praise :

“ An humble Muse, by fond remembrance led,
 Bewails the absent, where he mourn'd the dead :
 Nor differs much the subject of the strain,
 Whether of death, or absence we complain ;
 Whether we're sever'd by the final scene,
 Or envious seas, disjoining, roll between !”

Of his wit, both forensic and convivial, many instances are familiarly quoted by all those who enjoyed the pleasure of his acquaintance. Whatever he uttered, in consequence both of his manner and voice, possessed a peculiar air of facetiousness, partly from the true *vis comica*, and partly also, perhaps, from a certain quaintness, arising out of a due portion of native and original accent. ~ Instead of proving disagreeable, however, like olives in conjunction with wine, the *patois* contributed not a little to give additional zest and flavour to his jokes.

This celebrated man possessed a heart highly susceptible of friendship, and was never sparing of his commendations in respect to those whom he once esteemed. He had unhappily disagreed with the late Mr. Ponsonby, soon after the ac-

* “ Lines written at Richmond.”

cession of the Duke of Bedford to the Viceroyalty of Ireland. This, although connected with, and entirely arising out of a subject, respecting which good men might differ, unfortunately tended to lessen the circle of his high connexions, both in England and Ireland. On the demise of that gentleman, who perished in a manner somewhat similar to himself, not a single word of hatred, or jealousy, or dislike, escaped from his lips; but, on the contrary, on learning that melancholy event, he enumerated his virtues, praised his talents, and pronounced a high eulogium on his memory.

In respect to living characters, he was accustomed to speak highly of the private worth and public merits of his Royal Highness the Duke of Sussex; and it seemed to afford him pleasure, that he had lately renewed his intercourse with Lord Holland. He loved to associate with men of letters. Mr. Moore, so justly celebrated for his poetical talents, claimed a high share of his esteem; and he was accustomed, with an honest pride, to boast, that he had urged him to undertake his "Lalla Rookh," which, by exhibiting his labours in a larger mass, and a more permanent form than usual, was better calculated to do justice to his rare talents. Mr. Godwin lived in great familiarity with him, and both he and Mr. Phillips appear to have been frequent guests at his table.

After Mr. Curran had been induced to retire to the neighbourhood of town, for the benefit of his health, he seemed to live almost in entire seclusion. A carriage, which he parted with towards the latter end of his life, a single man servant, together with a small suite of apartments, constituted the whole of his unexpensive esta-

blishment. He, however, occasionally continued to give dinners to a few select friends; and those admitted to his intimacy, conscious of his approaching fate, were anxious to cheer his last melancholy moments by their presence.

On his first repairing to Brompton, the writer of this narrative felt a sincere wish to obtain for him the society of some of the most worthy and distinguished persons resident in that neighbourhood; of Sir John Macpherson, who, after occupying, with distinction, the highest station that can be filled by a British subject in Asia, had been induced, by an ardent love for the prosperity of his country, to visit and reside at all the principal courts of Europe; of the learned Recorder of Liverpool, who appeared desirous of his acquaintance; and of the grandson of Franklin, the greatest philosopher and most inflexible patriot of the age in which he flourished. He was anxious, had health and opportunity permitted, to make him better acquainted with the classical and legal erudition of the ex-member for Tregony, the companion of Heath, and the friend of Thurlow; and also to have presented to him his countryman, Mr. Byrne, whose modesty will perhaps shrink from this public, as well as unexpected notice; and yet, but for the early accession of a large patrimonial fortune, he might now have been enjoying a high share of fame, and many well-earned honours, at that very bar of which Mr. Curran was, for several years, both the ornament and delight!

But the hand of disease began to press heavily on his spirits; he, who was formed for society, had become shy and reserved; and, after the lapse of a few short months, that

tongue which has often appalled guilt in the forum, and pleaded his country's cause in the senate, became for ever mute.

This celebrated man had been long familiar from reputation, but was only known by personal intercourse during a short period, to the humble individual who has been invited to pay this hearty, and almost extemporaneous, tribute to his memory. Yet he has contrived, hastily, to cull a few *wild flowers*, which, with a willing, but artless and unpractised hand, he now freely scatters over the grave of departed genius. May their fragrance propitiate his surviving friends, and prove grateful to his admiring country!

THE END.

BARNARD AND FARLEY,
Stinson-Street, London.

