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ESTHER MASON

"Fetch an officer," said the harsh voice, addressing one of the shopmen. "No—no—no!" screamed the wretched woman, falling on her bended knees in wild supplication. "For my child's sake—in mercy of the innocent babe as yet unborn—pity and forgive me!"

The harsh order was reiterated; and Esther Mason, fainting with shame and agony, was conveyed to the prison in Giltspur Street. The next day she was fully committed to Newgate on the capital charge of privately stealing in a shop to the value of five pounds. A few hours after her incarceration within those terrible walls, she was prematurely delivered of a female child.

I have no moral doubt whatever, I never have had, that at the time of the committal of the felonious act, the intellect of Esther Mason was disordered. Any other supposition is inconsistent with the whole tenor of her previous life and character. "Lead us not into temptation" is indeed the holiest, because the humblest prayer.

Three weeks had elapsed before the first intimation of these events reached me, in a note from the chaplain of Newgate, an excellent, kind-hearted man, to whom Mrs. Mason had confided her sad story. I immediately hastened to the prison; and in a long interview with her, elicited the foregoing statement. I readily assured her that all which legal skill could do to extricate her from the awful position in which she stood, the gravity of which I did not affect to conceal, should be done. The offence with which she was charged had supplied the scaffold with numberless victims; and tradesmen were more than ever clamorous for the stern execution of a law which spite of experience, they still regarded as the only safeguard of their property. My wife was overwhelmed with grief; and in her anxiety to save her unhappy foster-sister, sought, with my knowledge, an interview with the prosecutor, in the hope of inducing him not to press the charge. Her efforts were unavailing. He had suffered much he said, from such practices, and was "upon principle" determined to make an example of every offender he could catch. As to the plea that the husband had been forcibly carried off by the pressgang, it was absurd; for what would become of the property of tradesmen if the wife of every sailor so entrapped were to be allowed to plunder shops with impunity? This magnificent reasoning was of course unanswerable; and the rebuked petitioner abandoned her bootless errand in despair. Messrs. Roberts, I should have mentioned, had by some accident discovered the nature of the misfortune which had befallen their officer, and had already made urgent application to the Admiralty for his release. The Old Bally sessions did not

come on for some time; I however, took care to secure at once, as I did not myself practice in that court, the highest talent which its bar afforded. Willy, who had been placed in the workhouse by the authorities, we had properly taken care of till he could be restored to his mother; or, in the event of her conviction, to his relatives in Devonshire.

The sessions were, at last, on; a "true bill" against Esther Mason for shoplifting as it was popularly termed, was unhesitatingly found, and with a heavy heart I wended my way to the court to watch the proceedings. A few minutes after I entered, Mr. Justice Le Blanc and Mr. Baron Wood, who had assisted at an important case of stockjobbing conspiracy, just over, left the bench; the learned recorder being doubtless considered quite equal to the trial of a mere capital charge of theft.

The prisoner was placed in the dock; but try as I might, I could not look at her. It happened to be a calm bright summer day; the air, as if in mockery of those death-sessions, humming with busy, lusty life; so that, sitting with my back to the prisoner, I could, as it were, read her demeanor in the shadow thrown by her figure on the opposite sun-lighted wall. There she stood during the brief moments which sealed her earthly doom, with downcast eyes and utterly dejected posture; her thin fingers playing mechanically with the flowers and sweet-scented herbs spread before her. The trial was very brief; the evidence, emphatically conclusive, was confidently given, and vainly cross-examined. Nothing remained but an elaborate and misanthropic exhausting defense, which the prisoner begged her counsel might be allowed to read. This was of course refused; the recorder remarking, they might as well allow counsel for felons to address juries as read defences; and that, as every practical man knew would be utterly subversive of the due administration of justice. The clerk of the court would read the paper; if the prisoner felt too agitated to do so, this was done; and very wisely done. The clerk, I dare say, read as well as he was able; but old, near-sighted, and possessed of anything but a clear enunciation, what could be expected? The defense, so read, produced not the slightest effect on the court or jury. The recorder briefly commented on the conclusiveness of the evidence for the prosecution; and the jury in the same brief, business-like manner, returned the verdict of Guilty.

"What have you to say," demanded the clerk, "why sentence of death should not be passed upon you, according to law?" The shadow started convulsively as the terrible words fell from the man's lips; and I saw that the suddenly-upraised eyes of the prisoner were fastened on the face of the fearful questioner. The lips, appeared to move; but no sound reached my ears. "Speak, woman," said the recorder;

"if you have anything to urge before sentence is pronounced."

I started up, and turning to the prisoner, besought her in hurried accents to speak. "Remind them of the infant at your breast—your husband"—"Who is that conferring with the prisoner?" demanded the judge in an angry voice.

I turned and confronted him with a look as cold and haughty as his own. He did not think proper to pursue the inquiry further; and after muttering something about the necessity of not interrupting the proceedings of the court, again asked the prisoner if she had anything to urge. "Not for myself—not for my sake," at last faintly murmured the trembling woman; "but for that of my poor dear infant—my poor wretched boy! I do not think sir, I was in my right senses. I was starving. I was friendless. My husband too, whom you have heard"—She stopped abruptly; a choking sob struggled in her throat; and but for the supporting arm of one of the turnkeys she would have fallen to the ground.

"Unhappy, guilty woman," said the recorder, with the coolness of a demon, "the plea of insanity you would set up is utterly untenable. Your husband, it seems, is serving his majesty in the royal navy; defending his country; while his wife was breaking its laws by the commission of a crime which, but for the stern reprobation of the law, would sap the foundations of the security of property, and"—

I could endure no more. The atmosphere of the court seemed to stiffen me; and I rushed for relief into the open air. Before, however, I had reached the street, a long piercing scream informed me that the learned judge had done his duty. No effort was spared during the interval which elapsed previous to the recorder presenting his report to the privy council—a peculiar privilege at that time attached to the office—to procure a mitigation of the sentence. A petition, setting forth the peculiar circumstances of the case, was carefully prepared; and by the indefatigable exertions of an excellent Quaker gentleman—whom, as he is still alive, and might not choose to have

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his name blazoned to the world, I will call William Friend—was soon very numerously signed. The prosecutor, however, obstinately refused to attach his name to the document; and the absence of his signature—so strangely did men reason on such matters in those days—would, it was feared, weigh heavily against the success of the petition. The amiable and enlightened Sir Samuel Romilly not only attached his name, but aided as zealously by his advice and influence. In short, nothing was omitted that appeared likely to attain the desired object.

Two days before the petition was to be forwarded to the proper quarter, Henry Mason arrived in England, the exertions of his employers having procured his discharge. The "Active" was one of Captain Hoste's squadron, which obtained the celebrated victory of Liebo, over the Franco-Venetian fleet commanded by Admiral Dabourdien. Henry Mason, it appeared by the testimonials of the captain and officers of the ship, had greatly distinguished himself in the action. We inclosed these papers with the petition and then, having done all in our power, awaited with anxious impatience the result of the recorder's report. It was announced to me, as I was sitting somewhat later than usual at chambers, by Mr. William Friend. The judgment to die was confirmed! All our representations had not sufficed to counterbalance the supposed necessity of exhibiting terrible examples of the fate awaiting the perpetrators of an offence said to be greatly on the increase. Excellent William Friend wept like a child as he made the announcement.

There are many persons alive who recollect this horrible tragedy—this national disgrace—this act of gross barbarity on the part of the great per se, who, first having carried off the poor woman's husband, left her to die for an act the very consequence of that robbery. Who among the spectators can ever forget that heart rending scene—the hangman taking the baby from the breast of the wretched creature just before he ushered her to death! But let us not rake up these terrible reminiscences. Let us hope that the truly guilty are forgiven. And let us take consolation from reflecting that this event led the great

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Romilly to enter on his celebrated career as a reformer of the criminal law. The remains of Esther Mason were obtained from the Newgate officials, and quietly interred in St. Sepulchre's church-yard. A plain slab, with her name only plainly chiselled upon it, was sometime afterwards placed above the grave. A few years ago I attended a funeral in the same graveyard; and after a slight search, discovered the spot. The inscription, though of course much worn, was still quite legible.

I had not seen Henry Mason since his return; but I was glad to hear from Mr. William Friend that, after the first passionate burst of rage and grief had subsided, he had, apparently at least, thanks to the tender and pious expostulations of his wife—with whom, by the kind intervention of the sheriffs, he was permitted long and frequent interviews—settled down into calmness and resignation. One thing only he would not bear to hear even from her, and that was any admission that she had been guilty of, even the slightest offence. A hint of the kind, however unintentional, would throw him into a paroxysm of fury; and the subject was consequently in his presence studiously avoided.

A few days after the execution, Mr. William Friend called on me just after breakfast, accompanied by the bereaved husband. I never saw so changed a man. All the warm kindness of his nature had vanished, and was replaced by a gloomy fierce austerity, altogether painful to contemplate.

"Well, sir," said he, as he barely touched my proffered hand, "they have killed her, you see, spite of all you could say or do. It much galled me, too, that I had helped to win their boasted victories;" and he laughed with savage bitterness.

"Henry—Henry!" exclaimed William Friend, in a reproving accent. To be continued.

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