

should be one weight and one measure. Decimation is always an objectionable mode of punishment. It is the resource of judges too indolent and hasty to investigate facts, and to discriminate nicely between shades of guilt. It is an irrational practice, even when adopted by military tribunals. When adopted by the tribunal of public opinion, it is infinitely more irrational. It is good that a certain portion of disgrace should constantly attend on certain bad actions. But it is not good that the offenders merely have to stand the risks of a lottery of infamy ; that ninety-nine out of every hundred should escape ; and that the hundredth, perhaps the most innocent of the hundred, should pay for all.

In such cases, the punishment was excessive ; but the offence was known and proved. The case of Lord Byron was harder. True Jedwood justice was dealt out to him. First came the execution, then the investigation, and last of all, or rather not at all, the accusation. The public, without knowing any thing whatever about the transactions in his family, flew into a violent passion with him, and proceeded to invent stories which might justify its anger. Ten or twenty different accounts of the separation, inconsistent with each other, with themselves, and with common sense, circulated at the same time. What evidence there might be for any one of these, the virtuous people who repeated them neither knew nor cared. For in fact these stories were not the causes, but the effects of the public indignation. His countrymen were in a bad humour with him. His writings and his character had lost the charm of novelty. He had been guilty of the offence which, of all offences, is punished most severely ; he had been over-praised ; he had excited too warm an interest ; and the public, with its usual justice, chastised him for its own folly.

The obloquy which Byron had to endure, was such as might well have shaken a more constant mind. The newspapers were filled with lampoons. The theatres shook with execrations. He was excluded from circles where he had lately been the observed of all observers. All those creeping things that riot in the decay of nobler natures, hastened to their repast ; and they were right ;—they did after their kind. It is not every day that the savage envy of aspiring dunces is gratified by the agonies of such a spirit, and the degradation of such a name.

The unhappy man left his country for ever. The howl of contumely followed him across the sea, up the Rhine, over the Alps ; it gradually waxed fainter ; it died away. Those who had raised it began to ask each other, what, after all, was the matter about which they had been so clamorous ; and wished to invite back the criminal whom they had just chased from them. His poetry became more popular than it had ever been ; and his complaints were read with tears by thousands and tens of thousands who had never seen his face.

He had fixed his home on the shores of the Adriatic, in the