

Achilli vs Newman

PRICE ONE SHILLING.

ACHILLI vs. NEWMAN.

A FULL REPORT
OF THIS
MOST EXTRAORDINARY TRIAL
FOR
SEDUCTION AND ADULTERY
CHARGED AGAINST DR. ACHILLI, THE
APOSTATE CATHOLIC PRIEST,
BY THE CELEBRATED DR. NEWMAN,
THE OXFORD PUSEYITE,
BOTH OF WHOM ARE
SECEDERS FROM THEIR FORMER CREEDS.



THE ONLY CORRECT EDITION,

BEING THE VERBATIM TESTIMONY FROM THE LONDON REPORTS.

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ACHILLI *VS.* NEWMAN.

COURT OF QUEEN'S BENCH.

SITTINGS AT NISI PRIUS AT WESTMINSTER.—BEFORE LORD CAMPBELL AND A SPECIAL JURY.

THE QUEEN *v.* NEWMAN.

CRIMINAL INFORMATION.

MONDAY, JUNE 21, 1852.

This was a criminal information filed by Dr. Giacinto Achilli against John Henry Newman, D.D., a Roman Catholic priest. The information charged defendant with composing and publishing a libel on the said Giacinto Achilli. The defendant pleaded first, not guilty, upon which issue was joined; secondly, he pleaded certain allegations of fact, and said that the libel was true in substance and that its publication was for the public benefit. To this the prosecutor replied that the defendant had published it in his own wrong and without the alleged cause. Upon this plea issue was also joined.

The Attorney-General, the Solicitor-General, and Mr. Ellis, appeared in support of the prosecution; and Sir A. E. Cockburn, Mr. Serjeant Wilkins, Mr. Bramwell, Q.C., Mr. Addison, and Mr. Baddeley, for the defendant.

Mr. Ellis having opened the pleadings,

The Attorney-General stated the case to the jury.

This was a criminal information filed against Dr. Newman for a libel contained in a pamphlet published in October last year, entitled "Lectures on the Present Position of Catholics in England," addressed to the Brothers of the Oratory, by John Henry Newman, D.D., Priest of the Congregation of St. Philip Neri. The prosecutor, Dr. Giacinto Achilli, was an Italian by birth. He had been a monk of the Dominican order, and a priest of the Roman Catholic church; he had since embraced the Protestant faith, and was now a preacher of the gospel in the Italian Protestant Chapel, in the neighborhood of Golden Square. Dr. Newman was formerly in the communion of the established church, a very distinguished graduate of the University of Oxford; he had been converted to the Roman Catholic faith, of which he was now, if not one of the most able, certainly one of the most zealous, preachers. Dr. Achilli, in 1850, had paid occasional visits to this country, but at the commencement of that year, having recently escaped from the prisons of the Inquisition at Rome, in which he was confined for six months, he arrived in this country; and had been here ever since. He was a person of very considerable talent, of great self-reliance, of indomitable energy; and, he might add, appeared to possess a strong and determined will; and a spirit of independence which made him occasionally unwilling to submit to authority. Such a person having revelations to make respecting the dungeons of the inquisition, in which he had been twice incarcerated, and the errors of the faith he had relinquished, was likely to be listened to. He was a person of importance to the church which he

had left; he was a formidable adversary; and they seemed to have considered it was their duty to endeavor to disable his authority, to impeach his veracity, and to destroy his credit; and no person appeared to have applied himself to the task with more zeal, if not with more ability, than Dr. Newman, the defendant in this information. He was aware of the temper of the English people; he knew that nothing was more likely to interest them than any act of impropriety committed by any one clothed with a sacred character. For that purpose he had raked together all the scandal which the malice and the invention of the enemies of Dr. Achilli could devise, in order to print and publish them in a pamphlet. In 1851 he seemed to have been engaged in delivering a series of lectures to the brothers of the Oratory, and the pamphlet in question was represented to be the 5th lecture on "the logical inconsistency of the protestant view." In this pamphlet he undertook that which he considered to be a duty to the faith he had embraced, to destroy the character of Dr. Achilli. In page 195 he introduced the subject in this manner:

"O the one-sided intellect of protestantism! I appeal in evidence of it to a great banquet, where, amid great applause, the first judge of the land spoke of trampling Cardinal Wiseman's hat under his feet. I appeal to the last 6th of November, when jeers against the Blessed Sacrament and its rites were chalked up in the metropolis with impunity under the very shadow of the court, and before the eyes of the Home-office and the police. I appeal to the mock processions to ridicule, and bonfires to burn, what we hold most venerable and sacred, not only Pope, and cardinal, and priest, but the very mother of our Lord and the very crucifix itself. I appeal to those ever-growing files of newspapers, whose daily task, in the tedious succession of months, has been to cater for the gross palate of their readers all varieties of disgusting gossip, and of bitter reproach, and of extravagant slander, and of affronting, taunting, sneering, irritating, invective against us. And in the midst of outrages such as these, my brothers of the Oratory, wiping its mouth, and clasping its hands, and turning up its eyes, it trudges to the Town Hall to hear Dr. Achilli expose the inquisition. Ah! Dr. Achilli, I might have spoken of him last week had time admitted of it. The protestant world flocks to hear him, because he has something to tell of the catholic church. He has a something to tell, it is true; he has a scandal to reveal; he has an argument to exhibit. It is a

simple one and a powerful one as far as it goes, and it is one. That one argument is himself. It is his presence which is the triumph of protestants. It is the sight of him which is a catholic's confusion. It is, indeed, our great confusion that our holy mother could have had a priest like him. He feels the force of the argument, and he shows himself to the multitude that is gazing on him. 'Mothers of families,' he seems to say, 'gentle maidens, innocent children, look at me, for I am worth looking at. You do not see such a sight every day. Can any church live over the imputation of such a production as I am? I have been a catholic and an infidel—I have been a Roman priest and a hypocrite—I have been a profligate under a cowl. I am that Father Achilli, who, as early as 1826, was deprived of my faculty to lecture for an offence which my superiors did their best to conceal: and who, in 1827, had already earned the reputation of a scandalous friar. I am that Achilli who in the diocese of Viterbo in February, 1831, robbed of her honor a young woman of eighteen; who in September, 1833, was found guilty of a second such crime, in the case of a person of twenty-eight; and who perpetrated a third in July, 1834, in the case of another aged twenty-four. I am he, who was afterwards found guilty of sins, similar or worse, in other towns of the neighborhood. I am that son of St. Dominic who is known to have repeated the offence at Capua, in 1834 or 1835; and at Naples again, in 1840, in the case of a child of fifteen. I am he who chose the sacrilege of the church for one of these crimes, and Good Friday for another. Look on me, ye mothers of England, a confessor against popery, for ye 'ne'er may look upon my like again.' I am that veritable priest, who, after all this, began to speak against, not only the catholic faith, but the moral law, and perverted others by my teaching. I am the cavaliere Achilli, who then went to Corfu, made the wife of a tailor faithless to her husband, and lived publicly and travelled about with the wife of a chorus-singer. I am that professor in the protestant college at Malta, who with two others was dismissed from my post for offences which the authorities cannot get themselves to describe. And now attend to me, such as I am, and you shall see what you shall see about the barbarity and profligacy of the inquisitors of Rome? You speak truly, O Achilli, and we cannot answer you a word. You are a priest; you have been a friar; you are, it is undeniable, the scandal of catholicism, and the palmary argument of protestants, by your extraordinary depravity. You have been, it is true, a profligate, an unbeliever, and a hypocrite. Not many years passed of your conventional life, and you were never in choir, always in private houses, so that the laity observed you. You were deprived of your professorship, we own it; you were prohibited from preaching and hearing confessions; you were obliged to give hush-money to the father of one of your victims, as we learn from the official report of the police of Viterbo. You are reported in an official document of the Neapolitan police to be 'known for habitual incontinency; your name came before the civil tribunal at Corfu for your crime of adultery. You have put the crown on your offences by, as long as you could, denying them all; you have professed to seek after truth, when you were ravening after sin.' Yes, you are an incontrovertible proof, that priests may fall and friars break their vows. You are your own witness; but while you need not go out of yourself for your argument, neither are you able. With you the argument begins; with you too it ends; the beginning and the ending you are both. When you have shown yourself, you have done your worst and your all; you are your best argument and your sole. Your witness against others is utterly invalidated by your witness against yourself. You leave your sting in the wound; you cannot lay the golden eggs, for you are already dead."

The learned counsel proceeded—If Dr. Newman had confined himself to general charges of profligacy and impropriety on the part of Dr. Achilli, I think that would have been no reason for him to take the slightest step to vindicate himself against

vague and general imputations. Of course it would be easy to rebut them, and Dr. Achilli could well have afforded to pass them over in silence and contempt. But it was impossible that he could so deal with charges of this description, so specific and minute in their character—containing, if not the names of persons, such a description of them as pointed regularly and distinctly to them, together with minutiae of dates and places. If Dr. Achilli had taken no notice of these charges; if he had not called upon his accusers to justify the statements which they had made, the world would have fairly and justly believed the charges were true, and that it was out of the power of Dr. Achilli to contradict him. Dr. Achilli felt that he was obliged to apply to the law for vindication of his character against their vile slanders, and called on his accusers, in a court of law, to make good the charges against him. He applied to the Court of Queen's Bench for a criminal information, in order to obtain which it was necessary that he should give a full and specific denial of the different charges alleged against him. The information was granted, and Dr. Newman had pleaded to the information. Until recently a great anomaly prevailed in our law upon proceedings for libel. If a person alleged that he was injured by a libellous publication, and brought an action, it was competent for the defendant to plead that the libel was true; and if he succeeded in establishing the truth, the plaintiff failed in his action. But if an indictment for criminal information were brought for some libel, it was not open to the party accused to plead the truth of the charge, because such a proceeding, it was thought, might lead to a breach of the peace; and it was obvious that consequence would result whether the statement were true or false, and that led to the ordinary expression, "The greater the truth the greater the libel." This absurdity in our law was remedied by the distinguished judge who now presides, who some time ago introduced into the legislature an act by which, in a case of this kind, a party accused was enabled to plead the truth of the allegation contained in the libel, adding to it that the publication was for the public benefit. Dr. Newman has availed himself of this privilege, now conferred on him by the law, and has in twenty-three different cases alleged the truth of the libel, and undertaken to prove them. I need not tell you, having read the libel, that the pleas which follow the statements contained in the libel involve charges of a very serious description against the moral conduct of Dr. Achilli. The earliest period to which they refer is 1826, so that for a period of twenty-six years we are called upon to enter into an investigation of the life, the conduct, and the character of Dr. Achilli. He is charged as early as 1831 with having seduced various women, some of whom are named in the pleas, and others are said to be unknown; he is charged with improper intercourse with one in the sacrilege of the church; with another, a child of fifteen, on Good Friday; he is charged with adultery with two other women, named; and he is stated to have been removed from a professorship in the Malta College in consequence of acts of fornication and impropriety, which he endeavored to stifle; he is charged with the seduction of women in 1847, 1850, and 1851; and the whole is summed up by the statement that in the archives of Naples reports were made against Dr. Achilli with respect to habitual incontinence. Under ordinary circumstances I should be disposed at once to anticipate the charges contained in the pleas, and to call all the evidence in my power for the purpose of rebutting them. It appears to me and to my learned friends that it would be impossible for us under the extraordinary circumstances in which this case is presented to you to adopt that course on this occasion. Of course I need not say, even supposing the charges were true, much greater facility would be afforded to Dr. Newman in Italy to procure witnesses for the purpose of substantiating these charges; and if they be untrue I need not tell you he would also have better means in his power to bring forward witnesses from that country to disprove them than we could have. We are in utter uncer-

tainty as to the mode in which Dr. Newman proposes to establish the truth of the issue; we are aware of some witnesses who are here for the purpose of giving evidence, and we are in some small degree prepared to meet them and to rebut their testimony; but we are utterly at a loss to know how most of these charges are to be attempted to be proved, and therefore it is absolutely necessary for us to wait until we hear what is the evidence proposed to be offered on the part of Dr. Newman, when we shall be enabled to call the witnesses before you with which we are furnished, and to lay evidence before you which will enable you to judge of the credibility of those witnesses who may be called for the defence. I pledge myself, amongst others, to call before you Dr. Achilli himself at the proper time, and submit him to the searching cross-examination of my learned friend. It is to him of course a case of the deepest anxiety and importance; he is arraigned before you on his trial to answer charges directed against twenty-six years of his previous life; he calmly, and I believe I may add fearlessly, awaits the result of this investigation; he is perfectly aware of all the difficulties by which it is surrounded. He knows that nothing but the most patient and careful attention will enable us to ascertain what degree of credit is to be attached to the witnesses who may be called. But he is satisfied that although he is a foreigner—I had almost said because he is a foreigner—that that fairness and impartiality which invariably distinguish a British jury will be exhibited on the present occasion, and that you will join with those who are entrusted with his vital interests on this occasion in endeavoring to arrive at the truth in this important inquiry, because by the truth to which he is ready to commit himself, he must stand or fall on this his day of trial.

The rule of court was then read, and the necessary documentary evidence to prove the libel.

This was the case for the prosecution.

Mr. Serjeant Wilkins applied to have the witnesses ordered out of court.

The Attorney-General said it would be a great inconvenience to the prosecution if Dr. Achilli was obliged to withdraw.

Mr. Serjeant Wilkins could not consent to his remaining in court, if the other witnesses were ordered to retire.

A Juror said it seemed to be very hard on Dr. Achilli not to be permitted to remain in court, and instruct his counsel.

Lord Campbell said this was a prosecution by the crown, and he was afraid that Dr. Achilli, as a witness, must withdraw.

The witnesses on both sides then left the court.

Sir A. E. Cockburn then addressed the jury on behalf of the defendant. When he considered that this was a question involving religious controversy, he felt sensible that it would be difficult to obtain for his client that fair and calm consideration which would be necessary to the ends of justice. It was difficult where class interests, still more where religious feelings, were involved to divest the mind of the influences which might bias the judgment. It had been reserved for our day to see the flame of religious controversy once more kindled; they had before them two great champions of the contending parties; they were naturally prone to look with favour on the champion of their religious tenets; and were liable to regard each his opponent as a deserter and an apostate. They had before them two men who had abandoned the faith in which they had been educated—between them was this issue and contest; and on behalf of one he had to address a jury, all of whom were of opposite religious views to those of his client. But he felt confident that they would act with impartiality and justice in the discharge of their duty; and he called upon them by all that was sacred to guard themselves against prejudice or passion interfering with their calm and deliberate judgment. Dr. Newman had no personal spite or private reason for attacking Dr. Achilli. Why then did he attack him? Because it was stated he came forward to hold up to odium the

practices and doctrines of the Roman catholic faith; and it had been thought necessary, as his learned friend had said, to put him to open shame. That was the way in which the case had been put by the prosecutor. The Attorney-General must know, however, that every one of these charges had been published for fifteen months prior to the statement of Dr. Newman, with far more particularity of time and place. Details were given, which would enable Dr. Achilli to disprove the charges; but he had allowed them to exist for fifteen months uncontradicted. He did not mean to say that would be an answer, in point of law, to this charge against Dr. Newman, but in fairness to him the fact should have been stated. Now, what were the real motives which influenced Dr. Newman in making this attack? Dr. Achilli's language against the church he had left was of the strongest character; he not only denounced the Roman catholic religion, but the corrupt practices of its clergy. In 1844 he addressed Pope Gregory, who had been his benefactor, in most harsh and inconsiderate language; and throughout his works he dwelt on the unmentionable crimes and hideous abominations of the Roman catholic clergy; from the Pope on his throne to the lowest of his priests licentiousness and crime of every kind were charged against them. If these statements were true they ought to be proved; when such charges had been friminated against the Roman catholic church for years, was there one of the jury who would say that it was not the duty of persons professing that faith to test their truth? Dr. Newman had become a convert to the Roman catholic religion, and he found Dr. Achilli, a convert from that religion to protestantism, making these general and vague charges of every description—charges which assumed an importance, from his stating that he was not only the accuser, but the witness. And the question which would suggest itself to Dr. Newman's mind was, whether Dr. Achilli was a person to be relied on—who is the witness—whence comes he—what are his antecedents—what are his motives? These were questions which would naturally present themselves to Dr. Newman. Dr. Achilli denounced the Roman hierarchy and the clergy as guilty of hideous impurities and abominations, and stated that, with great interest, and the prospect of rising to the highest position in that church, he had abandoned all from a sense of the evils and iniquities of the Roman religion, and the simple and pure worship of protestantism. It was most important to see whether the evidence of Dr. Achilli was worthy of credit, and if it was found, instead of having quitted the church of Rome, he had been expelled from it—and if that had been in consequence of his own confession of crimes disgraceful to a man filling an office in the Christian ministry—was it not the duty of any man who valued the catholic religion to expose his conduct to the world? Why, as early as June, 1850, in the *Dublin Review*, all these statements were published, giving details of time and place—stating that records and documents would be produced, as well as living testimony, to prove the truth of the charges. Dr. Achilli contented himself with a general denial of these charges; in his book entitled, "Dealings with the Inquisition," which he some time afterwards published, and which charges he stated had been made by Cardinal Wiseman, Dr. Newman certainly did subsequently reiterate those charges; he is legally responsible for doing so; and the question now was whether he could prove them. Up to this time he (the learned counsel) had been endeavoring to show the motives of Dr. Achilli—he would now apply himself to the question of justification; and he was enabled to say, after the fullest investigation, that the defendant believed he could prove the truth of all the charges which he had made. Dr. Achilli was possessed of the amplest means of disproving these charges, and he should have thought that his great anxiety would have been to rush at once to the witness box, and with all the details in his hand, disprove them. But no—his learned friends would wait to see if the defendant could prove his case, and if, by the rejec-

tion of documentary evidence or otherwise, they could obtain a verdict.

Lord Campbell hoped he might be permitted to say, without appearing to interfere with the ends of justice, that the proper course seemed to be first to bring forward proof of the accusations made, and then to hear the answer to them.

The Attorney-General said he would pledge himself to produce Dr. Achilli.

Sir A. Cockburn said he would bow to his lordship's decision. The learned counsel proceeded to give an outline of the early career of Dr. Achilli, as stated in the affidavit he filed when the criminal information was applied for; and he then went on to state the various charges in the libel. The first accusation against Dr. Achilli was that he had robbed of her virtue and character a young woman of 18 at Viterbo. He would call her before the jury and prove the fact. There were three other similar charges, and he should like to have had the opportunity of examining Dr. Achilli on these matters before he knew the amount of evidence which the defendant would bring forward to prove them. But he had the confessions of Dr. Achilli—he had been tried for those offences, found guilty, and imprisoned. He was deprived of his faculty to lecture at Viterbo, and proceeded to Rome, where he had great friends, and the matter was hushed up. In about a year afterwards, he went to Capua, and passed his time between Capua and Naples. He should show by his own confession that he admitted two cases of incontinency at Capua; and he had the woman there whom, under 15 years of age, he had debauched in a room in a convent at Naples. She proved to be with child by him, and compensation had to be made. She was married now, and her mother had accompanied her to this country. The jury would hear her evidence, and say whether they thought it to be true or not. But all these charges had been made long ago, and were well known to Dr. Achilli. In the year 1839 Dr. Achilli separated himself from the Dominican order, and went on preaching at Capua; but such was the scandal produced by those acts, which were not of an ordinary description, as they were accompanied by seduction and violation—such was the scandal that he was tried before his superior, and sentenced to three years' suspension and seclusion in one of the more rigid convents. He was subsequently demanded by the Inquisition, and sentenced by that court to perpetual deprivation of all ecclesiastical functions, and condemned to three years' rigorous seclusion in one of the convents of the Dominican order. He retired to Nizaro, where the convent was situate; and he spoke, forsooth, in his book, of merely going there "to arrange his private affairs." He left Nizaro, and went to Ancona, where he found a gentleman with a passport, of which he availed himself to get to Corfu, in the dominions of this country. There he renounced the Roman catholic church, and preached in a protestant chapel. While at Corfu, however, he got into another scrape of a serious nature. A tailor had been separated from his wife; and suspecting her continency, he watched her, and saw a person one night, not in the dress of a priest, enter her house. He seized the man, and found him to be Dr. Achilli. Proceedings were instituted against Dr. Achilli, but the matter was compromised. The defendant had had the man in this country for some time, but he had persisted in returning to Corfu. He had, however, a man who was present at the time when Dr. Achilli was seized in the woman's house. Dr. Achilli then proceeded to Zante, and there took into his suite a chorus singer and his wife, who was a woman of notoriously bad character. At Zante he endeavored to establish a reformed protestant Italian church. A Mr Reynolds, in the customs, became a subscriber, and influenced the Vice-Governor, Colonel Forbes, to assist also in the same object. They collected a considerable subscription and established a church. Mr Reynolds knew the woman, and was surprised to find that she was engaged by Dr. Achilli as the pew-opener, and her husband as the clerk of the church. He remonstrated with Dr. Achilli, but he

said the woman had become a second Magdalene. His house, however, was opposite to that of Dr. Achilli, and one day he saw that gentleman, in a loose dress, in a very ambiguous position with this woman. Whenever they were afterwards seen together there was an amount of familiarity exhibited; and it was found necessary to draw down the blinds of the neighbouring houses to prevent respectable females being scandalized. Dr. Achilli also walked publicly with the woman arm in arm; and, refusing to get rid of her, the church was closed, and he left Zante. He then went to Malta, and came from thence to this country, where he was engaged as a theological teacher in a college at Malta, by a society at the head of which was the Earl of Shaftesbury. There were two other priests at the college, who had seceded from the Roman catholic religion. An Armenian priest, named Ciozzi, was also engaged at the same college. Charges were made to the superiors of the establishment of incontinency against the two first named priests, with the connivance of Dr. Achilli. An investigation took place, at which the charges were not proved; but another day was appointed for the resumption of the inquiry. Before the day arrived, however, Dr. Achilli sent one of the parties charged, called Circears, away to distribute bibles in Sicily; in consequence of which the inquiry could not proceed, and there was an evident complicity on the part of Dr. Achilli. The matter was subsequently brought before the board in London, of which the Earls of Shaftesbury and Waldegrave were members, and they thought it their duty to dismiss him from his office in the college at Malta. He then came to England, but proceeded to Rome in 1849, where he married a young English lady, and returned again to England. No sooner had he arrived than he attempted to seduce a servant named Harris, who brought him his hot water in the morning at his lodgings. He did not succeed with her; but he afterwards took a house in Shaftesbury-terrace, Piccadilly, where he had connexion with a woman called Jane Legg, who became with child by him. She admitted that she had also had connexion with another person—a friend of Dr. Achilli's. Dr. Achilli was called on to provide for the child, and did not deny the fact that he had accomplished his purpose upon the woman in question. There were then two other women with whom he endeavored to have illicit intercourse, one of whom he succeeded in inducing to yield to his desire. Her name was Wood, and he should produce her to the jury. The other woman resisted his importunities. These more recent circumstances would, in some measure, give an insight into his earlier career, and show that his lust was insatiable. If these facts were proved to the satisfaction of the jury, was not Dr. Newman justified in exposing this man to the world as a licentious hypocrite? and vindicating the Roman catholic church from the foul aspersions which had been cast upon it? This was the sole object of Dr. Newman; and he had no personal animosity against Dr. Achilli. But he felt himself bound to ascertain his true character, and see whether it justified any reliance being placed upon his statements. The cause of truth demanded that these charges should be investigated—they had long since been made against Dr. Achilli—and he believed he should be able to make out and substantiate them to the satisfaction of the jury. He entreated them calmly and deliberately, without religious prejudice, to weigh the evidence which would be brought before them. If the charges made against Dr. Achilli could not be proved, Dr. Newman would be the last man to shrink from the consequences; but if they were substantiated, they would show Dr. Achilli to be an impostor who, for the well-being of religion, and the public, deserved the contempt and indignation of mankind.

Eleanor Guistini, examined by Mr Bramwell—I am forty years of age. I am married—my husband is called Vincentio Guistini. I was married about two years ago. My maiden name was Valenti. I am now living in Viterbo. I have lived there from my birth. I know the Dominican convent there. I

knew a person called Achilli at Viterbo; he was a monk of that convent. I have been in that convent. I went there when he called me; I mean Dr. Achilli. This was about twenty-three years ago; it may be a little more or less. I was then about seven teen or eighteen years of age. I saw Dr. Achilli at the convent when I went there; he deflowered me. I was a virgin at that time. I was in the sacristy at the time. I had been alone with Achilli before that time. I was in service at that time with Signora Gentili. Achilli was an acquaintance of hers. It was a country house, and he had been a visitor there for a month; it was about the month of October. He had used familiarities with me before. I had walked out with him alone. He invited me to walk with him. He sent one of the convent to me to come to him when I went there. It is the custom to give presents in Italy to servants, and he sent for me for that purpose. That was the only occasion on which I had criminal intercourse with him. I consented to what took place. I was there alone, and obliged to consent. He commenced insulting me when I was at the country house, that was the beginning. The first time was at the convent, and it continued sometimes after in the convent, and twice besides in a house. He said there was no sin in it. I told him that there was hell in it. He said, not at all, otherwise hell would be quite full. (Much laughter.)

Cross examined by the Attorney-General—I arrived in this country on Thursday last. On the 23d of this month it will be six months since I left Viterbo. I have been living at Paris, Dover, and some other place between Dover and London. A lady came with me from Viterbo, Madame Rosini Diber-na. My husband also came with me. I lived in Paris three months. I think I came to Dover in May. I lived near the sea at Dover; the lady who was with me knows all about it. I do not believe there were any other witnesses in this cause; in Paris there were, and so there were in Dover. Two of the witnesses accompanied me from Paris. A lawyer gave me instructions to leave Viterbo and come to England. I don't know his name. I saw my priest before I came. He told me I ought to come here. His name is Don Joseffo Ramaggi. I told the priests I was coming here; and moreover, I told them what happened to me, and they told me what happened to them. (Laughter.) I have seen other witnesses besides those I have mentioned in London, but not in Paris or Dover. I have seen Mr. Reynolds here. I have not spoken to any Roman Catholic priest since I have been in London. I had known Dr. Achilli a month before I went to the convent. He was then called Padre Achilli. He went to spend a month with Signora Gentili. I was the only servant there. There were two other men in the house. I took a walk with Father Achilli five or six days after he came there. He then solicited my chastity. He carried me to show me a chase—a shooting place. There was no shooting. There were people of the family there. Two members of the family were then shooting there. He took me to a hut on the way. There was no one in the hut, but a shepherd was passing with his sheep. It was there that he solicited my chastity. I absolutely denied him. I considered it at that time to be a sin. I returned home in his company. I did not say anything to Madame Gentili, but I told it to my confessor. He was not a Dominican, but the curate of the parish. I did not walk in the country with him again. He once more solicited my chastity, in the very house of the lady. He told me not to go to bed, but to wait for him at night, and he would come to see me, because he was to get by heart a panegyric in praise of St. Cecilia, which was to be repeated a few days afterwards. (Laughter.) He came to my bed-room door, and knocked gently. The door was locked. I did not say anything the next day, but I showed myself disturbed, and said I would leave the place. I did not give any reason for leaving the service. I had only taken it for a month. I did not say anything to my father or mother. I went to the sacristy in the convent, because it was more convenient for him to have me there. I went into the chapel, and he beck-

oned to me from the sacristy, which was next the chapel. He took me into another room. I was frightened. I did not lose my senses. I cannot tell all, because so many years have elapsed, but all I know is, he dishonored me. I don't know whether I cried, but I remember I was in a perspiration. He gave me a silk handkerchief, which was older than he was, and sent me away. I went home, and the next day went to the same confessor to whom I had confessed before, and he then told me, "I knew you were in the hands of a rapacious wolf in sheep's clothing." I did not say a word to my mother, because the confessor prohibited my saying a word to anybody about it, on account of Achilli being an ecclesiastic. Father Achilli, having relations in Viterbo, afterwards sent for me there, and I went. I felt I was dishonored, therefore I went. It is very well known that a little affection springs out of such an event as that. I became so fond of him that I regretted very much his going away from the place. I next saw him in the convent. I afterwards went to another confessor, and told him all. I did not tell him who it was, but the custom is to mention the sin but not the sinner. The first time he forced me—he may have forced me—afterwards he used the caresses usual with women. Besides the handkerchief, he gave me a beautiful present—three sausages. (Laughter.) I never told my mother, or any one else, except my confessors. Once, to my great surprise, some one asked me, "Is it true that Father Achilli has deflowered you?" It was a person called Salvatori Carosi, a chemist and druggist; and he asked me the question a few months after it occurred. Father Achilli may have remained in Viterbo two years after I ceased to see him. I don't know how long he was there. I first told my mother of it six months ago. I said I was coming on a trial, but I did not say then that he had deflowered me. No money has been given to me; but I have been found in everything. I don't know what they have sent. The lady who has been living with us has found us in everything. She is a Roman catholic.

Re-examined by Mr. Bramwell—I was first sent to by my curate, who asked me if I had ever known Dr. Achilli. I asked why. He said, "Never mind—no matter." I answered again, "What is it for? is it for my own good you ask?" He said, "It is for the honor of the holy mother church—for the honor of God." I said, "If you will come in the confessional I will tell you: but here I will not." He said he could not come to the confessional, but I was to say it there and then without shame. I then went to the vicar-general: there was a Dominican monk from Rome and another monk of Viterbo there. They told me I must go to Rome, because I was called to go to Rome. I went and saw an Englishman there. I made a statement before the vicar, and was obliged to say everything that I am now saying here. I have never seen Dr. Achilli since he left Viterbo. He never said to me, "Good bye," or "Go to the devil." I have been in a convent of nuns for three years. I went to try whether the Lord called me to it. Having found that I had no call, I came away. I went by the strong advice of my confessor, who saw there was some danger of my becoming a disreputable woman.

—Grotti, examined by Mr. Addison—I am a native of Viterbo. I am 32 years of age. I was partly educated at the Lyceum College, in Viterbo. I was a student there at 11 years old. Achilli was a professor of philosophy there, and was in priest's order—he was a Dominican monk. His moral character was very bad. I don't know why it was so.

By the Court—His reputation was bad.

By Mr. Addison—There were charges pending against him in the Bishop's Court. The vicar-general of the bishop presides over the court. I have been his secretary. I was at Viterbo when Achilli left it. He left suddenly. He escaped from the college, and was not found any more. All the proceedings of the Bishop's Court and the archives of the police court were burnt at the last revolution.

Cross-examined by the Solicitor-General—Achilli left Viterbo in 1834. Mr. Flanagan, an Irish priest, applied to me in December last to come here. I was

at Broadway, in Worcestershire, as a catholic priest at that time. I have since been abroad to get information for this trial. I have seen Rosa di Alessandris at Rome and Viterbo. I did not give her any money, or any one else, with relation to this trial. I have seen a great many persons in Viterbo about the trial—I might say the entire city of Viterbo. I have not induced any persons to come here as witnesses. I have seen many persons who were coming here, but have not come. I did not seek them—they came spontaneously. I went alone, and put myself in communication with the vicar-general, Casa Nuovo. I had a companion, a Dominican priest, Zoppini. I saw the first witness in Rome. I did not interrogate her. I applied to the vicar-general when I got to Viterbo; and I had every day many coming to me, when they heard what I was there for. That was after I had seen the vicar-general and Zoppini. Dr. Newman sent me to Viterbo. The vicar-general and Zoppini were expecting me. I was fifteen days in Viterbo collecting evidence. I was seven or eight days in Rome. I did not communicate with any ecclesiastical authorities at Rome. I saw three persons in Rome, Mr. Harding, and Mr. Gordon, and another person; they are here.

Re-examined by Mr. Bramwell—The chief of the police came to me at Viterbo. I did not apply to the police for information. I endeavored to persuade Rosa di Alessandris to come to England, but she refused—she was eniente. The director of police had a private memorandum of all the proceedings against Achilli. This is a copy of it; it has the seal of the city.

Lord Campbell said it could not be evidence if it had twenty seals of the city.

Sophia Maria Ballisano, examined by Mr. Baddeley—I live at Naples. I am a married woman. I have been married eight years. Principe was my maiden name. I am about twenty-eight years of age. I lived at Naples before I married. I knew Dr. Achilli there then. I became acquainted with Dr. Achilli when I was about 13 or 14 years of age. I was in the habit of frequenting the church of St. Peter the Martyr at Naples. I became acquainted with Dr. Achilli in the sacristy of that church—he was sub-prior of the church. I went there of my own accord—he was alone. I went several times to pay a small sum to the saint, and he did not say anything. One day I went there when he was alone, and he embraced me closely. I wished to leave, but he prevented me and dishonored me. He used some violence, and threw me on a kind of sofa. I tried to get away, and struggled much. I was then a virgin. I became pregnant, and bore a child. Before I was confined, my father and mother went to Dr. Achilli. I was not with them. I remonstrated with Dr. Achilli at the time, and said he was doing me a great harm. He said there was no harm in it—it was rather a good than an evil. He gave me a bit of sweetmeat from time to time. My father died three years afterwards, from illness occasioned by this affair.

Cross-examined by the Attorney-General—I left Naples on the 16th of January. My mother went to Civita Vecchia with me. While there a Dominican monk came to me, and desired me to go. Before I thought of coming to England, there had been a trial in Naples, about 13 or 14 years ago. Money has not been necessary to me. I have had everything provided for me. I came alone a great part of the journey. A father of the order of St. Philip spoke to me at Naples, and he has paid the expenses, but I don't know what he has paid. I have been some time in Paris. I have been living with Guistini in Paris. I met her first there. We are together now. We have talked together about this business. I had known Dr. Achilli six months before he seduced me in the sacristy. He was the prior, not the sub-prior. I never saw any other Dominican monk in the church at Naples but Dr. Achilli. The door of the sacristy was open at the time. Many persons went to the sacristy to put their names down as I did, and they went whenever it was convenient to them. I used to go at all hours when I knew he would be engaged in putting down the names. It was in the morning,

about 9 or 10 o'clock, when I went there on the occasion in question. It was in November or December. I went through the church to get to the sacristy. There were many people in the church at the time. He locked the door. I was rather afraid, and said I wanted to go out. He said, "Be quiet, or shame will come upon us." I said, "You are a priest—let me go." He said it was no sin. I did not cry out; but I struggled. I stayed there a quarter of an hour afterwards, because I was red in the face; and he said, "Why should you go through the church?" I went out through the common way of entrance of the monks. There were two doors to the room; one leading to the two other rooms between the room in which I was and the church, and the other leading to the common entrance of the monks. I did not tell anybody of it until I could not conceal my appearance, and then I told my mother. Dr. Achilli knew that I was in the family way. The only answer he made was that he knew nothing of it.

The court then adjourned.

SECOND DAY.

TUESDAY, JUNE 22.

The defendant's case was resumed at the sitting of the court, which was crowded almost to suffocation throughout the day.

Sophia Maria Principe, the last witness examined yesterday, was again called, and re-examined by Mr. Bramwell. Made the payments to the image of which I have spoken of my own will. Many others paid besides myself. I have not been to the church since what happened to me there. I do not remember Dr. Achilli's leaving the church. I last saw him a short time before my mother was aware of the state that I was in. I went before the police about Dr. Achilli. I saw the commissary of police, and stated all that happened. My father and mother were there; I did not see Dr. Achilli there. I received sweetmeats from him after he had dishonored me, but he always gave them to me in the church; he never spoke to me in the street. I visited him again in the sacristy, and the same thing was repeated.

By the Attorney-General—I went to the commissary of police before my confinement, when I had been eniente four or five months. Dr. Achilli was then in Naples. He applied to the police and caused my father to be summoned before the police. I never met Dr. Achilli before the police. When my father was before the police I did not go. The affair was repeated seven or eight times in the sacristy. I cannot swear exactly the number of times; the period extended from November or December until my mother knew of it. Dr. Achilli left Naples a long time after I found myself with child. Dr. Achilli brought my father before the police to say that my family had uttered this calumny against him, which was not true.

By Sir A. E. Cockburn—My father was called a second time before the police. The commissary had informed himself between the two complaints whether my family were honest, and whether I was an honest girl. Afterwards the commissary sent for my father, and gave the papers to another tribunal. My father was sent for by the commissary a third time, and some other times, as his knowledge of the matter increased.

Gartana Principe, examined by Sir A. E. Cockburn—I am the mother of the last witness. I remember my daughter being in the family way; but I don't remember the year or the month. She was not then married. She was about 13 or 14 years of age. I saw her weep, and did not know what was the matter with her. I inquired what was the matter, and she told me every thing. Up to that time my daughter had conducted herself with propriety. About Lent Dr. Achilli was in a procession, and I and my husband took him aside into a house and told him the affair. He was angry, and said it was not him. He said, observe carefully, I am a priest

He said he had nothing to do with it. I said he was a priest, and I would apply first to divine justice, and then to the laws of his country. He turned from me and said, "Go to the devil if you like, to me it matters nothing." He caused me and my husband to be called before the commissary of police a few days after. He was not present at the time. When Achilli went to the commissary, he stated that a low family—a poor family had calumniated him. The commissary sent for the father to know how the priest was involved in this. The commissary told us that we were to take the daughter before him, because he wished to ascertain her age. He caused my daughter to confess every thing that had happened. Neither my husband nor myself were punished for what we had said of Dr. Achilli. I do not know how long before this happened Dr Achilli had left Naples.

Cross-examined by the Solicitor-General—I am fifty-nine years of age. I do not know whether I was twenty-four or twenty-five years of age when my daughter was born. She was born in Naples, and so was I. My husband's business was to make bread. I had no separate business of my own. I can only guess that my daughter was confined 13 or 14 years ago; but I cannot mind it all. My husband died three or four years afterwards of a disease of the heart. I never knew Dr. Achilli before this happened. I knew him by sight. I saw him preaching in all the chapels. I cannot say whether Dr. Achilli remained for two years in Naples after these occurrences. When I spoke to Dr. Achilli in the procession, it was about four or five days after I discovered my daughter's pregnancy. The question was before the police for three or four months. Dr. Achilli made his complaint to the police about a month after my husband and I had spoken to him. He did not preach in the churches of Naples for a long time after this occurred. I never saw him after I first spoke to him. My daughter lived with me three or four months after her confinement. I was then obliged to send her to work. I used to take her to her work and fetch her back. My daughter married eight years ago. My husband died one year after.

Antonio Russo examined by Mr. Serjeant Wilkins—I am a native of Malta, and a resident at Corfu. I am a carpenter by trade. I know Garamoni, a tailor, at Corfu. I remember walking one night in July, 1834, with Marino Venici in Corfu. In the street of Bianello, we passed the house of the mother-in-law of Garamoni. As we passed Garamoni opened the door, and called me within. He said to me and Marino Venici, see here is the catholic priest Achilli. I saw him on the stair near the apartment of the wife of Garamoni; it was about 11 or half-past 11 o'clock at night. I took hold of him by the collar, and said, what are you doing here? He trembled, but did not answer. Garamoni called out, and a lamp was brought, and I saw Achilli's face. Garamoni was very angry with his wife, her mother, and even with Achilli. Garamoni called out for a constable. When the light was brought, the constable not being there, Achilli slipped through and escaped; he was running like a horse. I and Venici were afterwards called before the court, eight or nine days afterwards. Our depositions were taken. Garamoni was in England for two or three months, he returned to Corfu about a month ago.

Cross-examined by the Attorney-General—I came over to this country with Garamoni, and lived with him here. I know Captain Lawrence, the inspector of police at Corfu. I left England just when Garamoni did. I went to Dieppe, Marseilles, Paris, and Corfu, and then I returned here. Before Garamoni left I had not heard of the arrival of Captain Lawrence here. I heard that in Corfu. I did not tell it to Garamoni, because everybody in Corfu knew it. Garamoni was in Corfu, and remained there. I was once imprisoned in Corfu for two or three hours, for some youthful trifle. On account of the condemnation, I was sent to prison for beating my brother. I have been sent to prison at other times for youthful trifles. I was also accused of theft. I was in prison two, or three, or four days on that charge, I can-

not swear that I have not been imprisoned in 1840, 1842, 1843, 1844, and 1845. I was never in the house of Garamoni's mother-in-law before. I do not know whether he lived with his mother-in-law. I don't know whether he lived with his wife. When Dr. Achilli ran away like a horse, he was running on the esplanade, but I don't know how far he went. I don't know whether Dr. Achilli lived next door to Garamoni's mother-in-law. I never knew Dr. Achilli before that evening, even by sight. I never saw him again after this occurred. I was called before the court at Corfu on the business. I did not give any testimony of it.

Re-examined by Mr. Serjeant Wilkins—I was once only charged with theft, but it was not true. I was imprisoned for being intoxicated. Garamoni called out loudly that it was Achilli, but he did not speak. The lamp was held up to Achilli's face by Garamoni's wife; she was obliged by her husband to do so.

Signor Bochiciani, examined by Mr. Addison—I am a native of Cephalonia. I knew Dr. Achilli at Ancona in 1841. He sought my acquaintance; his object was to go to Corfu. I had a passport to Corfu. He asked my permission to insert his name in that passport. I gave it to him. He then went to the English Consul with it, and his name was inserted in it. He told me that he could not get out of Italy without a passport. He had no money to pay for his passage, and I paid for it. I had some difficulty to get the money repaid. I saw Dr. Achilli afterwards at Corfu, with the wife of his servant. There are parts of Corfu frequented by prostitutes; they are principally confined to prostitutes. I have seen Dr. Achilli there more than once.

The Attorney-General objected to this matter as not being in the plea of justification.

Lord Campbell ruled the objection to be good.

Cross-examined by the Attorney-General—It was in 1842, and not in 1841, that Dr. Achilli accompanied me and my wife to Corfu. It was after Dr. Achilli had been imprisoned in the Inquisition. He was introduced in the passport as a tutor, to enable him to escape from Italy.

Giovanni Patrignani examined by Mr. Baddely—I am a jeweller at Corfu. I know Dr. Achilli. I have seen him in Corfu. I became acquainted with him in 1843 or 1844. I knew Garamoni. I heard observations as to the conduct of Dr. Achilli and Garamoni's wife, which induced me to watch the house of Garamoni's mother-in-law. Garamoni took me one evening to show me where it was. I went opposite the house. We watched up to 11 o'clock from half past 9 or 10 o'clock. We did not see anything at that time. Garamoni then said, let us go and see if my wife is on the balcony, but she was not. After we had passed we heard the door of the house opened where Garamoni's mother-in-law and wife lived. I saw a man come out, and, by his stature, it appeared to me that it was Dr. Achilli. I was well acquainted with him. He had been in my shop, and employed me to make a seal with the Italian emblem. Dr. Achilli's house was close by. He turned that way, and we did not see any more of him. This was after 11 o'clock at night. I know a person called Carraloni. His wife was called Albina. She was a woman of light character—a woman of the town. I had communication with her about Dr. Achilli. I never saw her in his company or at his house.

Wm. Larkin Reynolds examined by Sir A. E. Cockburn—I was employed by the British government in the Ionian Islands for 25 years as inspector of houses and collector of customs. I am now retired on my pension. Dr. Achilli was brought to my house by Captain and Mrs. Ford. He spoke to me on the subject of establishing an Italian protestant church in Corfu. This was in the autumn of 1844. He asked for my assistance, and took a house for the purpose immediately contiguous to my house. I used my utmost exertions to get him a good congregation, for which purpose subscriptions and contributions were made. The chapel was opened the last week in 1844 or the first week in 1845. On my going, there I was struck by the ap-

pearance of a woman of notoriously bad character, who was acting as doorkeeper. I had seen her in Cephalonia, where she had been a common prostitute, her husband bringing his friends to her. My dressing-room window at Cephalonia looked towards the back of her house, and she lived in a street in which several of my friends lived. I frequently had occasion to see her during three years. She was so notorious that every one knew her. Her husband was a chorus singer, and used to bring home his friends to her. The husband followed Dr. Achilli in the chapel, and acted as his clerk, reading the Church of England prayers in Italian. I called on Dr. Achilli the next morning, and told him I should be excessively sorry to deprive him of good servants, whom I had no doubt he had taken on the recommendation of some compatriot of his, as they were Italians; but I thought it very improper he should keep them in his service. I told him all that I had known of the woman and her husband. He told me, to the best of my belief, that he was aware already of her character—he had been informed of her previous life—but that he hoped she had become a second Magdalene—that he considered it his duty as a clergyman to continue his protection to her. I rejoined that he was welcome to give her any charity, but I considered it an improper thing his forcing her on the congregation, and if I saw her or her husband there again I would walk out of the church and take my family with me. And I was convinced if I did so all the rest of the English would follow my example. I had my daughter and a female servant with me; my wife was ill. My house was opposite the gable end of Dr. Achilli's, and we could see into a room in the upper floor of Dr. Achilli's house. The room was used by this woman as a laundry. The distance was about 40 feet. I have several times seen Dr. Achilli in that room with that woman. I have seen him with his shirt and trousers on and the woman in her open undress, working at her ironing. We could only see the upper part of the persons of people in that room. She dressed usually in an open dress—very open over the shoulders. I have seen him put his hand on her shoulders and breasts, and he was talking and laughing all the time. I have seen it several times, and we used to keep our blinds down. I considered it an improper sight for my daughter to see. There was a house of Mrs. Reed also looking into this room. She is dead. She used to keep her blinds down. I saw Dr. Achilli again on the subject, and he still insisted it was his duty, being a Magdalene, to support her when all the world was against her. I adverted to the familiarities I had seen. I did not say that I had seen him put his hand on her breast, but I told him he appeared to be very familiar with his servant. I recommended him to send her and her husband away. He used frequently to come into tea at our house. He did so afterwards on one occasion, and I communicated to him alone, after tea, what I had seen. He became excessively violent. I don't know whether I told him all I had seen, but I insisted on his sending the woman and man away. He never distinctly denied his connexion with the woman.

The Attorney-General—His "connexion?"

Lord Campbell—I'm surprised at you, sir. It is not shown that he had any connexion with her. It is only stated that there were familiarities with the woman.

Witness—I thought there was enough to prove that an improper connexion existed between them.

Examination resumed—He did not deny the familiarities. My wife heard us talking loudly, and came down stairs, which put an end to the conversation. I afterwards went over his house when there on a visit. I saw his bed-room. There was a bed with two pillows. I made an observation about it, but I don't remember how he turned it off. I went through his dining-room, there was a table laid for two people. I apologized for intruding, as he was going to have a friend to dinner I saw. He said it was only the table laid for poor Albina, that he made Albina dine with him. I was out one evening, when the band was playing near the Mole.

I saw Dr. Achilli there, with this woman on his arm. The band was on the water; there were thousands of people there, it was 11 o'clock at night. I paid up my subscription and went there no more. All the English left as well.

Cross-examined by the Attorney-General—I arrived in this country on the 15th of April last. I left the Ionian Islands on the 1st of February, 1851. I now live at Malta. I had been collector of customs up to the time of my leaving. The chapel at Zante had not been finished many months. Carraboni's wife only acted as doorkeeper once, and he only officiated once as clerk. They did not attend the church. It might have been in April of that year when I first saw these familiarities. There were jealousies outside, and glazed windows inside at my house, but not to Dr. Achilli's. I can't say how often I observed the familiarities; they were always the same kind of familiarities. After I remonstrated, the familiarities continued in the same way. Dr. Achilli was quite aware that I knew all this, and it was in front of the window, and close to it. I attended the chapel once or twice after this, but not constantly. I cannot tell when I ceased to be a member of the congregation, but think it was in June or July. The familiarities began in April or May. Dr. Achilli has never remonstrated with me on my habitual intemperance. I may have been intoxicated at a dinner party occasionally, but I was not habitually intemperate. Mrs. Reed, who lived opposite Dr. Achilli's, is dead, but her husband is living; he is infirm, and very near-sighted. He is in this country. I have talked to a Lieut. Stoney about this matter. I think I told him that the reason why I suspected there was something wrong between Dr. Achilli and Carraboni's wife was because I had seen two pillows on the bed, and two covers on the table. I know Captain Constantine Reed. He was at the Ionian Islands when I was there. I have so far assisted in getting evidence on this trial, that I was asked by the legal gentleman to go to Corfu, as he had no knowledge of the language. I had told the legal gentleman, Messrs. Lewin in November or December what I had seen. I wrote to them from Malta, and they wrote to engage me as a witness. I had seen the proceedings against Dr. Newman in the papers. I went to Corfu alone, and found Dr. Scandella, a Roman Catholic, who had been written to on the subject. I know a person called Parson Mitchell; he was chaplain of the forces at Cephalonia. I don't know if he was engaged in the inquiry. I have not been paid for my services; but I expect to be paid according to the tariff of a merchant. I am told it is a pound a day; and I expect to receive a pound a day from the first time of my being employed—the labourer is worthy of his hire. I subpoenaed the ladies; the Italian women who have given their evidence. I went down to Plymouth to subpoena Stoney. I have not given any one notice that the trial was deferred. This letter (handed to the witness) is in my handwriting. After I withdrew from the chapel at Zante, I never saw Dr. Achilli again. I do not think my wife or daughter observed these familiarities. A servant of mine has seen them. She used to sit at the window, which commanded the view of the laundry, working, waiting to attend on her mistress, who was ill. There were from seventeen to twenty-five English persons who attended the congregation. (Several letters were then handed to the witness, which he acknowledged to be in his handwriting) I was at the York Hotel, Blackfriars. I was called home, "thanks to Parson Mitchell." I may have written that to Stoney. Mitchell gave in my name with several others as witnesses. Several letters from witness to Lieutenant Stoney were put in. (The witness said in one of the letters, "Here am I again called home, thanks to Parson Mitchell.") In another he said that Messrs. Lewin would send Lieutenant Stoney the money named by him, if he knew anything about it. They were very liberal, and he need not be ashamed to appear in the case, as Lord Shaftesbury and two clergymen's sons were to be witnesses for the defence.)

By the court—I don't know who told me that Messrs. Lewin were disposed to be very liberal. I don't know that I was authorised to say it. I can't tell whether I was or not.

Re-examined by Sir A. E. Cockburn—Lieutenant Stoney said he was of small means, and could not come up unless he was supplied with money. I saw him in March last at Plymouth.

Rosini Lavinchy, examined by Mr. Addison—I am from Geneva, and am now residing there. I am nursery governess. I was servant to Reynolds in 1844, and continued there until 1851. I remember a Mr. and Mrs. Ford visiting Mr. Reynolds. They brought Dr. Achilli to the house. I saw Carraboni's wife acting as doorkeeper at the chapel. She was on her knees at the door. Her husband acted as singer. When Mrs. Reynolds was ill I sat in the room next her, to be in readiness to attend my mistress. I could see from the window of that room into a room in Achilli's house, which was used as a laundry. The window where I sat had Venetian blinds, and nobody could see me, but I could see. Could look out of the window. I have observed Dr. Achilli and Carraboni's wife in the laundry several times. I have seen them together in the room. I observed Carraboni's wife with her neck very bare, and Achilli in his shirt sleeves. I have observed great familiarity between them. I have seen Achilli place his hands several times within her bosom, and have seen them laughing and talking together, and I have seen them walking arm and arm in the streets towards evening. I have never seen Carraboni and his wife together. The blinds of Mr. Reynolds's house were closed because her mistress was ill, and could not bear day light. There was no other reason why they were kept down. When Mrs. Reynolds got better the blinds were not kept down—not always.

Cross-examined by the Attorney-General—Mr. Reynolds wrote for me to come from Geneva about a fortnight ago. I have been paid all my expenses, but I don't know who paid me. They have only paid for my journey. Mr. Reynolds has paid for me. I have seen Dr. Achilli and Carraboni's wife walking together arm in arm several times in the public streets. I have often seen the familiarities. I was very much shocked, and always turned away. The familiarities continued for three or four months. I told Mr., Mrs., and Miss Reynolds about it.

Re-examined by Sir A. E. Cockburn—I am a protestant. The blinds were kept shut at Mr. Reynolds's, partly because it was very hot, and partly to prevent what was passing at Dr. Achilli's being seen.

Vincenzo Barca, examined by Mr. Baddely—I have lived in Corfu 23 years. I am an armourer. I remember Dr. Achilli living there as a catholic priest. I was told that four or six days after I had heard he was a catholic that he had become a protestant. I remember Carraboni and his wife at Corfu. They lived together. He knew her in public as a common prostitute. I have seen Dr. Achilli go into the house where this woman lived. Carraboni's wife and Dr. Achilli were said to have left Corfu on the same day.

Cross-examined by the Attorney-General—I do not know whether the house in Corfu where Carraboni's wife lived was Dr. Achilli's own house, and next door to the house of the tailor Garamoni's mother.

Rev. George Hadfield examined by Serjeant Wilkins—I am a clergyman of the church of England. In August, 1846, I was the principal of St. Julian's protestant college, at Malta. After the vacation of 1847 I returned to Malta in September. I am well acquainted with Dr. Achilli; he was appointed Italian theological tutor, and went to take up his appointment in December of that year. Before he came accusations had been made against two priests, Leonini and Zaccharis. They had been catholics, but then professed to be protestants. They were to be missionary students at the college. I communicated the accusations to the committee in London, and at their request inquired into the charges. The Earl of Shaftesbury is the chairman of the committee; Earl Waldegrave is another. At the request

of the accuser a meeting took place on the 25th December at the college. The mission house where the accused lived was the residence of Dr. Achilli and the two accused. Mr. Bryan took the chair at the meeting. Dr. Achilli was there. Ceozzi was called on to state the nature of the offence—one of the two Leonini was charged with having committed adultery in the house with a Maltese lady. A servant of the lady had frequently brought letters to the house. The other was charged with sleeping out of the house, and having frequent connexion with prostitutes. Achilli had lived with those men in another house in the early part of the same year. The two priests denied the charges; and the case was held not to be proved at the time. Dr. Achilli called Ceozzi a calumniator. He persevered in making the charges, and on the 5th Jan. he was called on to substantiate his charges within a month, or to withdraw them. Some time after the Rev. Mr. Tucker mentioned the name of Dr. Bonavia as a witness. His statements were sent by me to Dr. Achilli in writing. Dr. Bonavia stated that he had heard from Mr. Zaccharis similar revelations to those he had made to Ceozzi. I gave the statement to Dr. Achilli in Feb. 1848, and told him I should send it to the committee in London. I did not tell him there would be a further investigation. On the 19th Feb., 1848, I received a letter from Dr. Achilli stating that he had need of Zaccharis for an important mission; that he would start that instant for his destination, and he consequently was no longer member of the college. I had heard of his going away on the 16th Feb. I left Malta on the 24th April, 1848. I left for England. Dr. Achilli came to London soon after. The resolution of the committee was that he had resigned. I returned to Malta in July. The chairman of the committee desired me to dismiss Leonini. Ceozzi continued to teach at the college until after I left Malta. I believe he is now gone back to the church of Rome. Dr. Achilli was well acquainted with the charges brought against the two priests.

Cross examined by the Attorney-General—There were from three to seven Italian priests who had seceded from the Roman catholic religion. Dr. Achilli was over them. The priests all lived in the same house.

Alexander Watt, examined by Mr. Addison—I was formerly the clerical secretary to the Malta college. I remember the charges against the two priests. Dr. Achilli was anxious that I should suppress the documents, and said it would be of no use to bring them before the committee. The committee came to a resolution to investigate the charge. The Bishop of Gibraltar was asked to investigate the charge, but he refused because Zaccharis had been sent away by Dr. Achilli. The committee determined to remove Dr. Achilli from his situation in the college, and to close that branch of the institution. The resolution was dated on the 8th May. Dr. Achilli wrote to the Earl of Shaftesbury in September, 1848, to which I replied on 6th December in the same year. The first letter stated that Dr. Achilli was about to return to Italy, and he thought he would not have been allowed to leave England so embittered as he was, because of the misunderstanding between them. He, however, loved him as much as ever in the Lord; and hoped that no further ill-feeling would continue between them. The second letter written by witness complained that Dr. Achilli had left the college at Malta without leaving in term time, and his not having attended a meeting of the committee to explain his conduct. The letter went on to allude to Dr. Achilli's sending away Zaccharis, and thus preventing the attainment of the ends of justice, and concluded by stating that the committee had withdrawn their confidence from him, and had determined to pay his salary up to that day.

Cross examined by the Attorney-General—The Earl of Harrowby proposed a resolution to discontinue the mission house at Malta, and to determine Dr. Achilli's engagement. There was an entry on the 19th of June, stating that the committee had come to the resolution that Dr. Achilli having vol-

untarily abandoned his situation during term time, must be considered as having terminated his engagement by his own act. The resolution was communicated to Dr. Achilli, and his salary paid up to the 19th of June. The witness was proceeding to read a minute upon which the resolution was founded, stating a communication from the Bishop of Gibraltar, complaining of the conduct of Dr. Achilli.

The Attorney-General objected to its being read. He had only asked to have the resolution read.

Lord Campbell thought, as the resolution referred to the recital, it ought to be all read.

It was then read, and stated that the Bishop of Gibraltar complained of the hostile conduct of Dr. Achilli towards members of the church of England at Malta, and went on to recite the fact of his having left his post at the college in term time without leave, to come to England.

The Earl of Shaftesbury, examined by Sir A. C. Cockburn—I was chairman of the committee of the Malta Protestant College. Complaints were forwarded to the committee against Leonini and Zaccharis. The noble earl recapitulated the facts. When Dr. Achilli came to London, the only reason he assigned for leaving Malta was that he had business of his own in London. We had previously come to a resolution to break up the mission-house attached to the college over which he had presided, as we thought the evil could not be eradicated.

Dr. Bonavia, examined by Mr. Baddeley—Was Latin and Italian teacher at the college at Malta. Had some conversation with Dr. Achilli as to certain charges brought against Leonini and Zaccharis, but not directly. I asked him if he had heard the reports about them. He said he had. I then asked if he believed them; he said he did not. He used no expressions of disapproval. I asked if he thought it was judicious to permit those visits which took place at the mission house at St. Julian, namely, the visits of a married lady, who used to come from Valletta to visit Leonini, a friend of his. He asked if I thought it was wrong. I told him it was not judicious, in consequence of the reports which were related in the town, because such visits would strengthen them—more especially in Leonini's own room. He asked me who told me that she used to visit him. I said I was not authorised to mention any name. He got in a passion, and said I was too scrupulous, because you are married; if you were a bachelor, perhaps you would do worse than Leonini. It would be better for you to mind yourself, and not to meddle with our affairs, if you wish to continue in our friendship.

Cross-examined by the Attorney-General—I first told Mr. Lewin of this conversation on my arrival in London. I have been five months in London on this affair. I am at the Malta bar. I am now Italian teacher at the Malta College. The vice principal of the Malta College, the Rev. Mr. Bryan, told me to come here. I did not mention this conversation to Mr. Lewin until two months ago. I don't know why I did not mention it before.

Harriet Harris, examined by the Attorney-General—I am twenty-two years of age. I am living at Kensington, in service. Early in 1850 I was engaged as a servant by Dr. Achilli. He was living in Northumberland-street, Strand. I went to 3, Shaftesbury crescent, Pimlico, which he had taken. I went there about 11 o'clock, and found Mr. Castellini—he was making the carpets for the drawing room. Dr. Achilli arrived shortly after in a cab. He told me I was to put the house to rights. After dinner I was in the kitchen. Dr. Achilli was in and out the kitchen all day. There was no blind to the window, and I took two forks to put up a table cloth to the window. While I was putting up the blind Dr. Achilli came in and took improper liberties with me. There was no one in the house but ourselves at that time. He put his hand round my waist, and would have put it in other places, but I jumped down, and he put up the blind himself. He kissed me; but I got away from him. I went to the back kitchen; he followed me, and told me what he had gone through when he was abroad. He said he had been

imprisoned six months. He made attempts in the back kitchen to put his arm round my waist and neck and tried to kiss me. He went out, and came home about twelve o'clock. He slept in the next room to me. He made several attempts afterwards to put his hands about me; and he kissed me twice before I could be aware of it. I told Mr. Castalini and my aunt of it. He did not attempt to take liberties with me after Mrs. Achilli arrived, which was in a fortnight.

Cross-examined by the Solicitor-General—I remained in the house three months. I never said one word about it to Mrs. Achilli. He asked me the next morning how I liked my bed, and if I would like a bed fellow? Mrs. Achilli found fault with me on account of the kitchen being dirty and my being dirty. I gave her warning some time after. I wished afterwards to withdraw my warning, but she would not let me stay. She said she could not give me a character for cleanliness. Mrs. Cadogan, my aunt, spoke to me about my coming here six months ago.

Mrs. Cadogan, examined by Mr. Bramwell—I am an aunt to the last witness. She complained to me of what Dr. Achilli had done to her about four days after she had gone into his service. I mentioned it to my husband, but did not give my niece any advice about it, or see Dr. Achilli.

Cross-examined by the Attorney-General—I heard that Mrs. Achilli had arrived, but I did not say any thing about it. I first spoke to Mrs. Castalini, the wife of Dr. Achilli's man cook about it. I saw Mr. Lewin, the lawyer, about it, six weeks ago.

Jane Lake examined by Mr. Baddeley—I was in the service of Dr. Achilli about ten months ago. I was in his service seven or eight months. I was servant of all work. Dr. Achilli took liberties with me about three months after I was in his service. I gave notice to leave, and he asked me to stop on. I did stop. He had kissed me two or three times before that. He took liberties with me that evening, but nothing more than kissed me. A day or two afterwards he took liberties with me in mistress's bedroom. He ultimately had connexion with me, and several times after it occurred again. I became in the family way. I left about four months afterwards and took another place. I could not stop there, I was ill. I was confined on the 5th of November; the child died, and for a long time I had the small pox. I saw Dr. Achilli about two weeks before I was confined. I did not say anything to him about my situation. I never told him I was with child. A Mr. Augustani was staying with Dr. Achilli all the time I was there, as a friend. He also had connexion with me. I did not tell Dr. Achilli of it. I saw Dr. Achilli at my sister's, Mrs. Logan. He came to see a gentleman, a friend of his, lodging there. It was after the baby was dead. I never asked him for anything, or said anything to him about it. I told him about five weeks after I was confined. I told him I was subpoenaed here. He said I need not go. I should shut the door in the face of any one who might come to subpoena me.

Cross-examined by the Solicitor-General—Mrs. Achilli never complained of my conduct towards men. She said she would not allow a young man to come to me in the house. Some time after she came down one night and found a man there. He had been there two hours.

How many men came to see you while you were in Mrs. Achilli's service?

Witness—I am not obliged to answer that question. Upon being further pressed the witness admitted that two men came to see her. They came to court her. I don't know who was the father of my child. My mistress found fault with me for having followers. I never said to her a word about Dr. Achilli. One night when she had told me to go to bed, she afterwards found me out at the gate with a man.

By the court—Augustini had connexion with me shortly after I went into the service, three months before Dr. Achilli.

Sarah Logan examined by Sir A. E. Cockburn—My husband is an engineer, living at 11 Shaftesbury crescent, Pimlico. I am the sister of the last wit-

ness. She was delivered at my house. Dr. Achilli took apartments at my house for two gentlemen. A clerk from Mr. Lewin's came to me to inquire about my sister. I sent to Dr. Achilli and he came on the Sunday night. He said Mrs. Castalani was employed by Dr. Newman's party. That he was a very bad man, and he hoped to have him sent to prison. If they came again, he told me to shut the door in their face. I said it had been a great expense to us having her there to keep, and the baby dying there. He said, "Yes, yes;" that was all his answer. I saw him again two or three days after. He came to us—we were subpoenaed at that time—he said he thought they could not make us go by that. He said he thought Jane had nothing to say against him. I said, "Of course, sir, you know what passed between you and Jane." He made me no answer. He came down the same week with a letter which he had had sent to him. The letter was concerning my sister, which some person had written to him. There were only two initials at the bottom of it. The letter told him that he ought to be ashamed of himself to draw poor domestics into trouble, and not see them out of it; and without he sent *5*l.**, to defray all expenses, he should hear further of it. I said I did not know who had sent it, and Dr. Achilli said it must have come from the same party as the subpoenas did. I said I did not know. I said I had not said anything to any one about him and Jane. He said Mrs. Castalani must have been doing it all. Mr. Churchy, a friend of Dr. Achilli, came there several times.

Cross-examined by the Attorney-General—My sister was in apartments after she left Dr. Achilli's—but I don't know where. The child did not live quite three weeks. Mrs. Castalani came to take lodgings at my house for two gentlemen, a few days after Mr. Lewin's clerk came. I believed her object was to get what she could out of me and my sister about Dr. Achilli. I would not see her afterwards, and told my sister, when she was speaking to her, that I would rather spit in her face than talk to her.

Sarah Wood, examined by Mr. Bramwell—I am 19 years of age. I am now living with my parents at Windsor. I was in the service of Mr. Achilli. I went into his service on the 15th of March the year before last—1854 I think it was. (Laughter.) Dr. Achilli took liberties with me a fortnight after I was there. I went up stairs to clean Augustini's bed-room out. Mrs. Achilli was gone out. Dr. Achilli came into the bed-room—he followed me several times round the room, and tried to put his hands round my waist, but I walked away from him. A knock came to the door, and he ran down stairs and commenced writing. I went down and found it was my mistress returned for her parasol. I went back to the bed-room, and Achilli came to me again, and tried to kiss me. I walked away and began to cry, and said I would write to Mrs. Trenary, who recommended me there. He went away, and said I should be a very naughty girl. He gave me a religious book afterwards, the title of which was "Come to Jesus." A fortnight after I was going up stairs, and he called me to his dressing-room, and said I had not dusted the table. Mrs. Achilli was out. I returned for a duster, and knelt down to dust the table. He bolted the door in the meanwhile—he then took me by the shoulders and threw me on a bed. I tried to get away with all my might, but I could not. He had connexion with me, and it was against my will. I said I would leave his service I stayed five months after. I cannot write. I left because I was so ill that I could not stay any longer. My father came and took me away.

Cross-examined by the Attorney-General—I was in the House of Mercy at Windsor before I went to Dr. Achilli's; it is a place for women who have misconducted themselves. I was there about 19 months. I was 16 when I went there. Mrs. Achilli came to Mrs. Fermant, who recommended me. I was a protestant. Several people said the House of Mercy was a Roman catholic place, but I don't think it was. I did not fast when at Mrs. Achilli's. I never said a word about what had taken place until Mr. Lewin's clerk came to inquire after me

about four months ago. I was then at Captain Scott's, in the Castle Yard, at Windsor. I only then told him part of it—that Dr. Achilli had tried to put his arm round me and did not succeed. I was afterwards questioned by my father and mother, and then I wrote up to Mr. Lewin to tell him I had not told the truth. I got a Mrs. Gilbert to write for me.

Re-examined by Sir A. E. Cockburn—I had been seduced before I went to the House of Mercy. Mrs. Achilli was a friend of Mrs. Fermant.

Catherine Forman, examined by Mr. Addison—I live in Great Smith-street, Westminster. I once lived as servant with Miss Lambert, 3 St. James's-street, Pall Mall. Dr. Achilli came to lodge there in 1847, before he went to Malta. He attempted to take liberties with me after he had been there six months. As I was putting things on the table he put his hands around me, and asked me to confess to him. (Laughter.) I jumped away from him. At another time he asked me to show him on a map on the table the way to Clerkenwell. As I leant over the table, he pressed himself against me. I am a catholic. I mentioned it to my confessor. Dr. Achilli used to come in late at night.

Cross-examined by the Solicitor-General—Miss Lambert was a dressmaker. I did not tell her of the improper conduct of Dr. Achilli; neither did I tell any one else. Mr. Simpson, of Clapham-common, a Roman catholic, applied to me in December last to give evidence. I had never mentioned it to any one but my confessor. I have also seen Father Hutchinson, at the Oratory, about it. I then saw Mr. Lewin's clerk. I confessed it to the Rev. Dr. M'Guire, of Warwick-street.

Mr. Hurting, a solicitor, had been employed to go to Italy and get evidence. He had been to Rome, Viterbo, Malta, and Naples. I entered into communication with the bishop and his vicar-general at Viterbo, some friars, and the police authorities. I did not obtain any police documents, because they had all been destroyed in the last revolution. The witness subsequently went to Naples, and obtained some documents there which Lord Campbell held could not be received in evidence. He then proceeded to Rome, where Monsignor Talbot, the Pope's secretary, introduced him to the notary of the Inquisition, and other parties with a view to his obtaining certain documents relative to Dr. Achilli, from the archives of the Holy Inquisition. He obtained an office copy—an official copy of a judgment of that court on Dr. Achilli.

Dr. Grant said he was an English Roman catholic bishop.

Lord Campbell—Where is your see? Oh, I beg your pardon, I won't ask of what see. (Laughter.)

Witness—I resided 15 years in Rome; I was at the head of the English college there. I know the Court of the Inquisition in the Vatican. I have seen the seal of the office on documents which have passed through my hands. I have applied to the court for documents, but not to the office. They had the seal of the court affixed to them. Witness looked at the document in question, and said he had seen documents with a similar seal and signature issued from the court. The proceedings of the court are secret.

Cross-examined by the Solicitor-General—I have never seen a seal of this description before. [The seal to the document in question.] Since the invasion of the French the office of the Inquisition has been removed from the Palace to the Vatican. I have no personal knowledge of the office in the Vatican.

Sir A. E. Cockburn now proposed to have the document read.

The Attorney-General, referring to 14 & 15 Vic., cap. 99. sec. 7, submitted that there was no proof whatever of the existence of a court having jurisdiction over the subject matter, and that was essential to make the seal of the court authenticate itself.

Dr. Grant said the Court of the Inquisition was the supreme court over ecclesiastics. He was well acquainted with canon law, and had been asked to

advise Cardinal Acton upon it. The jurisdiction of the court differed in different states according to the will of the sovereign of such state. The jurisdiction of the court was partly criminal and partly for advising the Holy See upon difficult questions of theology. It exercised criminal jurisdiction in matters of heresy, and grievous cases of immorality against ecclesiastics. There were various other crimes supposed to fall under the classification of heresy.

Sir A. E. Cockburn again tendered the document.

The Attorney-General said he would not now object to the seal or the jurisdiction, but upon the ground that the judgment was *ex parte*. There was no proof of identity between the prosecutor in this case and the party adjudged by the judgment in question. There was no proof that Dr. Achilli appeared and was heard in his defence. It might have been fabricated altogether.

Lord Campbell thought there was sufficient evidence to prove that the document was under the seal of the Inquisition, and could be admitted to prove an allegation in the plea. Thank God, there was no inquisition in this country—(here there was a burst of applause in the court)—but as a court of an independent state, we were bound, according to the law of nations, to respect it. This might be the first time in which such a judgment had been received in an English court of justice, but we were not to be frightened by the term "Inquisition," and he hoped he should do no injury to protestantism by receiving this document.

The judgment of the Inquisition was then read, and stated in effect, that on his own confession and after a *maure* examination, it had been found that Giacinto Achilli had been guilty of carnal connexion with several women in the convent at Viterbo, and of a rape on another woman there. That he had carnally known two women at Capua, and that he had made a young person at Naples a mother. The holy inquisitors deprived him of all ecclesiastical functions for ever, and sentenced him to be sent to a certain convent for three years.

Lord Campbell said he did not regard this document as a judgment in the Court of Admiralty; but he received only in proof of the allegation in the plea, that there was such a judgment in the court of the Inquisition.

The Attorney-General said his learned friends and himself did not regard it as a judgment at all, but as a mere narrative. A document was also put in from Corfu showing that Garamoni's wife sued her husband for alimony, one of his answers to which was that his wife had been found at her mother's house at 11 o'clock at night with Dr. Achilli.

The Attorney-General said they had all the proceedings in these matters which they should put in in full to-morrow.

Lord Campbell—Yes, they will form part of your case, no doubt.

Wm. Nicholls, a Dominican friar, proved that Dr. Achilli, as a Dominican monk, must have taken three vows of obedience, poverty, and chastity. The priests were bound to perpetual celibacy.

It was admitted by the counsel for the prosecution that if the charges were true they were for the public benefit.

This was the defendant's case. The court rose at half-past eight o'clock.

THIRD DAY.

WEDNESDAY, JUNE 23.

At the sitting of the court, evidence, in reply, on behalf of the prosecution, was called. The court was thronged.

The first witness was

Dr. Giacinto Achilli, who was examined by the Attorney-General. The witness said he would prefer giving his evidence in English, although he could not speak that language fluently.

Lord Campbell thought it would be more satisfactory to have an interpreter.

An interpreter having been sworn, Dr. Achilli said—I am forty-nine years of age. I was born in Viterbo. I was educated in the Roman Catholic faith in the college of the Jesuits at Viterbo. I entered the Dominican convent of La Quercia at Viterbo as a novice in 1819. I was then sixteen years of age. I was there as a novice a little more than a year. I then became a professed monk of the Dominican order. In the year 1821 I went to Lucca to pursue my studies there. In 1824 I entered into priest's orders. I was under canonical age, but obtained my orders by a dispensation from the Pope, at the solicitation of the Duke of Lucca. I went to Rome in the same year to continue my studies there at the College of Minerva. In the early part of 1827 I was sent to Capranica to preach the Lent sermons, in the diocese of Sutri, in the province of Viterbo. I was appointed by the Bishop of Sutri to preach those sermons. In September, 1827, I was appointed lector philosophiæ in the seminary of the Bishop of Viterbo. I commenced my duties in November in the same year and continued performing those duties until 1833. On the sixth of October, 1832, I was appointed by the Master of the Sacred Palace to be his vicar in the diocese of Viterbo—that made me a censor of the press and president of the censorship of the press. (The witness produced his appointments to these several offices.) In 1833 I obtained from the Cardinal Montfiascondo unlimited authority to confess both sexes in his diocese—that gave me authority to impose penances and give absolution. In the same year I was appointed prefect of studies and head professor of the College of Minerva at Rome. At the end of the year 1833 I left Viterbo, with the provincial of my order, upon a visitation tour of the Dominican convents in Tuscany. I was engaged about a year, and returned to Viterbo in November, 1834. I stayed in my own convent of Gradi, with the provincial. I remained at Viterbo only a few days. I was appointed, as soon as I arrived at Viterbo in 1827, confessor to the governor, by the apostolical delegate. I continued down to 1833 to act as his confessor. The authority to confess in the diocese of Viterbo—the general authority—was renewed from year to year, and my appointment was renewed annually down to 1833. I was appointed visitor to the convent of Nepi in 1834. I was engaged in that visitation some weeks. I then went to Rome. I arrived there in December, 1834. On the twenty-first of April, 1835, I had two patents to preach the Lent sermons—one from the Cardinal Serra, Archbishop of Capua, in his cathedral at Capua; the other patent was from the same cardinal to preach Lent service in the Santa Maria di Capua Church, a collegiate church. I received an appointment to confess persons of both sexes in the diocese of Capua. That was an appointment during pleasure. In 1835 I obtained letters of secularization. I did not avail myself of them immediately, because I was ordered by Cardinal Acton to remain a little longer in my order, until I had better studied my vocation. I then went to Naples, and lived in the Dominican Convent for four years. In June, 1838, I went to Rome. I stayed a month there, and, with that exception, I was the four years in the Dominican Convent at Naples. In the month I was at Rome I was confessor to the Princess of Saxony, Louisa de Bourbon. In February, 1837, I was affiliated of my order in the province of Naples. I have got the minute of incorporation here. I was sub-prior before that. I had an appointment of prior to the Convent of San Pietro at Naples. There is a clause in it to absolve me from excommunication. It is a clause generally put in all patents which confer any jurisdiction. On the fourth of September, 1837, I was appointed by the prior provincial to be his commissary in a cause to be tried in the Convent del Arco, near Naples. On the fifteenth of December I was appointed by a new prior provincial to be his prior. In 1839 I completed my secularization, and continued a secular priest for about two years. I then went to Rome, and arrived there from Naples in the year 1841. In the spring of 1842 I was imprisoned in the Inquisition. I remained there about three months. I went to pass the summer in

the country near to Rome. I afterwards went to Ancona, and from thence to Corfu. I met Signor Bochiciani, who told me he was going to the Ionian Islands. I said I was also going there, but I had not got a passport: He said I might avail myself of his passport, as he had one for five people and they were only four. I took no name, but was No. 5. I remained a year and a half at Corfu, and then went to Zante, where I also remained a year and a half—that was until July, 1846. I then went to Malta, and came to England from there. I came to England in May, 1847. I was then appointed professor at the Malta College. I went there and acted in the duties of my profession. I returned to England in June, 1848, and remained till January, 1849. I then went to Rome and was married there, on the 24th June, to a Miss Healy, who had been educated in Rome. Shortly after, I was again put into the prisons of the Inquisition, and remained there about six months. I was in the Castle of St. Angelo. I was taken out of prison, under the pretext of being a witness in a political cause. The French authorities interfered in my favor. I then came to England, where I have remained ever since. I have been a preacher of the gospel in the Italian protestant chapel near Golden-square, and have been so until a fortnight ago. I have never been deprived of any office. I was not deprived in 1826 of any faculty to lecture for any "offence which my superiors did their best to conceal." In February, 1831, I did not know a woman of the name of Eleanor Valenti. I never, while at Viterbo, robbed any young woman of her honor. I knew a family of the name of Gentili. There are two families of the name of Gentili. In 1831, the only female of the name of Gentili, at Viterbo, was the wife of Count Giulio Gentili. Neither of the families lived in the country near Viterbo. I did not pass my country month, in 1831, with a family called Gentili. It was my custom to pass my country month, in October, with my friends and relations. I can reduce them to three: Tedeschi, Zelli, and Cristofari. I don't know any country house where I walked out with a servant girl. I never went to a place with a servant girl where the two Gentilis were shooting.

[Elena Giustini (formerly Valenti) was here brought into court.]

I never saw that woman before in my life. I never had intercourse with that woman in any place in the world. I never received her in the sacristy at Viterbo, and had intercourse with her. I know a family of the name of Mancarini in Viterbo—they are my relations. I never had intercourse with her in their house. I never gave her or any other woman a pocket handkerchief and three sausages. I never had any sausages. I know a nun called Rosa di Alessandris, a relation of mine, in the monastery of San Bernardino at Viterbo. She is older than I am. I never was found guilty of debauching her. I could not have committed any sin with her, because she is shut up in a nunnery. I never gave any money to her father as hush money. I was a child of five or six years old when her father died. In July, 1834, I did not debauch a woman aged 24, whose name is unknown. I was during that year on my tour of visitation with the provincial. In 1835 I did not seduce one Vincenza Guerra. I was not at Viterbo during that year, nor do I know such a person. In 1834 or 1835 I did not debauch any other woman in Capua. I was there in 1835, occupied in preaching morning and evening. I was in the house of the cardinal archbishop, and resided all the time under the eyes of the archbishop. I did not have intercourse with any woman during 1835 at Capua.

The woman Balisano (formerly Principe) was here brought into the court.

I do not know that woman. I was at Naples in 1840. I had availed myself of my letters of secularisation, and was living as a simple priest. I never saw that woman before to-day. (The paper purporting to be a receipt for money that was paid to the image in the church of St. Pietro by the woman was here produced.) I know that paper; the filling up is my writing. It was an institution connected

with an image in the church of St. Peter the Martyr, to raise money. I did not receive the money for the image; but there was one specially charged to do so. Persons came to write their names, but they did not enter into the sacristy; they stayed at the door. I never had intercourse with that woman in the sacristy or anywhere. I was never addressed by the mother of that woman when walking in a procession. I was never before the police respecting any charge by the Princes. I had a friend at that time, the Duke of Laorino. When I came out from the Dominican convent the brethren began to make war; hence they spread charges against me. I made no account of this, as is my custom. But my friends, irritated at such proceedings, tried in every way to subvert and destroy such charges.

Q. Did the Duke go to the police about it?

Sir A. E. Cockburn objected to the question.

Examination resumed—I was never before the police myself. My friends interposed. I knew a tailor of the name of Garamoni at Corfu. His wife lived with her mother next door to me. It was two houses. I never committed adultery with her. I remember one evening I was passing before the house of the wife of Garamoni's mother. Garamoni's wife was at the door, and called me. She asked me to answer certain questions. She began to ask these questions, when we were surprised by her husband. The questions were but begun. I believe she meant to ask me if I had heard any noise in her house on a former night. I believe she alluded to certain screams or cries that, de facto, I had heard. Garamoni came up and began to inveigh furiously against his wife. I was at the door of the house. It appeared to me that he pushed me inside the house. I made a step within the door. I reproved him for his bad conduct towards his wife. Then I made way with my hands and got out. That was the only occasion on which I was in the house. I never met her in any place. Some days after I heard that Garamoni spoke against me through the city. I went to the secretary of the Lord High Commissioner, Mr. Fraser, to complain of it. While at Corfu I had two persons in my service, named Caraboni, a man and his wife. They remained in my service all the time I remained at Corfu and Zante. They did not go to Zante with me, but went there some weeks after I had gone. I know a Mr. Reynolds of Zante. I did duty at a chapel there; he was one of my congregation. I lived near him. His house did not look into mine, but mine looked into his; my house was higher than his, and I could see his house only from two of my upper windows. I think it would have been necessary to put the person out of my window to have been seen from Mr. Reynolds's window. I never committed any indecency with Caraboni's wife. Mr. Reynolds, after an event that happened between us, did speak to me relative to the persons in my service. I had amicably and charitably given some slight reproof to Mr. Reynolds, because he was at that time in the habit of drinking a little too much in the evening, and being drunk. The first time he received my reproof, I thought, with resignation; the second time he became a little displeased, and began to absent himself from the congregation; and after a certain time he ceased to come to the chapel altogether. I went to pay him a visit to reconcile him—to make friends with him again, and then he, assuming an altogether serious tone, began to reprove me about my servants. He said they had been, before coming to me, persons not of good morals. I answered that I should be satisfied if they behaved well while in my serv. ce. I begged him to tell me if he had anything to say against them at that time. Remember that he spoke in favor of them, only he would have wished that I, according to his will, should have sent them away. He had never before that time said anything to me about sending them away. Caraboni lived in the house with his wife; they had a child. Caraboni's wife never slept with me, nor dined with me. I never told Mr. Reynolds when there were two covers on the table that poor Albina was going to dine with me. I never walked arm in arm with Caraboni's wife in the streets. I never went with her to hear

the band play, nor did I ever go to hear it play alone. After Mr. Reynolds left I continued to preach in the chapel, and my congregation increased very much. I continued to do duty in the chapel six or seven months after Mr. Reynolds left—so long as I remained in Zante. I continued to do duty in the chapel up to the last moment of remaining in Zante, and my congregation increased up to the time of my leaving. (The mother of Principe was here brought into court.) I never saw that woman before, and do not know her at all. Caraboni and his wife left my service when I left Zante. When I was at the college at Malta, there were two priests called Leonini and Zaccharis who had been converted from the Romish church. An accusation was made against them while I was in London—and their faults, if they were guilty of any, were committed before I went there. The accuser was an Armenian priest to whom according to my judgment, no faith should have been given. I was charged by the Malta College in London to make inquiries relative to these charges, although I had advised the secretary not to institute proceedings against these accused persons, because I knew very well the character of the accuser; and therefore I believe that no credit should be given to the accusation. I investigated the matter with Mr. Hadfield on my return to Malta—the result to which I arrived was that there was not any credit to be given to the charges alleged. Neither Mr. Hadfield nor any other person found that the charges were proved. The inquiries of Mr. Hadfield and myself, I thought were finished; but it came to my knowledge afterwards that the inquiries of Mr. Hadfield were continued secretly. I complained of this to him, and to the Vice-principal. The principal said he had been charged by the committee to thoroughly investigate it. I sent Zaccharis on a mission. Before I sent him I communicated to Mr. Hadfield that Signor Zaccharis was going into Sicily charged with a mission. I did not send him away for the purpose of stifling the charges against him. I was not implicated in the charges against Leonini and Zaccharis. They were in Malta and I was in London, at the time. Whilst at Malta I was not accused of acts of fornication and immorality. I never preached against the laws of chastity and morality. I believe in the truths of the Christian religion. I have never been an infidel. There never was a time in which I did not believe in the truths of Christianity or the divine mission of our Saviour. After my marriage and my escape from the Castle of St. Angelo, I came to this country with my wife. In 1847 I lived at No. 3 St. James street, at the house of a Miss Lambert. I never took liberties with the servants there. I lodged at 20 Northumberland street, when I came to London with my wife. I lived afterwards in Shaftesbury terrace. I had a servant called Harriet Harris. I never conducted myself indecently towards her. I never attempted to seduce her. I had a servant called Jane, too, of that name. I recollect the Jane that followed Harriet Harris. I think she lived six months with me. I never behaved indecently towards her, or attempted to seduce her. I remember Sarah, who came from the House of Mercy, at Windsor. I never had criminal intercourse with her. I never attempted it in any way. I was in the prisons of the Inquisition on two occasions. There was a proceeding in the Court of the Inquisition against me. It was the first time I was there in 1841. I was questioned by the Inquisition every day with regard to my teaching in the school, in the pulpit, and in the confessional. There was no other charge whatever brought against me. The Inquisition is not a tribunal competent to deal with immoral crimes. I was never charged to my face or knowledge at the Inquisition with immoral conduct. I never knew of any charge of immorality having been preferred against me at the Inquisition. I never made confession to the Inquisition of my having had carnal connexion with various women in Viterbo and elsewhere. [The judgment of the Court of the Inquisition was here put into the witness's hands, and he read it.] I have never heard of

these charges before. I never made any confession to the Inquisition, and threw myself on their mercy, as stated in that document. Perhaps at the first they might have asked me if I was content to throw myself on their mercy, and, upon that supposition, I should have answered, yes; and then the Chancellor of the Inquisition would have naturally written that I threw myself upon their mercy. I believe the first words in that document may be admitted, but not the last. I did not ask not to be chastised, if I merited it. On the contrary, I should desire that severe proceedings should be instituted against me in such a way as justice demanded. "I shall receive with resignation whatever orders or dispositions may emanate from the court." I may have said that, but I cannot admit the rest: "And even should there be wanting any reason to proceed with greater rigour, let my confession be sufficient to punish me in the manner in which the Holy Inquisition may think best." Those words I did not use. As to the first part of the document, that would apply to the charge against my teaching. I never had any charge submitted to me about deflowering women or anything of that sort as stated in a part of that document.

By the Court—The only charge against me was as to my teaching.

By the Attorney-General—There was no sentence or judgment, only a decree of the congregation of the Holy Office, ordered by the Pope, that I should be set at liberty; and I was set at liberty under certain conditions—that I should become reconciled again to the Holy See, and in the meantime that I should abstain from the exercise of my ministry. This reconciliation, according to the secret instructions given, consisted in that I should write and publish some book in favor of the Roman catholic church. I must correct an observation I made, not having sufficiently reflected when I made it. My incarceration at the Inquisition took place in 1841, and after my being set at liberty, I remained a certain time in Rome, and afterwards I went, as I said, into the country in the neighborhood of Rome. I have stated all the conditions upon which I was released from the Inquisition on the first occasion of my being before it.

Sir A. E. Cockburn said that was the only occasion to which he referred.

Cross-examined by Sir A. E. Cockburn—The Dominicans profess one single vow. The vow I took was this: "I Monk Giacinto Achilli, promise obedience to God, to the blessed Virgin, to the patriarch St. Dominic, and to you, most reverend father, general of the order, until death." I believe the Dominican monk does not take the vows of poverty and chastity. I took no such vows. While at Viterbo, I had no intercourse with any women according to the imputation cast on me.

Q. Had you intercourse with many other women at Viterbo besides those named?

A. No.

Q. Had you with any other women?

A. I could answer you "No," but decline to answer, as I am privileged to do so by the judge. I never had connexion with any women in the sacristy or any other room belonging to the church at Gradi. I was not sent in 1826 to La Queveia. I did not go there by way of penance. It is seldom granted to a priest to confess in Italy. In 1833 Brochetti was the provincial, and he took me on his tour. He was a friend of mine. It is possible that some gossip may have taken place about my moral conduct before that, but I either did not hear it, or it made no impression on my mind. The vicar to the bishop—Spaletti—is the man I refer to in my book "Dealings with the Inquisition," p. 130, as having calumniated me behind my back. There was not one single word of scandal against me when I left Viterbo, on the tour. In 1834 there was not a charge made against me of having attempted the virtue of a woman in Cardinal Veneti's house. I may have heard of such a story among other gossip. I do not recollect that it was made a little before I left Viterbo. I did not go out of the way on account of it. I am not indifferent to such charges;

but against me thousands of such charges have been made: for instance, while I was in the Castle of St. Angelo, a prisoner, it was said I had killed a nun, and this was brought before the French authorities. I obtained a patrimony from my uncle soon after I had permission to have a rescript of secularisation. Here is my document, it is dated in 1839. According to the laws of nations I was no longer a monk. I got an authorisation from the government in 1829; it was necessary, to give effect to the brief of secularisation. I was accepted by an ordinary, which was also requisite. All three of the families I used to visit at Viterbo had country houses in the neighbourhood of Viterbo. In the house of Cristopoli there were a priest of the name of Cristopoli, a lady, a sister-in-law of the clergyman, and a son of hers, who was my pupil. She was a widow of one Cristopoli, and had been a Gentili. In 1831 I spent a portion of my month in that house. I used to go out shooting with my own gun, and the vicar of the bishop, Spaletti, used to go out with me. He was my friend when I was at Viterbo. I never took any woman with me. I never saw the woman brought here to-day before. I have several relations at Viterbo. I do not correspond with them, lest I should compromise them with the authorities. They are much attached to me. I expect to have the funds for this prosecution through some friend, by the providence of God. I have not caused any inquiry to be made about Valenti, or any other woman named; but I have only caused that which was done by my adversaries at Viterbo to be watched. If I were to name who my friends there have been, I should compromise them with the Papal government. Rosa di Alessandris became a nun long before I became a monk. I never knew another person of that name. I have known the monks at Viterbo give money to hush up matters connected with the convent, but not for anything in which I was concerned. I have written in my book against the monks, but not particularly those at Viterbo. Some of the monks there I have no doubt had intercourse with women. According to the law it was the duty to proceed against them, and I have been charged by my superiors to proceed against these very people. I have got such a patent here. I was never reprov'd; as long as I lived among the Dominicans I was their idol. [The woman Principe and her mother were again brought into the court.] I have said, at Capua, that I spent 40 days under the eyes of the Cardinal.

Q. Had you any intercourse with any woman in Capua?

A. I shall appeal to the privilege granted me by the Judge. I never made any attempt on the daughter of the bishop's chamberlain. I can answer "No," as I said before, to your question, whether I ever had connexion with any other woman, but I have a privilege, and mean to avail myself of it. I believe the crimes of fornication and incontinence are venial crimes for all christians; and I do not make much difference between clergymen and laymen. I have not seen that woman (Principe) before to-day. She appears to have a Neapolitan face, and from her dress I should suppose her to be a Neapolitan. It is not possible to call a monk out of a procession, and that woman (Principe's mother) never did, with her husband, call me out of a procession, at Naples, as alleged. I did not go away in consequence of the scandal of that fact. My friends made complaints to the police, and told me after they had done so. I do not know how long these proceedings were going on. I do not know the family they caused to be brought before the police. It is possible that they may have told me the name, but I cannot now recollect. I did not receive the money at the sacristy, as I was the superior of the whole community. There is a register of the payments. Some of the names are in my hand-writing. I did not set the society on foot. There were two other of these papers in the same church. Accusations had been made against me before my secularisation. Cardinals Lambruschini and Ancarani were the two causes of my being taken to the Inquisition. I have spoken of them by

name in my book, in which I have said that God had punished all that had persecuted and oppressed me—that Ancarani had died loaded with execrations; and that Lambruschini, for his greater punishment, was still living. I cannot say whether, in 1839, there were charges made against me with the sanction of Ancarani, the superior of my order, because up to a certain time I had no communications with him. I did not quit the order to avoid charges against me. I had transmitted my petition to the government of Naples for my exequatur before I heard of them. These charges were always the gossip after I had applied for my exequatur. I have never been suspended from any of my offices. I vacated my priorate in peace with all the brethren, who were on the point of re-electing me when they found that I had sent off my petition for secularisation. This was in July, 1839. After I had sent off my petition I received a curious letter from Ancarani. In that letter, amongst other things, there was an order that I should set off and go somewhere—possibly it might have been to Scalcola. I had three orders, the first sending me to Benevento, and a second to another convent. The third might be to Scalcola. Scalcola was not a place of strict observance. In all these convents the family was small; and where there is only a small number of monks the discipline is not strict. I was ordered to proceed to one of these convents until I should have liberty to leave it. All orders are given in that way. Ancarani's letter contained many strange things, for Ancarani had somewhat lost his wits. (A laugh.)

Sir A. Cockburn—Is that what you mean by saying that he died "loaded with execrations"?

Witness—He had been for 47 years an inquisitor, committing all sorts of iniquities, and that was the reason I published his name. Amongst the curious things in the letter was one relating to another convent with which I had something to do. Ancarani meant to bring about a reformation by changing some good habits into bad ones—(laughter)—and therefore he sent me away.

Sir A. Cockburn—I will repeat the question which I have already put to you. During the time you were at Naples had you not a criminal intimacy with several women?

Witness—The same question begets the same answer. (A laugh.) I left Naples to go to Rome in 1841, upon a family matter of mine, and I intended to go on to Viterbo. I was arrested afterwards; not then. I was not arrested at Naples, and taken by the police to Rome. I was arrested in Rome. No proceedings were instituted against me at Naples. I was not sent or taken out of Naples. I asked for my passport. It was granted to me, and I left Naples free. I was never conducted by the Neapolitan police out of their territory. I did not leave Naples by the order of the police, nor return secretly to Naples. The Minister of Foreign Affairs sent me the passport, and then I left Naples, returning publicly and openly to that city. I had proceeded as far on my way to Rome as Frosinone, and then returned to Naples, on account of lameness. I kept my bed sometime after I came back. After I got well I set out again on my journey, freely, and for the same purpose as I had originally undertaken it. I was in Rome a few weeks, and then I went about to places in the neighbourhood. It was several weeks before I was arrested. I was arrested in Rome. Having left the Dominican order I had also left all the offices I held in that order. I have never admitted any criminality at all. I did not admit that I had ever taught heretical doctrines. I was not urged to do so. I did admit that I had preached the doctrine of justification by faith alone. I did not on account of having so preached throw myself upon the mercy of the court. I justified myself by Thomas Aquinas. I did not throw myself upon the mercy of the court, but upon the mercy of God. It is a general rule that whoever comes out of the Inquisition not absolutely absolved remains under suspension. I was not absolved, and remained under surveillance. No time was specified for re-

maining in that state. I was to be under surveillance until I was reconciled to the holy see. While under surveillance I should be incapable of exercising the functions of the priesthood, or of receiving any benefice or preferment. It was not one of the conditions of my reconciliation that I should first remain three years in one of the convents of more rigorous observance. No sentence was ever pronounced against me. There was only a decree by which I was liberated. The order for the surveillance was not part of that decree. I was advised, admonished, warned and recommended to spend some time in retirement, in order to do what is called at Rome the spiritual exercises. All that come out of the Inquisition, even when they are declared innocent, are recommended to do these exercises. I was not taken by the sbirri to Nazzano. I went there of my own accord. There is a religious house, but not one of strict observance, and to that I went. I went there because I was intimately acquainted with some of the monks, who had invited me to visit them. I stayed there permanently a very little time. I went about in the neighbourhood. I went to collect myself. I stayed about a fortnight. From Nazzano I went to Ancona, in order to get out of the papal states altogether. Before I departed from Nazzano secretly I had written to a Monsignore, a friend of mine at Rome, for a passport, and he told me that the government would not allow me to leave the Roman states; but that, on the contrary, I was recommended to return to Rome. I went from Ancona to Corfu. Some time after I had been there, I went to live near Garamoni's wife. That was near the palace of the Lord High Commissioner. It was some months after that her husband surprised me. I think I had known his wife, but I have some doubt about it. I had employed Garamoni as a tailor. Everybody in the place knew that he was not living with his wife, but I am not sure that I knew it then. I do not know exactly what time of night I was surprised, but it was not my habit to go home before eleven. I used to spend my evenings at the houses of my friends and sometimes at the Lord High Commissioner's. She called me in as I was passing, to put some questions to me, but we were interrupted by her husband before she had time. From the words which she did say, "Have you heard?" I supposed she was going to refer to a noise which I had heard a few nights before. Her husband did not seize me, nor did he charge me with having been with his wife. I believe he pushed against me, but he did not take hold of me. He had no quarrel with me, but with his wife. It was his habit to be without civility in all his ways. I think he did not charge her with having admitted me for improper purposes. His words were "wretch, worthless woman, I have caught thee." He did not hold me and make his wife bring the candle that he might see who I was. He did not put his hands upon me. No one took hold of me. The husband and wife and another person were present, and I had to make my way through them. I did not run away, for my house was close by. The people in the street did not stop me as I was running away. I have got Madame Garamoni here, and you will have the pleasure of seeing her. (Laughter) I have not got Madame Carraboni here. I was not travelling as a Popish priest or as a protestant clergyman, but as a cavalieri. I never put that in my passport, but on my card I called myself the Cavaliere Achilli. I became acquainted with Madame Carraboni in the summer of 1848 at Corfu. Her husband was a small merchant, and then he went about with an opera company. I believe he was a chorus singer. His wife had no occupation of her own. I took her husband as my servant; she and her little son came to my house with him. All the Italians that were at Corfu sought my acquaintance, and I took pleasure in their society. I did not know Madame Carraboni's character, and I made no inquiries about it. She used to go very modestly dressed. Her husband himself applied to me to engage him as my servant. I knew him by sight, and he appeared to be a very good sort of a man. I had nothing to find fault with

the appearance of Madame Carraboni. She was neither ugly nor beautiful. (A laugh.) I did not take them with me to Zante. At first I lived there in the house of a Capt. Paul; but when I took a house for myself I sent for the Carrabonis. I used part of my house as a place of worship. The first day it was used for that purpose Carraboni officiated as my clerk. He was, as the greater part of the Italians are, neither catholic nor protestant. He was opposed to the Roman church, but he had not become a protestant.

Sir A. Cockburn.—Then he was not good enough for a parson, I suppose, but good enough for a clerk. (Loud laughter) Madame Carraboni did not officiate in any way. Carraboni continued to officiate till the last. After I had reproached Mr. Reynolds about something, he found fault with me about my servants. He did not remonstrate with me the very first day Carraboni officiated for me. On the contrary, he often used my servants for what he wanted. I had reproved Mr. Reynolds for his intemperance, and I was requested to do that by his own wife. As far as I could see, he was an habitual drunkard. I had known him some months before I reproved him. The Carrabonis are now in the Roman States. I believe that there are very few catholics in those States. The people there are negatives. (Laughter.) I have not attempted to bring the Carrabonis here. I have never said that Madame Carraboni was a Magdalene, and that I would not withdraw my protection from her. Mr. Reynolds never remarked that my bed was a large one, with two pillows. None of my friends have seen my bedroom. Madame Carraboni never dined with me. I should have lost my position if I had been seen walking with her. I may have met her in the street, near the house, and come home with her. I left Zante to open an Italian church at Malta. I opened one a fortnight after my arrival. I continued to officiate at the domestic chapel. I had received a small subscription at Zante, but I depended chiefly upon my family, and I had also earned money by my literary labours. Before I sent Zaccharis to Sicily, I communicated with the principal of the college enclosing a letter which had been sent me by Zaccharis. He left two or three days after I sent the letter. I returned to England in 1848. I sent Zaccharis to Sicily to carry a box of bibles to those persons who were then in the government of Sicily. He took 50 or 60 bibles which were procured from the depot of the Biblical Society in Malta. The Maltese Society did not send me bibles but other books. I never denied that I had sent Zaccharis away. I only denied that I had subtracted him from the inquiry. I did not know that Mr. Hadfield had fixed a day for the inquiry, on the contrary I thought that the investigation was at an end, and that the London committee had thoroughly examined into the matter. I engaged Harriette Harris while Madame Achilli was away. There was also a person named Castiglano in the house. I never took any liberties with Harris. I never touched her. I had never anything to do with Jane Legge. I know her sister Mrs. Logan. She lives now with her husband in Shaftesbury-crescent. When they were served with subpoenas, they did not send me word; but I had afterwards occasion to go to Mr. Logan's house. I did not tell Mrs. Logan not to appear, for the time was gone by. She said that a person had put the subpoena into her hand, together with a guinea. I said it was a very curious thing. I never told her if any person came again to shut the door in his face. She had stated that the man had thrust the subpoena into her hand with some violence; and I said, I did not think that in England violence could be used in houses. I think there was nothing passed between us about my having had an improper intimacy with her sister. There was not—I did not understand the question—there was not. On the contrary, she said she was sorry that the things about her sister had been mooted at all. Nothing ever took place between me and Sarah Wood. Her uncle never saw me on the subject.

Sir A. Cockburn.—Now I will ask you the same

question that I have asked about these other countries—have you been improperly intimate with any woman in England?

A juror objected to such questions being put.

Lord Campbell could not say that they were irrelevant.

The witness answered in the negative.

Sir A. Cockburn—Now I will come to a specific case. Do you know Louisa Colchester?

The Attorney-General objected.

Lord Campbell certainly thought that these specific cases ought to have been mentioned in the record, so that Dr. Achilli might have had some notice of them.

Sir A. Cockburn wished to put the question, in order to test the credit of the witness in a case where the evidence was conflicting. The reason these cases were not placed in the record was because they had not been known of them—indeed, it was their case that they had not occurred at the time the pleadings were drawn.

The question was not pressed.

Examination resumed—I began to have doubts as to the Real Presence when I was a professor of philosophy, and was explaining a treatise on the subject. This was at Viterbo, in 1831 or 1832. (Sir Alexander Cockburn then read passages out of Dr. Achilli's book, in which he said that though he was thoroughly convinced of its imposture, he continued to celebrate mass—certainly without devotion, but yet with some show of earnestness.) My case was what had happened to all the reformers. I was not perfectly convinced. I had not had my heart touched. I was persuaded in my mind, though I had not strength of persuasion in my heart. (Laughter) I believe that conversion in men rests more in the heart than in the mind. As a professor of philosophy and theology I was not obliged to attend in the choir. It was never made a matter of complaint that I absented myself from the choir.

Re-examined—As Professor of Philosophy and Theology, I was exempt from attending in the choir, except on Sundays, when I often preached. In fact, I was the only preacher in that convent. I have expressed my opinion in my book (page 25) that conversion is more a matter of the heart than of the mind. It is the habit of the people of Corfu to be out late at night.

Dr. Dominic Joseph Poggi—I was brought up in the church of Rome. I was a Dominican Father. I am the principal of a protestant educational establishment at Seacombe, near Liverpool. I was in the convent at Viterbo from the beginning of 1831 to June, 1833. That was at the time Dr. Achilli was there. He was Prior, Sub-Prior, and Professor of Divinity. I remember his preaching Lent sermons at Montefiascone. I remember him residing at Naples. He was called there by the Princess of Saxony, to whom he was confessor. He was in very high esteem. He was received in the highest families, and was very much esteemed by ecclesiastics of every rank. I never heard any thing against him at Rome, but I did at Viterbo. At Viterbo he had made enemies. He was appointed to preach Lent sermons by the cardinal himself. That was considered a great honour. He was esteemed highly by the monks, the friars, and the priests; but not by the bishop. He was appointed to visit convents in 1833 with the provincial. That is a mark of high esteem, because the provincial is the highest subject in the order. I will challenge any one to point out an instance in which an immoral man has been appointed companion to the provincial. There is a rule that any father whose conduct is bad or doubtful, cannot be appointed the superior of a convent.

Cross-examined by Sir A. Cockburn—I took the vow of obedience, but I have always considered that implicitly, if not explicitly, the vows of chastity and poverty are implied in that. The work of Ferraris upon the church of Rome is a work of authority, though there are many decrees that are now obsolete by usage. (Sir Alexander then read passages from the Latin of Ferraris, declaring that the three vows of obedience, chastity, and poverty,

are perpetually binding.) All that is perfectly true according to the belief of the church of Rome. Except a man keep those three vows, he ought not to be a Dominican any longer. (Laughter) I was in the same convent with Dr. Achilli. I have been six years in England, but I beg to decline answering when I left the church of Rome. I have not come here to give an account of my actions. If I had come here to do that, I would answer your question, but it is enough to say, I am happy to state that I have left the church of Rome. I have been admitted, in effect, into the Church of England, but not formally. I have made no recantation.

Sir Alex. Cockburn—But when did you cease to attend the services of the Church of Rome?

Witness—That is another question. (Laughter.)

Sir Alex. Cockburn really could not see what objection the witness had to answer the question.

Witness—I may be wrong, but that is my opinion.

You must excuse me, sir. (Laughter)

Lord Campbell could not imagine what objection the witness had to answer the question.

Witness—I cannot answer any question connected with extraneous matters. In my opinion this is so, and I think I am right. (Laughter)

Sir Alex. Cockburn—When did you leave Italy?

Witness—In 1840. At that time I had succeeded in my mind.

Sir Alex. Cockburn—I suppose when you left Italy you also left off frequenting the worship of the Roman catholic church?

Witness—I am not come here to give an account of myself. (Loud Laughter)

Sir Alex. Cockburn—Well, I will not ask you any more questions.

The Attorney-General—You are a schoolmaster. I will not trouble you.

Dominico Paoli (examined by the Attorney-General)—I was formerly a Dominican of the order of the Serviti. I lived in Viterbo from the end of 1831 till nearly the end of 1837. I know Dr. Achilli personally. I saw that he was then in public estimation. I never heard of any charges of immorality against him at Viterbo. Nothing of that kind came under my notice. I was a monk.

Cross-examined by Sir Alexander Cockburn—I have been here a year. I am here a free man having left the Roman catholic church. I came here originally, having been engaged by a society to evangelise the foreigners during the great exhibition. (Laughter) This society was called the Society for the Evangelization of Foreigners, and it had an office in Leicester-square. I was called to England by that society from Geneva. I have been severed from the communion of the Roman catholic church about two years. I left Italy about two years ago, not on political grounds, but freely, and for the purpose of being able to profess freely my religious opinions, which I was not able to do there. I have known Dr. Achilli; I have treated him as an acquaintance. Between the time I left Viterbo, and went to Geneva. I went hither and thither, wherever I was sent by my superiors. I live now upon the means that are afforded me by Father Gavazzi, who employs me as his secretary, and in various other ways. In short, I do whatever he tells me.

Mr. Joseph Berridge, translator of languages, was then sworn, and a document was placed in his hand, and he was asked to read it.

Mr. Brammell asked what the document was.

The Attorney-General said it was a document under the same seal as that affixed to a document which was received yesterday, and related to the proceedings at Corfu.

His Lordship decided that the document should be received.

William Hudson Lawrence, examined by Mr. Ellis—I am captain on half-pay in the Royal Artillery, and Inspector General of Police in the Ionian Islands. I received a letter from the attorneys for the prosecution, in consequence of which I applied for a copy of the proceedings between Garamoni and his wife. The documents shown to

me are them. I was applied to find out Principe, the wife of Garamoni. She is now in this country. I also endeavored to find Caraboni and his wife, but could not. I have been inspector in the Ionian Islands since 1843. I do not know Brusso, one of the witnesses, personally, but I know his character from the police force.

Mr. Kirkpatrick examined.—For several years I was chief justice of the Ionian Islands. I have seen the proceedings in the civil and ecclesiastical court produced by Captain Lawrence. They relate to a suit instituted for alimony on the part of the wife. There were one or two petitions. No witnesses were examined. I think a reconciliation took place, at the recommendation of the president of the court, and a compromise was entered into. (The document was then read. It was the petition of Principe, the wife of Garamoni, alleging misconduct on the part of her husband.)

The Attorney-General said Garamoni put in a charge of adultery, to which he demurred, and he then retracted his charge.

Marianne Crisaffi, I am the wife of Garamoni, carrying on the business of a tailor at Corfu. I remember Dr. Achilli living next door to me at Corfu. I was at that time living with my mother. My husband was not living in the house with me. I recollect speaking one night to Dr. Achilli as he was passing my house. My husband had used violence to me some few nights before. He had used violence many times, and there have been accusations brought against him on that account, and I would wish to have him here, for him to see my face disfigured by him. I have not even spoken to Dr. Achilli, and wish to explain about that. I recollect perfectly well I wished to call the gentleman because my mother pointed him out to me, and said probably that he, being a neighbor, has heard of the quarrel between myself and a lady the friend of my husband. I said to my mother I would wait till the evening and ask him. In the evening I placed myself at the window for the purpose of calling him, and as I was going down stairs to speak to him it happened that my husband and Dr. Achilli rushed in together. I wished to call Dr. Achilli that he might be a witness in my favor, but I did not know him. I should like very much that my husband were here, but he has run away. My husband rushed up stairs and said many things that he ought not to have said. Dr. Achilli was never in my house before. We did not know who he was. On this occasion Dr. Achilli was outside the door, and my husband took him and put him in. I cannot say that he was within the door; he was close to the door, but outside it. There never was any intimacy between me and Dr. Achilli. I did not know who this Dr. Achilli was. Now I know him since he has been pointed out to me by the daughter of the landlady where he resides. There were proceedings between me and my husband in the Courts of Corfu, and I came out victorious. I lived with my husband after these proceedings, and he wished we should make peace. I had forgiven him before a hundred times, and I forgave him again. We lived together some years afterwards. We have now been separated for seven years.

Cross-examined by Sir A. Cockburn.—I was married about sixteen years ago. My husband has always led me a miserable life. These quarrels did not arise from his having charged me with improper conduct with other men. It is I who charged him. I was always beaten, because he had to do with other women; it was not because he charged me with having to do with other men. There are many proofs of that—two doctors, four lawyers, and many others. (Laughter.) They will prove he is a bad man. I had never spoken to Dr. Achilli before this occasion that I called him in to ask if he had heard the quarrel. I did not then know his name. My mother told me that evening that he was our neighbor. My mother told me he was not at home then, and I said I would remain at the window all night, that I might be able to see him. I did not even call him, but I intended to call him. I was up stairs with a light when they got to the door. My husband

did not ask me to go down with the light, it was I who wished to go down stairs to speak to the gentleman. I did not hold the light in Dr. Achilli's face. I continued to hold the light. That evening my husband tormented me, and went about saying he had found me with that gentleman. He did not say, when Dr. Achilli was present, "Worthless woman! I have caught you." Two persons passed at the time, to whom my husband said, "See, I have found my wife with this gentleman," and he insulted Dr. Achilli in various ways. Dr. Achilli did not struggle to get away; he did not know what it was. I did not know because I was up stairs. I could not come down. I remained on the stairs. The door is close to the stairs. The door was open. There may be 15 or 16 steps. I opened the door from above with the intention of speaking to Dr. Achilli. My mother is a laundress, and before I was married I was with my mother and brothers. My mother has some landed property.

Re-examined by the Attorney-General.—My mother was sleeping in bed when Dr. Achilli came.

Mrs. Achilli was then called. She is a young good-looking woman, apparently on the right side of 30. She gave her evidence with great propriety of manner. She said I am the wife of Dr. Achilli, and was married to him in Rome in 1849. I came over to this country with my husband. I went to Paris by myself, and there I found my husband after his escape from the Inquisition, and I came to London with him. I took a house with my husband in Shaftesbury crescent. I had a servant of the name Harriet Harris. She lived with me about three months. She left me because I went down in the kitchen and found it very dirty. She said it was not the habit of English ladies to go into the kitchen. I said I am not English, I have not the use of English ladies, and should come in the kitchen when I liked. She said she would go, and I said she might go directly if she pleased. At the end of the month she said she wished to stay, and I said no—when I said a thing I would have it so. I gave her a character, because I had no complaint except that she was dirty. She never complained to me at any time that Dr. Achilli had taken any liberties with her. After she left I engaged Martha Stacy, and afterwards Jane Legg. I came home on one occasion and found a young man with Jane Legg at 11 o'clock at night. I told her to leave the place the day after.

Did she ever make any charge against your husband?

Sir A. Cockburn objected to the question, and the Attorney-General did not persist in putting it.

Examination resumed—I recollect Sarah Wood being in my service. I think she was a Roman Catholic, because on Wednesdays and Fridays she would not eat meat, but asked for fish. She had a book of hymns to the Virgin Mary.

This closed the case for the reply.

The court then, at half-past 6, adjourned till half-past 9 o'clock the next morning.

FOURTH DAY.

THURSDAY, JUNE 24.

At the sitting of the court this morning, Sir A. E. Cockburn addressed the jury upon the evidence given in reply on behalf of the prosecution yesterday. After the length of time which the trial had occupied, some of the jury might have formed conclusions as to the result; but he was sure, if they had done so, they would give their calm attention to his observations. He could not expect their religious feelings to be on his side; but he had no doubt they would divest their minds as much as possible of all prejudice. And he would begin by calling their attention to the peculiar form which the case had assumed. It was no longer a simple question whether Dr. Newman was guilty or not—a new question had arisen: by whom had the most foul and deliberate perjury been committed?—be-

cause on one side or the other it must have been committed; the conflicting testimony could not be reconciled. He contended that the women who had given their testimony could not have been mistaken as to the identity of Dr. Achilli. Although it might be possible for a libertine to mistake the identity of his victim, she would never forget his person, and he did not believe it was possible that he should forget her when every particular had been brought under his notice. On the one side or the other there must be foul and deliberate perjury. The woman who has said he had ruined her, and her mother who said she assailed him as the seducer of her child, must have committed deliberate perjury. But still he called on the jury calmly to weigh the whole evidence. If they believed the witnesses for the defence, the charges were all proved; but if they believed Dr. Achilli, he had made out a case in reply. On which side did the truth lie? His learned friend would have the advantage of the last word, and he would have to address those who, unless some high sense of duty interposed between their prejudices and their love of justice, would have their judgments easily carried away; at any rate he would have to address a congenial auditory. The first witness told her story in a very credible manner. The prosecutor had had abundant opportunity of inquiring into her subsequent character. He had had communication with Viterbo, and he could have found out the whole of her career; but not one word had been cast upon her credibility. But then it was said she was under the influence of her priest, who said it would be for the glory of God, and the good of the church if she came to give her evidence. That was to be the answer to her testimony. They would be told of the tricks of the Jesuits, and that they believed the end justified the means. They would be told of Italian perfidy; but that was a two-edged sword. Who was Dr. Achilli?—was he not a Jesuit and educated in all their craft? Whatever the extent of the arts and duplicity of the Jesuits and priests, he had been educated a Jesuit. He was a subtle disputer and an ingenious casuist. He was brought up a Jesuit. If he had appeared before them in the monk's cowl, it would have struck them that the man and his habit were by no means unsuitable for each other. The evidence brought to meet the testimony of the defendant's witnesses was that of a Jesuit, a monk, and an Italian, and he (the learned counsel) claimed for his simple peasants as much right to credit as the prosecutor himself. But then it would be said it was for the interest of the parties that they should have given their testimony against Dr. Achilli. Could the jury suppose that Dr. Newman had suborned the witnesses? They might regret his falling off from the church of England and having become a Roman catholic priest, but no one had ventured to throw any doubt upon his honor and integrity. On the other side, everything that Dr. Achilli had dear to him in the world was at stake. All his hope of honor and dignity in the Roman church was cut off forever; and his future interest depended on his character. He had been adopted as a great and shining light for conversion, and everything depended on his morality and Christian demeanor. He had made these observations upon the comparison between the evidence of the first witness and that of Dr. Achilli in answer to it. There was one remarkable circumstance, namely, the admission of Dr. Achilli that he visited the country house of a Cristopoli, near Viterbo, in the month of October, spoken to by this witness; and that there was a widow there of that name, who had before her marriage been called Gentili—the name of the family with whom the first witness said she was living when Dr. Achilli paid a visit to the family. Italian women did not always drop their names altogether when they married, in proof of which some of the Italian female witnesses who had been called, answered to their maiden as well as to their married names. Then, there was the case of Principe at Naples. He would pass over the charges at Capua for the present, because they depended on a document upon which he should observe by and bye. It was said that it would have

been an offence to call a monk out of a procession, but the anguish of mind of the father and mother of the woman Principe might account for such an act. Were there, however, no corroborative circumstances in the case? There was a paper produced, showing that the woman Principe used to go to the church of St. Peter, at Naples, to pay her subscription to the image there in honor of the Virgin Mary. No imputation had been cast upon either Principe or her mother, and they had been shown to be respectable and reputable people of their class. The agents of Dr. Achilli could have gone to Naples and made inquiry there; but not the least imputation has been cast on either witness. The seduction of the woman could not be hushed up in Naples, and a great scandal was the consequence. Somebody went to the police. The women said it was Dr. Achilli; they might, however, have made a mistake; it might have been his friends; but it showed that the friends of the girl gave vent to their complaints. They were summoned before the police, and the commissary inquired into it. If they believed Dr. Achilli, he wrapped himself up in his virtue, or his monk's gown, and treated it all with supreme contempt. Did it not argue the greatest disregard of his character—that he, a priest of God, charged with having debauched a child in the church, should have left the matter to his friends? It argued that he dared not meet his accusers in person. The disposition of the police, no doubt, would be to silence the calumniators; but the commissary had the daughter before him—believed her—sent them away, and left the matter to take its course. He went to Rome, careless of his crime and its consequences, to pursue what he called his sacred mission. And when the poor woman came before them to tell her tale, the victim of his lust was to be the victim of his falsehood too; and to her shame was to be added the infamy of having committed perjury. He would now pass on to Corfu. The prosecutor was charged with having been connected with Garamoni's wife there. It was clear that Garamoni, in answer to his wife's claim for alimony, had charged her with having been faithless and having committed adultery with Dr. Achilli. It was proved that the husband suspected the wife; and on a particular evening Dr. Achilli was seen by the husband to go into the house, and was found there secreting himself. Dr. Achilli's story was that he lived next door, and one evening when he was coming home Madame Garamoni was at the door, and called him in, and that she had begun to ask him, "Did you hear?"—when they were interrupted. Madame Garamoni herself said she was at the window, waiting to see Dr. Achilli, to ask him a question about the outcry in her mother's house the night before. Her mother had told her to do so, and had told her that he had gone out; but she said her mother had gone to bed. Could they not have waited until the morning to have seen him?—and why did not her mother wait up for her at so late an hour? Madame Garamoni said that she was at her window—that she never came near the door to call Dr. Achilli—that she came down to open the door, and while she was doing so her husband and Dr. Achilli rushed in at the door, the Doctor having stated that the husband pushed him into the house. Obsequiously convenient husband! (Laughter.) Could they believe such an insult on their understandings? There was another discrepancy—Dr. Achilli said the husband did not seize him; but Madame Garamoni said that her husband held him against the wall. He would next come to the case at Zante. Before Dr. Achilli left Corfu he engaged in his service the two Caraboni. He knew that charges had been made against his moral character, and it behoved him to walk circumspectly. Madame Caraboni was represented to be an absolute prostitute, her husband living on the earnings of her shame. Admitting that to be exaggerated, there could be little doubt that she was not as chary of her charms as a married woman ought to be. Caraboni the chorus singer in the opera at Corfu was transformed, no doubt to his astonishment, into a protestant clerk at Zante. Like Shakespeare's

specimen of man, he had performed many parts. The man had been a Catholic, and had only thought of Protestants before as heretics, who ought to be burnt. Talk about the convictions of the mind and the promptings of the heart, these people who became converts from another religion, and had the credit of being actuated by conscientious feelings, were almost invariably influenced by sordid motives. And here was an instance of it, both as regarded Dr Achilli and his clerk. Mr. Reynolds said that Caraboni and his wife were engaged as pew opener and clerk in the chapel at Zante—that he remonstrated, and they were withdrawn. Dr. Achilli denied this; he said that the woman was never a pew opener, and that the man continued to be clerk as long as he preached in the chapel. There was oath against oath. Dr. Achilli had a strong interest in making out his case, but Mr. Reynolds had no such interest: and could he have invented the story altogether? Could he have any reason to fabricate atrocious falsehoods? He had certainly written two foolish letters to a gentleman at Plymouth, who was unwilling to come up unless his expenses were paid; and Mr. Reynolds told him he would be liberally paid. But was that buying testimony, could it be supposed that an officer in the British army would fabricate a story for the sake of gain? Then Mr. Reynolds was corroborated by his servant, who was not a Catholic, nor an Italian, and had no interest in upholding Dr. Newman. Dr. Achilli was the real defendant in the case. Dr. Newman was forgotten, and although Dr. Achilli was in that position, he was enabled to get into the witness box and tell his own story. The law of England had recently been altered on that subject, and before that alteration it was assumed that a person charged with an offence would even be guilty of perjury to exculpate himself; and Dr. Achilli could not be looked upon now in the light of a disinterested witness.

Lord Campbell—You must remember that if he could be called to give evidence in favor of himself, he could also be called to give evidence against himself.

Sir A. Cockburn must admit that; but it was a question whether he ought not to have been interrogated first, to see how much he would admit. But there could be no question that Dr. Achilli's interest was much greater than that of Mr. Reynolds, in the statements which each had made. Dr. Achilli said it was suggested to him by Mrs. Reynolds, that he should speak to Mr. Reynolds on account of his habits of intemperance. Mr. Reynolds denied that he was intemperate, and appealed to the fact that he had been twenty-five years in the British service, filling important offices. So much for the Zante affair. They would come next to Malta—and there again they found Dr. Achilli in conflict with the witnesses against him. There were two converts there from the Roman Catholic faith, who had brought scandal on the college by their immorality. The charge was at first dismissed, but another day was afterwards appointed for a further hearing. The day was fixed, and just before it was going to take place, Dr. Achilli sent away the accused. It was said by Dr. Achilli that he did not believe the accusations; but was it an answer to a command from a superior to institute an inquiry, to send away the party accused, and prevent its taking place? He then said he did not know that there was to be a second inquiry, but in that statement he was contradicted by several witnesses. Dr. Achilli had been the intimate friend of these two priests, and it was desirable to get Zaccharis out of the way; for if a further inquiry took place, and it was found that ladies came to the mission house, might there not have been a doubt as to whom they came to see? Well, then they came to England. Dr. Achilli had become married, and the first thing he did was to solicit the chastity of his servant. Did not that throw great light on his early history? Was the woman a catholic or an Italian—was she bought by Dr. Newman? Did she bear a bad character? No. Then why should they say that she was perjured? Madame Achilli had not disproved her statement.

She had stated that she turned the woman away for being dirty, and that she never complained to her. Madame Achilli, in fact, had only been called to excite their sympathy. He would pass on to the next woman, Lake, and he would admit that she was a woman of bad character, and had had intercourse with several men. But she did not attempt to fix the paternity of her child on any one of them—many fathers had a share in it. There was some honesty in that. (Laughter.) She told her sister—and what said the sister?—that Dr. Achilli told her if any one came there again to subpoena her that they should shut the door in their faces. And she said to Dr. Achilli, "You must know best of what passed between you and Jane;" to which he made no reply. Then they next came to Sarah Wood. She had been seduced at the age of fifteen, and was induced to leave her father's house; but, disgusted with her conduct, she took refuge in a house for unfortunate females, mercifully established by Mrs. Tennant. That lady afterwards placed her in the house of her intimate friend, Mrs. Achilli—what could be greater evidence that she believed her to be a reformed character? But it was surmised that she was a Catholic, because she had a book with a cross upon it, and it was doubtful whether she had not been influenced. He hoped they would not have their judgment warped by fanaticism and bigotry in the administration of justice. He trusted in God that this feeling would not interfere with their deliberate judgment, and that they would be able to hold the scales evenly, although their hand might be excited by the strength of their religious zeal and passion. He asked them to look upon these things as men and Christians, and to remember that, however great a thing religious zeal was, Justice was one of the earliest born and dearest emanations from God and religion. (There was a slight attempt here to applaud the speaker, which was instantly checked by the court.) There was another woman with whom it was said the prosecutor had taken liberties, but this he also denied. The only oral testimony remaining to be observed upon was that of the two monks who had, like himself, deserted from their church and came there to give him a character. They had an interest in upholding Dr. Achilli, and endeavoring to prove his innocence. He would pass on now to the document from the Inquisition. It was most important—if they could believe it to be true. Dr. Achilli said the charges were not proved, and that the Court of the Inquisition could not take cognizance of matters relating to morals. But Dr. Grant stated that the Court of the Inquisition could do so. He stated that the Inquisition took cognizance of matters of faith and grievous immorality.

Lord Campbell said the sentence did not state what the offences were. It was a very unsatisfactory proceeding.

Sir A. E. Cockburn said the judgment must be a wicked imposture, or else Dr. Achilli had thrown himself on the mercy of the court. He said in his evidence that he never was suspended from his ecclesiastical functions, and it turned out, on his own showing, that he had been before the Inquisition. He said he had taught the doctrine of faith without works, which was the reason why he was brought before the Inquisition, and he admitted that he had been suspended for a time from his ecclesiastical functions. Dr. Achilli represented himself as having the patronage and favor of archbishops, cardinals, and even of the Pope himself; if so, why was he put into the Inquisition in 1841? Was it simply because he had preached something about justification by faith? If he had done so, would he have been honored with the confidence of those high dignitaries in the hierarchy of the church of Rome? Would they not rather believe that his immoralities had become so notorious that it was absolutely necessary that he should be brought to trial? He had continued in the Catholic faith up to that time. If he had, as he said in his book, so long before abjured that faith, why did he continue in the office which he filled? He said in his book that, from the time he left Viterbo, he was

no longer a cristopolis—he abjured the mass, and was persuaded of its imposture, and of the two great heresies in its doctrine. He did not celebrate it often, but he had not the courage to abandon it altogether, so that for ten years he was a hypocrite under the cowl, who ministered with his hand and revolted from the ministrations in his heart. And a hypocrite in the most solemn of all things, who played off his hypocrisy, not only before man, but at the very altar of his God; and he was forsooth, to be believed when he put himself into the witness-box. A whole heap of witnesses were to be consigned to the guilt and perhaps the punishment of perjury, and that was to be called justice. A man who could bring himself to convert religion into a mockery—that which should be sacred before God into a hideous farce—he could not understand how such a man, against honest witnesses, with no such scandalous hypocrisy to answer for, could be believed. His accusation against the priests of the church of Rome was that they believed, if they performed their duties, they might lead what lives of immorality they pleased. Why did he continue, then, to live among them until he was deprived of his functions, when he withdrew from the church and made us a present of his conversion? He might have attained any position in the Roman church, if he had not been convicted by the Inquisition, for obeying the dictates of his conscience, and the inspiration of his God. He (the learned counsel) hoped to God it might be so. He had pressed upon Dr. Achilli a question as to his general contumace, and he thought there was sufficient reason for doing so, looking at the evidence which they had had of his having been in the habitual practice of breaking his vow of chastity. He had a right to shelter himself under his privilege, and was not bound to blacken his own character, but his silence was more than equivalent to all that could have been said. He would only ask them in conclusion to bring to the consideration of this case, a calm and impartial mind. It must be admitted, on all hands, that if the matters which had been alleged against Dr. Achilli by Dr. Newman were true, that he was justified in calling attention to the character of such a witness against Romanism. He had denounced the doctrines and lives of the Romish clergy, and it was for the public welfare—the welfare of mankind involved in these religious inquiries—that the character of the accuser and the witness should be investigated. That was what Dr. Newman had done. In the *Dublin Review* there had been published an article, “raking up,” to use Dr. Achilli’s expression in his book, every circumstance that could be adduced against him. Why was that allowed to sleep, unvisited by any legal proceeding on his part? It was only when the charges had been a second time repeated, that Dr. Achilli had come forward, months after the first occasion. Why was this? Because, no doubt, when the matter came to be repeated, those under whose fostering protection he had ministered in this country, and who brought him forward as a striking and great instance of conversion from the antagonist church, feeling that his usefulness would be destroyed if these charges remained unanswered, had called upon him to come forward and vindicate himself. Every thing he held dear in existence was at stake, and while that should induce the jury to give the best attention to his case, it should put them on their guard not to place implicit reliance on his testimony when it was put in conflict with the evidence of many persons. He had felt the disadvantageous ground on which he had been placed. They had their two great champions of religion coming forward to maintain the truth and excellence of the churches which they had joined, and he was appealing for a Roman catholic to a protestant jury. The spirit of proselytism was again rekindled, after it had long slept and slumbered, as they had thought, in oblivion. The catholic, with up raised cross, had entered into the arena of the protestant church. They had an interest, from the natural feeling and bias of their minds, in the success and triumph of protestantism. Our feelings

had been recently kindled afresh with an energy which had not before been known in our time from the conflict which had unhappily arisen; and in a case like the present, where the religious dissensions seemed to be concentrated in one focus, and they had to decide the question, they must forgive him if he asked them to bring to this case the best and calmest judgment. He could not shut his eyes to the manner in which their own good and excellent feelings on the subject of religion might bias their judgment. That hall in which the inquiry was then taking place had not that day for the first time been the witness of justice miscarrying in questions of that kind. There remained, unhappily for our fame, in the pages of our history, transactions there done, in that great hall, which were associated with, he grieved to say, the dark as well as more glorious epochs of our history—in that hall there had taken place judicial proceedings over which the historian would gladly draw an impenetrable veil, were it not that history, by holding up its beacon light over the errors of the past, might warn us against the evils of the future. And although the days, thank God, were passed when human life was sacrificed to bigotry and passion—when jurors taken from the intelligent community of the city were guilty of such deeds—thank God that time was passed, and they knew that innocence might rest safely under the protection of the judges of this land, still there had been times when judges had lent themselves to judicial murder—although those days were passed, the same feeling which influenced men’s consciences to the higher motives to which they might have been directed might, in a minor matter like the present, creep around their understandings, shut their ears to the voice of truth, and their eyes to the sight of reason, and induce them not to bring to the case that calm and dispassionate understanding which he knew they would bring to any other case. He, however, implored them to give the conflicting evidence in this case their calm and deliberate consideration; and if they did so, he felt confident that they would find a verdict for his client.

Lord Campbell said the defence had been conducted with great propriety and ability, but, before the Attorney General commenced his reply, it would be better to come to an understanding as to the questions to be left to the jury. The plea consisted of 23 charges. Sir A. Cockburn had addressed himself to the main features of the case, but, technically, it was one plea. He thought the several matters should be left separately to the jury, and he would suggest that the jury should have a copy of the different allegations in the plea, and, having heard the discussions on both sides, and the summing up of the judge, that they should say whether they believed, on the evidence, that the whole of the charges were made out, or any part of them, and if so what had been made out.

The jury then retired for a short time. On their return into court,

The Attorney-General rose to address the jury in reply upon the whole case. He said:—His learned friend had just delivered one of the most eloquent addresses he had ever heard, and had urged every topic calculated to excite their emotion. He had adverted to the great advantage of Dr. Achilli’s position, but he must remind them that this was the first time in the trial that his counsel had been heard upon the matters of accusation against him, whilst his learned friend had twice had the opportunity of addressing them. The whole case was now before them. All that the bitterest hatred, the most unwearied industry, the most unbounded resources, and the most unlimited influence, could combine for the purpose of accomplishing the destruction of one man—no doubt a most formidable adversary—had been accumulated together on that occasion; and it would be for them to say whether the mass and body of the evidence which had been produced was of such weight as to crush the prosecutor to the earth, or whether it would crumble to dust at the touch of calm and impartial investigation. He supposed there never had been an instance, in an En-

glish court of justice, in which a trial had taken place under such circumstances. Dr. Achilli, it had been truly said, had become the accused, but he had not even been allowed to remain in court to confront the witnesses against him, and give instructions for their cross examination as the case proceeded. And he could not help thinking that his learned friends who had been studying the proceedings of the Holy Inquisition had become so enamoured of its practice that they were determined that everything which took place in the way of judicial inquiry against Dr. Achilli should be consistent, and although they were in a British court of justice, the Roman forms should be regarded on the present occasion. There never was an instance of a man undergoing so fearful and formidable an ordeal as that to which Dr. Achilli had been exposed in his examination for nearly eight hours, and he appealed to their recollection of his conduct and demeanour during the whole of that anxious period, and asked them with the most perfect confidence whether anything but a thorough conviction of his own innocence could have enabled him to stand such a searching inquiry with calmness and perfect self-possession. His learned friends had endeavoured to make them suppose that this was a question of religious controversy. He stated that the two champions of the contending religious faith were before them, and warned them against prejudice. He had supposed that he (the Attorney-General) should appeal to their religious feelings. He should be ashamed, however, if he were to endeavour to excite in their minds any such feeling. This was not a question of religious controversy, for Dr. Achilli said, Dr. Newman has assailed me with poisoned arrows—if he could prove his charges, the law would protect him, if not he must be convicted as a slanderer. His learned friend had said that Dr. Newman was not actuated by personal animosity. He had exhibited, however, all the zeal of a proselyte. Dr. Achilli was a man of great learning and eminence, and Dr. Newman's hatred against him might be as strong as if they had come into personal collision. But his learned friend said these matters were published long ago—15 months it is said—they were all contained in the *Dublin Review*; and in page 76 of Dr. Achilli's book he attributed the charges to Dr. Wiseman, Archbishop of Westminster by the Pope's creation. (Laughter.) If he would have thrown off his mask, Dr. Achilli would have met him; but when he saw those charges re-asserted by a man who was once respected, and who was a tangible being, and could be got at, he lost no time in calling upon him to prove his statements. He first commenced proceedings against the publishers of the pamphlet, but allowed Dr. Newman's name to be substituted. Was ever a man placed in such a situation as Dr. Achilli? It was said he was on his trial. If he had been, some specific offence would have been selected; he could not have been questioned himself; and he would have been in a much better position, because he was now called on to answer for 28 years of his life, and had no less than 23 charges brought against him. But notwithstanding all these disadvantages, and that their minds had been twice impressed by the powerful addresses of his learned friend, he had no doubt that they would be actuated by a desire to do justice, and that he should satisfy them that there was no ground for supposing that Dr. Newman's charges were proved. He should look with confidence to their verdict. He would first draw attention to the charges on the record, of which there was not the slightest proof. In the first place, it was alleged in the 7th charge that Dr. Achilli, on Feb. 1, 1831, debauched and carnally knew Rosa di Alessandris, and in Sept. 1833, he was found guilty of it by the Bishop of Viterbo. In the 12th charge it was said that the offence took place in the sacristy of the church of Gradi, and in the 20th charge he is represented to have given 50 scudi to the father of Rosa di Alessandris as hush money. This charge altogether failed to be proved, and he did not except the evidence of the document produced from the Inqui-

Lord Campbell—Places are mentioned in it but not names.

The Attorney-General was obliged to his lordship. They had heard what Dr. A. had said about Rosa Alessandris—that she was older than himself and a nun. It was said that the police records at Viterbo had been destroyed—but this would have taken place in the Bishop's Court. The eighth charge was that he debauched a certain other woman at Viterbo, whose name was unknown, being chaste and unmarried. It was singular that as the woman was unknown they should be aware of the fact that she was chaste and unmarried. (Laughter.) The difficulty his client had had in struggling with the case had been to obtain dates, names, and places. In the present case the charge was laid in July, 1834. Now, it is in evidence that Dr. Achilli was then on a tour of visitation with his principal—that he left Viterbo in 1833, and did not return until November, 1834, and, therefore, with regard to that charge, it was not made out. The ninth charge was that he had debauched and carnally known, in 1835, at Viterbo, one Vincenza Cuerra, and another woman unknown, but chaste and unmarried, and that he had afterwards been found guilty by the Holy Inquisition. Now, in the year 1835 he was never in the neighbourhood where the offence was said to have been committed, but preached the Lent sermons at Capua, and had a patent to confess in the diocese of Capua. He exercised that office in 1835, and was never in Viterbo during that year. The documents had been produced which vouched the truth of this statement made by Dr. Achilli. And they would see what faith was to be attached to the pretended judgment and sentence of the inquisition, which had been produced. That document said he confessed to have been guilty of those particular offences, when, in fact, he was not within some hundreds of miles of the place. The 13th charge alleged that, Dr. Achilli being a Romish priest at Rome, Capua, Naples, and Malta, spoke and talked against the doctrines of the Roman Catholic faith, to wit, the doctrines of the eucharist, confession, and absolution, and against the moral obligation of chastity and continence, and by the means of his thus teaching and preaching he corrupted several persons, and amongst others Louisa di Centris, Rosa di Alessandris, the women Valenti, Principe, and others, all of whom he was alleged to have debauched and carnally known. Rosa di Alessandris and Eleanor Valenti he was alleged to have debauched in 1831, and to have corrupted by his preaching in 1841, many years after he had left the locality in which they resided. So that he was said to have debauched them first, and corrupted them years afterwards. The 21st charge stated that there were documents in the archives of the Neapolitan police showing that Dr. Achilli had been reported for habitual incontinency. He knew what his friends would say if they had the opportunity. They would remind the jury that they had attempted to give in evidence a document from the Minister of Ecclesiastical Affairs, and which was represented to be a report from the Neapolitan police. Considering the evidence they had had lately of the authority of the Neapolitan police reports, he thought they should have gone to the fountain head at least; but the Roman Catholic solicitor who went to Italy to get up the evidence did not obtain the document from that quarter, to which, in fact, he never applied, and the learned judge ruled that the paper which he did get from an individual could not be received. Those were all matters upon which no evidence had been offered, and upon which Dr. Newman must be found guilty. But he did not shrink from the other charges, and he believed he should satisfy the jury that there was no ground for any of them. First, Dr. Newman charged in the libel, and repeated, that Dr. Achilli was an infidel. It was alleged that Dr. Achilli preached against the eucharist, auricular confession, and absolution. If it were meant that Dr. Achilli was an infidel because he disbelieved in transubstantiation, and the efficacy of human absolution and confession, he hoped the

number of such infidels would daily increase. (Applause.) It was then said that he was a Roman priest and a hypocrite; and his learned friend had tried to substantiate that charge by referring to Dr Achilli's book. The passage to which he referred was a description of a strong mind struggling with its doubts. It was difficult for a man to tear himself from his ancient faith all at once. They all knew that Luther, with his strong mind, struggled from year to year with his convictions; and would any one pretend to say that because he remained in the church in which he was born until the full light of truth dawned upon his mind, that Luther could properly be characterised as a hypocrite? (Murmurs of applause.) But who was the person from whom those charges proceeded? Was Dr Newman suddenly converted? Did conviction flash at once upon his soul? Did he lie down at night disbelieving in transubstantiation, a Protestant, and rise up in the morning a Catholic? (Applause) He would proceed to the next charge—the charge in which it was alleged that in 1826 Dr Achilli was deprived of his faculty to lecture in consequence of an offence his superiors did their best to conceal. Why, he had no appointment to lecture until the following year (1827,) and he continued in possession of that lectureship down to the year 1833! It was untrue that he was ever deprived of his lectureship at all, and it was impossible that he could have been deprived in 1826. This was his indictment—these were the charges he was called on to answer. The fifth charge alleged that in 1827 he had earned the reputation of a scandalous friar. Was that the fact? They had evidence of his character for ten years after that. They had heard that, amongst other offices of trust, he had been appointed to accompany the provincial in his visitation of the convents; and in 1835 he was himself appointed visitor of the convent at Nepi; so that, so far from this charge being true, he was held in the highest possible estimation, at all events down to 1833. When at Rome, he was chosen to preach the Lent sermons; and at Naples, in 1837, he was appointed the confessor of Louisa de Bourbon, Duchess of Saxony. Was it possible that a man whose reputation was so damaged as it was alleged, could have been selected for so important an office to a female of high birth? In the same year, having been sub-prior, he was also elected prior of the Dominican convent; and surely it would be absurd and ridiculous to suppose that such would have been the case if he had been a person of scandalous reputation. In 1835 he had applied for letters of secularization, in order that he might cease to be a monk, and become a simple priest. It was true that there was some delay, and the secularisation was not completed until 1839, but it was in the interval that he had been appointed to the offices which he (the Attorney-General) had named. He would now refer to the sixth charge, namely, that which related to Eleanor Valenti. Eleanor Valenti gave no date, but the offence was alleged in the plea to have been committed on the 1st of February, 1831, and his learned friend had stated that Dr Achilli had been tried and punished for the act. Now with respect to all the Italian witnesses, he (the Attorney-General) had a remark to make that would be well worthy of their observation. They had had an intimation of the interest which was taken in this case in Roman catholic countries, and they had had proof of the facilities which had been afforded to persons who had been sent to collect evidence. They had heard of a Roman catholic gentleman of high station, whose name Mr. Harting wished to conceal—for he wished to write it on a slip of paper and hand to his lordship. Now, why should that desire of concealment operate upon Mr. Harting? There was no crime in going abroad to obtain witnesses in support of any plea. Was it that Mr. Harting was afraid that he was coming too near the sacred precincts of the Vatican? Was he afraid to show that the rulers of the Roman catholic church were interested in the question whether Dr Achilli should remain a powerful opponent, or whether he should be crushed beneath charges like these? Now they had heard

from Eleanor Valenti that she had been told by her curate that she must come over for the good of holy mother church, and for the honour of God. Eleanor Valenti had represented that she had never told any one before she came to this country what had taken place, except her confessor. She said that she had not even told her own mother what she was going to England for. How did the curate know that it would be for the good of the church that she should come over? He must have known that the only way in which good could accrue to the church would be by crushing a formidable adversary, and therefore he had told her to come over. But his learned friend had asked, whether it was intended to create a prejudice against the Roman catholic witnesses? He (the Attorney-General) would not attempt to excite any feeling whatever, he would only draw the attention of the jury to the facts, and leave them to form their own conclusions. Who, then, were these Italian witnesses? Mere birds of passage, brought here unknown to any one, returning home as soon as the trial was over; and restrained by no fear of prosecution for perjury such as would operate upon witnesses who lived in this country. If they succeeded in conveying the impression which they had been brought to make, they would very likely return home with honour; and even if they failed—seeing that they had made the attempt for the good of holy mother church and the honour of God—their tender-hearted confessors would be likely to make them free but a light penance. Contrast their case with that of Dr. A., who could not escape from the obloquy of these charges and they would see that the balance was much in his favour. But how were these witnesses brought over? They had been together and compared their stories; and he had been struck with a remarkable coincidence between them. The offence was said in the case of Rosa di Allesandris to have been committed in the sacristy; and that of Principe to have taken place on a Good Friday; but it was not alleged in the pleas, either with respect to Valenti or to Principe that it had been committed in the sacristy. But both had come there and stated that the intercourse had taken place in the sacristy. The introduction of these witnesses had led him to take the unusual course which had been adopted with respect to Dr. Achilli on cross examination. Dr. Achilli had come there to meet and deny certain specific charges, but he had been asked whether he had not also been guilty of incontinency with other women? Dr. Achilli had thought it his duty to himself to avail himself of the privilege allowed by the law, and to decline answering these questions. Dr. Achilli had come to defend himself against charges of adultery, of intercourse with a child under fifteen years of age, and of various other enormities, and was he to be asked whether at any period in his life he might not have forgotten those laws of morality which were obligatory upon us all? He (the Attorney-General) very much feared, if such a question were put even to the wisest and best amongst us, that we should find it extremely difficult, with truth and upon our consciences, to answer in the negative. He knew and would recognise no difference in the application of the laws of morality to persons in orders and to laymen. It had, indeed, been said that there was a peculiar heinousness in the breach of those laws by members of religious orders; but surely there was no distinction in obligation between the monastic vow and that baptismal vow which was made for us all, and which bound every Christian man to the observance of the strictest chastity. Was it then to be made a charge against Dr. Achilli that he would not answer a question which was directed to ascertain, not whether he was guilty of the specific charges contained in the libel, but whether he had at any time been guilty of faults, before they pronounced a censure upon which he would refer every one to his own heart. If Dr. Achilli had come here determined to deny everything which was to the prejudice of his character, what was there to have prevented him from giving a direct denial to the questions of his learned friend? If he had done so, who could have contradicted him? All that

they could have done would have been to have drawn such inferences from what they knew of human passion, and of the probable results of the law of celibacy, as would have led them to discredit his testimony in other respects. But he had refused to give that denial; and was that to prejudice the evidence on other matters which he had given freely? If anything could more strongly confirm the truth of his testimony in other respects, surely it was that very scrupulousness upon which his learned friend had so strongly commented. But his learned friend stated that the dates were not material, so that they might lay the offence in 1831, and have the whole period between that and the present year in which to prove its commission. His learned friend was technically right; but, whether he was morally so or not, he would leave the jury to decide. His learned friend appeared to think he had some confirmation of the witness's statement in what they had heard respecting the Gentilis; but, although it was the custom of Italian ladies when they married to retain their maiden names, it was not the custom of gentlemen to change theirs, so that the entire point fell to the ground. It was, in short, just the mistake into which a person sent over to rake up whatever evidence he could get twenty years after the circumstance was alleged to have occurred would be likely to fall. Dr. Achilli denied the whole story in toto, and the jury would have to weigh his positive statement against the evidence of a witness like Valenti. But did the story look like a true one? Dr. Achilli had certainly not behaved so liberally to her as to have purchased her silence. The very triviality of the presents which she said he had given her had excited a smile, and yet 20 years after the affair, although Dr. Achilli had in the interim been an ecclesiastic and a preacher of high repute in the neighborhood of Viterbo, a cry was heard in the streets of London that he had seduced this woman—a cry which it was not pretended any one had heard of before, except Valenti's confessor, who was in his grave. But he forgot. Valenti said she had been told of it by a chemist; so that Dr. Achilli, according to her account, had the effrontery and the audacity, though he held a public office in the church, to avow his criminal intercourse with her, apparently without requiring the slightest promise of secrecy. And all this they were to believe had taken place, and Dr. Achilli not only to have preserved his reputation, but to have advanced step by step to the highest offices in his order! Comparing, then, the evidence on both sides, the jury would have to say whether they believed Dr. Achilli's denial or the statements of Valenti, made under such extraordinary and incredible circumstances. There were five charges at Viterbo, but only this one case had been attempted to be proved. The next scene was at Capua, but that his learned friend had passed by. He then came to the case of Principe at Naples. The jury would observe in this instance how important dates were. Good Friday of 1840 was stated in the justification to have been the day on which the offence was committed, but the witness herself said that it was in the month of October or November. Again, *Mme. Principe* stated that she was born in 1793, and that she was 25 when her child was born; but her daughter said that the offence was committed 13 or 14 years ago; so that, instead of being under 15, as was stated, she must have been 22. In her examination in chief, *Principe* spoke of only one occasion when the occurrence had taken place; but when she was re-examined on the following morning, she said there had been intercourse seven or eight times. Did she communicate that to the attorney for the defence? If she did, how was it possible that with the phalanx of counsel on the other side they could have omitted to put the necessary questions? If she had reserved the information till now, how could they trust her evidence against the emphatic denial of Dr. Achilli? But his learned friend had alluded to the application which had been made to the magistrates on the part of Dr. Achilli's friends, as some corroboration of the story. But it had never been shown that those charges, or gossip, or rumour, had anything to do with the *Principes*. He

would now come to Corfu. The proof given by Dr. Newman of the offences committed with the wives of Garamoni and Carraboni had entirely failed. They would see that when they got from Italy they had the means of procuring witnesses on behalf of Dr. Achilli. Garamoni had been brought over here on behalf of Dr. Newman; and Captain Lawrence, the inspector of police, had also come to England. Now, Captain Lawrence was well known to Mr. Garamoni, and Mr. Garamoni was well known to Captain Lawrence. When, therefore, Garamoni knew that Captain Lawrence was coming over, nothing would induce him to stay in England, and he had gone back for Captain Lawrence had been requested to procure the attendance of his (Garamoni's) wife to confront him. In the place of Garamoni, then, the other side had produced two witnesses to prove the charge of adultery. Russo, who was also known to the police, had stated that Dr. Achilli was near the apartment of Garamoni's wife, though he (Russo) had never been in the house; and he also undertook to identify Dr. Achilli, having never seen him before. The other witness only said that he saw a man whom he judged to be Dr. Achilli by his stature. Yet this was to prove a charge of adultery! His learned friend had laid considerable stress upon what he called a contradiction between Dr. Achilli and Garamoni's wife; but it was absurd to ground upon so slight a discrepancy a suspicion, much more a charge, of intercourse which both parties had utterly denied. If his learned friend's object was justice he would hardly have dwelt upon such a slight circumstance. He (the Attorney-General) thought, however, that he might safely rely upon the judgment of the jury in this instance. But now he came to the case of the Caraboni's. If there was any damage to the character of Dr. Achilli from having engaged them as his servants, that would have been the case from the very first day they entered his employ. But it had been shown that he was living in high repute at Corfu, and visiting even the Lord High Commissioner. The charge depended entirely upon the statements of Mr. Reynolds. Now, he (the Attorney-General) could not help being struck with the extraordinary character of this statement. Was it conceivable that Dr. Achilli should have carried on so shamelessly the indecent familiarities which were imputed to him at a window where he could be so easily observed, especially after he had been told of them? Besides, the window from which the other witness stated that she had witnessed the familiarities was below that of Dr. Achilli; and as jealousy blinds look upwards, it was scarcely possible that she could have seen them. It was, however, possible that she might have seen Carraboni himself with his wife, and that her master, who had a deep feeling against Dr. Achilli, might have made her believe that it was that gentleman. Besides, Zante being a smaller place than Corfu, any such familiarities must have been known by everybody in the town, and if the circumstance were true, they might have had the fact proved by other and less doubtful witnesses. If Dr. Achilli's character were so scandalous, it was impossible that his reputation should not have followed him to Malta; and his appointment to his office at the college was a sufficient answer to the slanders of Mr. Reynolds. Nothing could hardly be more atrocious than the justification which had been placed on the record with respect to Dr. Achilli's conduct in that situation. Leonini and Zaccharis were supposed to be guilty of certain immoralities, of which they were charged by a priest named Ciozzi. At that time Dr. Achilli was in London, and therefore any idea that he was implicated in those immoralities was palpably unfounded. Dr. Achilli placed no reliance on the statements of Ciozzi, and recommended the London committee not to interfere; but there was an inquiry, and the charges were for the present dismissed. Afterwards the matter was revived, and Dr. Achilli, who supposed that it had been settled, was dismissed, because he had sent away Zaccharis on an important mission, after having transmitted a notice to the committee some days before.

Lord Campbell observed that, on looking more

closely at the pleas, he found that he ought to have admitted the questions which he had declined to allow Sir Alexander Cockburn to put to the Earl of Shaftesbury. His lordship therefore directed the noble earl to be sent for.

The Attorney-General resuming, dwelt at some length on the affair at Malta, and said that it would be unfair to infer a charge of complicity from the hasty statement of an angry man. He (the learned gentleman) trusted that the jury were now not unprepared to believe that charges might be trumped up for the purpose of destroying Dr. Achilli; and he appealed to them with confidence, to their deliberate judgment, whether there was the slightest ground for saying that the very serious imputation contained in the pleadings with respect to the college at Malta was established.

The Earl of Shaftesbury having now arrived, was examined by Sir Alexander Cockburn upon the point to which reference has been made. His lordship began more than once to repeat the entire narrative which formed the substance of his former evidence, but he was as often interrupted by Lord Campbell. At length he was asked what were the other reasons, besides those which he had already stated, that had induced the committee to dismiss Dr. Achilli.

The Earl of Shaftesbury—The reasons that governed our decision were these:—We felt that if the matter were to become public, so great a scandal would be brought upon the college, and especially upon that branch of it which was occupied by the missionary reformed priests, that, both with regard to the character of the institution itself, and, moreover, to the interests of the Protestant religion, there was nothing left us but to break up the whole establishment—therefore we cut the Gordian knot by dismissing Dr. Achilli. It did not concern us to carry the investigation any further; for we considered that, whether he was implicated or not, it was our duty to wipe our hands of so foul a scandal. (Applause.) We acted upon the same, not upon any charge actually before us, and we determined to break up the whole thing.

The Attorney-General really felt much obliged to his lordship for having recalled the Earl of Shaftesbury; because, after this last piece of evidence, so far from the serious charges contained in the justification having been established, they had entirely failed, and he trusted that the matter was set at rest forever. [A voice in the gallery—"Hurrah!"] He (the Attorney-General) now came to the charges which had been made against Dr. Achilli's conduct in England. Three servants in succession had represented themselves—one to have had liberties taken with her, and the other two to have been seduced by him. A fourth case had also been thrown in. In all these instances no complaint had been made, either to Dr. or Mrs. Achilli. The learned counsel had been obliged to deliver up Jane Legge to the reprobation of the jury; and Harriette Harris had been dismissed for being dirty—a circumstance which she would be likely to resent. His learned friend had praised the candor of Sarah Wood, which he thought entitled her to some credit; but it was well known that she had come from the House of Mercy, and therefore her candor did not go for much more than that of the negro, who, after he had been hired by a gentleman, said to his new master, "Sir, I think it proper to tell you that I am a black man." (Laughter.) Mrs. Logan had complained that the birth of her sister's child at her house had entailed great expense upon her; but had she made any application to Dr. Achilli to be contributory towards that expense? Dr. Achilli had done nothing to stifle inquiry but had allowed his servants to go at large into the world, and had certainly offered no "hush money." He had acted throughout as an innocent man. Mrs. Logan had expressed great anger at Mrs. Castalani for having led to her being subpoenaed, but if she thought that Dr. Achilli had had intercourse with her sister, why should she desire to shield him, or why should she be unwilling to appear? It was said, too, that Dr. Achilli had given Jane Legge a

religious book. Now, he was far from saying that if Dr. Achilli had done so, it would have been any evidence of his guilt; but if he had, why did they not produce the book, for it would have been a strong corroboration? Then there was the case of Catherine Forman, in 1847; but if Dr. Achilli had really taken any liberties with her, why did she not tell Miss Lambert, who as a respectable woman would immediately have ordered him to quit her house. One remark would apply to these alleged cases of seduction—the very alteration which has taken place in the law of bastardy showed how easy it was to trump up such charges, and hence the law had required corroborative evidence in addition to the oath of the woman herself. They had heard the manner in which the witnesses had given their evidence. They had also had before them Mrs. Achilli; and he had no doubt that they would form a correct judgment as to the relative weight to be attached to the testimony of each. This brought him, in the last place, to that most extraordinary document which had emanated from the Holy Inquisition. They would observe that his learned friend had relied upon that document for proof of several of the charges of which there had been no oral proof, but of which the proof was to rest upon the confession to be found in that precious document. He quite agreed in the propriety of the course which his lordship had adopted in admitting the document, *valent quam*, because there was an allegation that Dr. Achilli had been found guilty by that tribunal, and had had a certain punishment awarded to him. It was evidence that there had been such a judgment, but as to the facts themselves, it was no evidence at all. It was the first time in which a judgment of the Holy Inquisition had been admitted in an English court of justice, and he sincerely hoped it would be the last. Probably it would be, after the fate which awaited that under consideration. It was in 1851 that Mr. Harting went to Rome and put himself in communication with certain of the authorities there. There was nothing discreditable in getting a judgment of a court; but somehow or other an individual whom Mr. Harting was extremely desirous should be shrouded in mystery undertook to obtain for him a copy of this document. Mr. Harting desired to write this gentleman's name on a piece of paper and hand it to his lordship, but at last it appeared that it was Monsignore Talbot, the private secretary of the Pope. He (the Attorney-General) supposed that he thought the interference of Monsignore Talbot was a matter that would not bear the light, and that it was desirable to conceal it because there was something in it to create prejudice. So secret were not only the proceedings but even the transactions of the office, that even an English Roman catholic bishop was not allowed to enter, but was kept at the door till the clerk or notary or official came and delivered to him the paper. There was no examination with the original, nor indeed any proof that such a document existed at all. Certainly it was the most remarkable document that ever came before a court of justice. Amongst other things, it was stated that the superior of the order of preachers had paid to a woman on behalf of Dr. Achilli fifty crowns, as a compensation for her seduction. But where was that superior? This document was obtained in the month of September, 1851; the pleas were placed on the record on the 12th of February, 1852; so that the pleas were founded upon the document, and then the document produced as proof of the pleas. The judgment stated in the document was one of perpetual suspension from the cure of souls and preaching the word of God; and also that Dr. Achilli must repair to some house of his order of the more strict observance. Now, in 1839, he had ceased to be a monk, and to hold office; and how, therefore, could this sentence be carried out?

Lord Campbell—I only admitted the document as proof that there was such a sentence; but I cannot take it as evidence of the precedent facts.

The Attorney-General acquiesced, and said that as regarded the confessions of indecent behaviour

and immorality mentioned in the document, it was a gross and scandalous fabrication. These allegations were without any proof whatever, and he did with the most perfect confidence say that with regard to them Dr. Achilli had completely absolved and acquitted himself. Dr. Achilli now stood before them ready to receive the decision of the jury, and he anticipated with the most entire confidence that that verdict would be one that would vindicate him from the foul slander which Dr. Newman had thought proper to promulgate respecting him. He had also the most entire confidence that their verdict would be one of condemnation against Dr. Newman, and one upon which he would be answerable to the law. He (the Attorney-General) had now gone through the case with anxiety, with the deepest interest, and with a constant sense of his inability to do justice to it. Upon those charges in detail he had addressed to them those observations which he committed to their deliberate judgment, and which, he trusted, would be found justified by their sentence. He appealed to them whether he had in any way endeavoured to excite any of those prejudices which his learned friend had anticipated; and whether he had not endeavoured to avoid those religious questions which this painful inquiry (for he agreed with his learned friend that it had been a painful inquiry) was calculated to arouse? He had presented to them the case of a man, who, under unprecedented and unparalleled difficulties, was, he might say, called before them—because it was quite impossible for him not to challenge Dr. Newman to substantiate the truth of his statements in a court of justice—who had been called before them to answer for a very considerable period of his life, upon charges of a most serious description, and of a character which were necessarily conflicting one with another. He had endeavored to disentangle the circumstances of the case from the complexity in which they were involved; for he had been anxious that his duty should be discharged in the way which his lordship desired; namely, by presenting to their minds each charge in succession, with the evidence in its support or in opposition to it; and he trusted that at all events he had performed his duty fairly. He was sure that the more this case was sifted, the better it would be for Dr. Achilli; the more light could be let in, the more the truth would appear. He was desirous that no part of the case should escape from their most minute investigation: for though he knew it was a perilous issue for his client, he reposed in the most entire confidence upon the force of truth and of the circumstances, and he trusted his case most implicitly to their impartial determination. (Loud cheers, which were immediately hushed by the officers of the court.)

The jury then retired, and remained out of court nearly half an hour. On the court re-assembling, Lord Campbell summed up. He said he was sure it was quite unnecessary to ask them to give their earnest attention to this case, and to deal with it with the utmost impartiality. Some apprehensions had been expressed that they might be influenced by religious prejudices, as if the credit of the protestant religion was at stake. He did not conceive that the character of the protestant religion was at all at stake. The character of Dr. Achilli was at stake in the deepest manner. Then as to the defendant Dr. Newman, there was no danger of his being looked upon unfavorably by them although he had left the protestant religion, and was now, as they were told, a zealous champion of the Roman catholic church. There could be no doubt that clergymen—if there were any such in the church of England—who were Roman catholics at heart, who remained in that church receiving its emoluments and enjoying its advantages, were deserving of blame; but when a man like Dr. Newman, when he was in the Church of England, said he found he did not belong to the true church, and he renounced all the profits and advantages that he might have derived from it, and joined the church of Rome, no obloquy attached to him. He must say Dr. Newman acted rashly and recklessly, for

although he might well believe in all he said, yet he was asserting a number of things of which he could have no personal knowledge, and respecting which he might easily be deceived. At the same time he had conducted himself with great propriety, for when the application was made to his book-sellers, he immediately stepped forward and made himself responsible. This being a criminal information, all that the court said in allowing it to be brought forward was, that there was a reasonable ground for sending the case to a jury. There was no doubt that it would amount to a libel, because they were imputations upon the character and conduct of Dr. Achilli, and if they found there was no necessity for making these charges, their verdict would be for the prosecutor. There were two pleas, first, what was called the plea of not guilty, and upon that plea their verdict must be for the prosecutor. Dr. Newman freely allowed the publication, and it would be for them to say whether this was a libel—whether it contained criminal charges that would bring any person in disgrace who was the object of them. Formerly that would have been the only question they would have had to determine, but by the law now, those who are charged with a libel had an opportunity of alleging that they have said nothing but what was true, and that they were actuated by a laudable motive in speaking the truth. He was very glad that that was now a principle of our jurisprudence, because it took away the reproach, “the greater the truth the greater the libel.” Now, if the truth could be established, and a laudable motive for speaking the truth, no punishment, but commendation, would follow; and it would be for them to say, from the evidence that had been laid before them, whether the various imputations alleged in this plea by Dr. Newman against Dr. Achilli were established. With regard to several of the charges, there seemed to be hardly any evidence; with regard to others, there was most serious evidence, and if they believed the evidence, it would be their duty to say that the imputations were true. By an arrangement which he had suggested, they would be furnished with a copy of the charges, and he should ask them to say whether they believed them to be all true, or, if they made a distinction between them, which of them they believed to be true. They might find that none of them were true, or, that none of them were true to their satisfaction. In order to enable them to come to a right conclusion he would go over the evidence with a few observations, merely for their assistance, earnestly advising them to form their own opinion, and not to be influenced in the slightest degree by anything that he could say. His lordship then read the evidence of the first witness, Eleanor Valenti, who charged Dr. Achilli with having deflowered her. He did not find that there was any corroboration of her charge. The next charge was the most serious of all, and was deposed to by Sophia Maria Principe, and with regard to it, it might be observed that it was not a new charge, for it had been made against Dr. Achilli years ago. His lordship then read her evidence, that Dr. Achilli had intercourse with her in the church of St. Peter the Martyr at Naples, and that she became with child. There were two witnesses to this charge, the young woman herself and her mother, who said she accused Dr. Achilli of it. Dr. Achilli denied that it was true, but the evidence was for their consideration. Dr. Achilli said he never applied to the police about it, but that some of his friends did, and even according to his evidence there had been some scandal on the subject at that time. Then they came to Corfu, where Dr. Achilli was charged with adultery with a woman named Garamoni. His lordship quoted the evidence on that point, which he said did not seem to him to be at all clear. He next commented on the evidence of Mr. Reynolds, as to the alleged improper intimacy of Dr. Achilli with the wife of Caraboni, the chorus singer. Mr. Reynolds, he observed, had been in respectable employment for many years, and might be a respectable man, but it was something extraordinary that he alleged that Dr. Achilli was cohabit-

ing with this woman, sleeping in the same bed with her, for weeks and months, and yet that he was to be seen in the daytime familiar with her in the way described. The jury would judge whether that was probable. If this had been a woman of decent character whom Dr. Achilli was attempting to seduce, it might have been probable, but this woman was said to be a common prostitute, with whom he had been sleeping, and yet had these familiarities in the day time. His lordship having read the other evidence bearing on this point, passed on to the charge at Malta, which in substance seemed to be, that Dr. Achilli being then principal of a Protestant order there improperly tried to screen from inquiry two persons of the name of Zaccharis and Leonini, and that with that view he sent Zaccharis away. There could be no doubt that he did send him away, and it would be for the jury to say with what motive. His lordship reviewed the evidence of the Rev. George Hadfield, the Rev. Alexander Watt, and the Earl of Shaftesbury as to this charge, and said there could be no doubt that the allegation in the plea that Dr. Achilli was dismissed for immorality and complicity was not made out. Then they came to the charges of misconduct in England, with regard to which there was first the evidence of Harriet Harris, who spoke to Dr. Achilli having kissed her and placed his hand upon her, which was a charge not of criminal intercourse but of indecency. Mrs. Cadogan, the aunt of this witness, stated that her niece told her what had occurred, but she made no complaint, and took no steps concerning it, and the girl remained in the house three months afterwards. Referring to the evidence of Sarah Wood, his lordship spoke of the circumstance of this witness having so long withheld from her friends her complaint of the alleged conduct of Dr. Achilli. Her story was only brought out during the getting up of this evidence; and this would be a point entitled to the attention of the jury in estimating her evidence. There was a contradiction; and it would be for the jury to say whether they believed this woman or Dr. Achilli. Certainly it was remarkable that she had concealed the accusation so long. Then there was the unsupported evidence of alleged familiarities given by Catherine Forman; and this closed the evidence with respect to the women in London. Then came the evidence of Mr. Harting, the solicitor, who produced the copy of the decree of the Inquisition, and here the question had been raised with regard to the admissibility of that document. Of course that had been produced, entirely for his (the Judge's) information. Dr. Grant's (the Roman Catholic bishop's) evidence was material. He had stated that the Inquisition had jurisdiction in respect to immoralities and irregularities. The common notion was, that the Inquisition dealt with heresies rather than with immoralities; but Dr. Grant, a most respectable person, corrected that impression, stating that the Inquisition applies to grave offences of ecclesiastics. That jurisdiction may not be frequently applied; but there appears to be such a jurisdiction, and that must be borne in mind. Now as to the decree itself. The material part of it, in point of law, is evidence on which we may safely proceed. The first part of it is a very irregular document. In the case of a court of competent jurisdiction there would be the proceedings recited, with the judgment: and then it would speak for itself. But here you have a document with the name of the notary of the Holy Inquisition appended; and herein he states that he has inspected certain documents, and that he has drawn his own inferences. The early part of it is more in the nature of a deposition and examination, than of judgment; but afterwards come words which amount distinctly to a decree of the court. (Here his lordship read the decree, the effect of which we have already given. It prohibited Dr. Achilli from preaching, &c., and condemned him to be confined three years in some convent of his order, where rigorous discipline would be enforced.) Now, this was not only evidence, but very strong evidence. It proved that such a sentence was pronounced; and, notwithstanding the horror we have

in this country of the Inquisition, we must remember that it is a regular tribunal in the Roman States, and that it is presided over by men of learning and piety. This document was obtained from the officers of the Inquisition; they knew that it was to be used in an English court of justice; and he could not suppose, for one moment, that they would mislead in such a matter. He could not support this decree to be a fabrication. That such a sentence was passed he himself entertained not the slightest doubt; and he warned the jury to against coming to a contrary conclusion. But then the cause for which that sentence was pronounced was a very different thing. We might suppose more likely for heresy than for immorality. Dr. Achilli said it was for heresy, and that no charge was brought against him for immorality; but it was for the jury to say whether, looking to the whole of the document, the sentence was for heresy or for immorality. Whatever the offence, it was clear Dr. Achilli threw himself on the mercy of the court. He himself stated that the charge was for heresy, viz., for having preached the doctrine of justification by faith. If that were so, it was a very different thing from all the shocking immorality spoken of; and on that point the jury would exercise their own intelligent judgment. That he thought was the whole of the evidence in support of the plea. If he had omitted any thing he would be obliged if the counsel would remind him.

Mr. Braddeley called his lordship's attention to the fact that the allegations in the plea had no reference to any particular grounds on which the sentence passed by the Inquisition was given, but was simply an allegation that the said Achilli was suspended from the celebration of mass, &c.

Lord Campbell—Exactly. So he had observed to the jury; and so far it was strong evidence. Is there anything, however, omitted?

Mr. Baddeley was not aware of anything.

Lord Campbell proceeded—They now came to the evidence in answer to the plea. The learned counsel for the defendant rather complained that the case was not begun on that side. He (the learned counsel) had at the time made an observation, which the jury would probably be ready to confirm, viz., that the more natural course was to have the accusation first, and then the answer to the accusation.

Mr. Braddeley here interrupted. His lordship had omitted, in his summing up of the evidence, the reference to the proceedings of the court at Corfu.

Lord Campbell—Yes. The name of Achilli occurred in a proceeding charging him with adultery. But then this appeared, on the real merits of the case, to be entitled to very little weight. There was a suit brought in the court at Corfu by Mariano Garamoni for alimony against her husband. He first pleaded that she had misconducted herself; and by a further defence that she had been guilty of adultery with Dr. Achilli. But then this was no proof of the fact at all, and in the evidence relating to the matter given on the other side, it turned out that instead of the charge being prosecuted, no witnesses were examined at all, and that the suit was compromised or withdrawn.

A juror—We recollect perfectly well

One of the Counsel—Did your lordship mention the vows taken by Dr. Achilli?

Lord Campbell (again addressing the jury)—The vows were quite immaterial; for, whether Dr. Achilli took the vows of obedience, whether at the same time he took a vow of chastity and poverty, was quite immaterial as regarded the obligations of morality; and his conduct, if as alleged, would have been equally reprehensible if he had not taken the vow of chastity. (Here some further interruption of an unimportant character took place; and his lordship proceeded.) It was now his duty to recapitulate the evidence on the other side. There was the evidence of Dr. Achilli himself. There was his history, told by himself, which showed that he had been an eminent person in the church to which he had belonged. (Here his lordship went over the early part of Achilli's evidence.) Then the evi-

dence came to the events to which these charges applied. (Another portion of the evidence was read.) In 1841 he got into the Inquisition; and how he got there remained a mystery. Then there was the marriage. The suggestion had been made that, as he had taken the vow of celibacy, it was discreditable to him to have entered into the holy state of matrimony; but, if he had conscientiously come to the conclusion that the views on this head which he had formerly entertained, were unchristianlike, the jury could not set him down, because of the marriage, as a reprobate. He knew that Luther, who had also taken the vow of celibacy, had afterwards married—nay, more, had married a nun. Therefore the fact that he had married would not probably lower Dr. Achilli in the opinion of the jury if they believed, on the evidence they had, that he had conscientiously renounced the Roman catholic religion. (His lordship then went on to read Dr. Achilli's evidence in denial of the specific charges.) His general denial was this: "I was not deprived at any time of my faculty to lecture from any cause, nor was I at any time deprived of any office." (Here his lordship spoke of Achilli having been confronted with certain of the female witnesses and of his point blank denials of any knowledge of them.) Certainly (said his lordship, speaking of the several statements of the women) there is here not one tittle of evidence beyond the individual charge to support the accusation. In the case of Principe there was the corroboration of the mother; but against their evidence the jury would have to weigh the evidence of Dr. Achilli. (Here Mr. Reynolds's evidence was entered into, and Achilli's counterbalancing charges against Reynolds, as a drunkard, were enumerated.) As to the charge of infidelity urged against Achilli it did not seem supported; and he said himself, "There never was a time in my life when I did not believe in the divine mission of our Saviour." Then there was Dr. Achilli's statement about the Inquisition. He said that the Inquisition could not try, and therefore had not tried, him in respect to immoralities; but the confusion seemed explained by the circumstance that the proceedings before the Inquisition were verbal examinations, no written explanations and answers being handed in. On this point, perhaps, Dr. Grant was a better authority than Dr. Achilli. He (Lord Campbell) looked upon Dr. Grant as a canonist, learned in the canon law of Rome; and no doubt the statement might be accepted that the Inquisition did possess jurisdiction in respect to immoralities. Dr. Achilli's inference that he was only tried for heresy was natural; for it would have been very strange if in 1841 there should have been instituted at Rome proceedings against him for what he had done so many years previously in other places. It was more probable that the inquiry should have been into asserted heresy—that was into a recent offence, than into immorality, or offence of long standing. Why, in 1841, the Inquisition should have suddenly resolved to go into the whole life of Achilli, is not explained and does not seem probable. However, on that point the evidence would guide the jury. (The noble Lord here went into the cross-examination of Achilli.) A pregnant matter for the consideration of the jury was in the circumstance of Achilli having declined, on the assertion of his privilege, to answer the question whether or not he had had any criminal connexion with any women in England. From his declining to answer the question as to "any," one might not uncharitably suppose that, though not with "many," he had erred in point of chastity; and that may afford some ground to suppose that if he erred in point of chastity on one occasion, he may have done so on another. But then it must be pointed out to the consideration of the jury that this declining to answer in one instance affected the credit to be attached to the witness in the other instances in which he had answered. It would have been easy for him to say, "I never with any woman had improper intercourse." But he declined to do so; and the jury would therefore consider whether, on the whole, his declining to answer the particular question did or did not lower

him in their estimation as a credible witness. Speaking of the charge that Achilli had left his order, in order to avoid exposure in it, his lordship said it appeared Achilli had intended to be secularised for a long time before he ceased to be a monk; and, consequently, the charges that he had become secularised in order to avoid certain accusations, rested on very slender grounds. (His lordship then touched on the other points raised in the cross-examination, but the comments were not of a material character.) He then curtly referred to the other witnesses on Achilli's side. Marianne Garmoni gave an account of the recontre which had led to the charge of adultery against Achilli, which was very different from the other accounts; and between the conflicting evidence the jury would have to decide. The evidence of Mr. Kirkpatrick was of no importance, for it was given against a man with whom the witness was unacquainted. The evidence of Mrs. Achilli was only of value as against the character of one of the women accusing Dr. Achilli. The jury were now in the possession of the whole of the evidence. They had listened with great patience, and he was sure the public would be indebted to them for the manner in which they had addressed themselves to their duties in this case.

His lordship, addressing the counsel, asked if there was a copy of the plea ready to be handed in to the jury.

Some difficulty was experienced in finding an "unscored" copy, but at length it was agreed to hand the jury the plea as it had been printed in a morning paper of Tuesday.

His Lordship decided that this would serve the purpose. His instructions to the jury in passing the document to them was as follows:—"Now, that document contains, as I am informed, a correct copy of the allegations of the plea. What I direct you to do is attentively to consider these, to bear in mind the evidence for and against, and to tell me when you return whether you find any of them proved, or all of them; and then I will direct how the verdict on that is to be given. I have done my duty to the best of my ability, and I am sure now you will do yours.

A Juror.—We are obliged to you, my lord. The jury then (at about half-past eight) retired. They did not return into court until 11 o'clock.

On their return it was asked, "Are you agreed on your verdict?"

The Foreman.—Yes; on the 19th charge we find proved. All the rest we find not proved. (Sensation and partial cheering.)

Lord Campbell.—The 19th charge respects Dr. Achilli's being deprived of his professorship and prohibited from preaching and hearing confession. You find that to be proved?

The Foreman.—Yes, my lord, proved. Lord Campbell.—And you find none of the other allegations proved?

The Foreman and several Jurors.—No, none of the others. (Here the people in the court, beginning to understand the verdict, burst out into a vigorous cheer which no one attempted to suppress.)

Lord Campbell.—With regard, then, to the plea of not guilty. The first plea is not guilty. You see that involves the publication and the question whether it was of a libellous nature.

A Juror.—Not guilty. That's what we find. Lord Campbell.—No, understand me. The first plea is not guilty; and that involves the question whether it is proved that the defendant published this alleged libel, and whether it be libellous. Do not mind the truth of the charges at all. As to this, say only on that do you find him guilty; and that it was of a libellous nature.

The foreman.—Yes, guilty. Lord Campbell.—On that you find him guilty. There is then a verdict for the crown on that. Then we come to the justification. And on the justification you find that the only part of it which is proved is the 19th, respecting Dr. Achilli being deprived of his professorship, and prohibited from preaching, and from hearing confession.

A Juror.—Yes, that is the verdict.

Lord Campbell.—Wait a moment; and let me see. That is (after a pause), you find that that is true which is alleged in the decree of the Inquisition, as far as that decree goes.

A Juror.—Yes.

Lord Campbell.—So far as that decree goes. You don't find as to the reasons for the decree, but as to the decree itself?

The Foreman.—Yes, only that.

Lord Campbell.—Very well. Then you find it to be true that Dr. Achilli was suspended from the celebration of mass, and prohibited from any cure of souls, and from preaching and from hearing confessions, and from exercising his sacerdotal office in any way—according to the decree of the Inquisition. And all the rest you find not to be proved?

The Foreman.—Not to our satisfaction.

Lord Campbell.—Very well. Then on the justification, I direct a verdict to be entered for the Crown, on that issue as well as on the plea of not guilty; and that special finding I, of course, will report to the court when necessary. (Here again a loud cheer was given by the thronged court.) I now discharge you, gentlemen, from your attendance, and beg to thank you. (Renewed cheers.)

A Juror.—I beg your lordship to understand that we didn't consider this case as regards protestantism and catholicism. We only looked at it as a matter of fact.

Lord Campbell.—Oh, I am sure you have dealt with it conscientiously.

Another hearty cheer was now given, which the learned judge did not for a moment attempt to check.

Some conversation took place between his lordship, the jury, and the learned counsel, respecting the

fees to be paid to the jury. All parties agreed that it was a "hard case;" but his lordship said he had no power to grant anything like an indemnity; and, accordingly, only the customary nominal fee was paid to each juryman. Immediately afterwards the court dispersed.

It may be mentioned, in conclusion, in explanation of the unusual excitement manifested in court as the proceedings of this remarkable trial closed, that in the long interval between the retirement of the jury for the consideration of their verdict and their return, the learned Chief Justice was off the bench (during a portion of the time, evidencing his energy by making a speech in the House of Lords), the bar was nearly empty, and accordingly it will be readily understood that the whole court became a scene of confusion and indeed uproar. Every corner was thronged; and those who could not get room in the court endured the risks of suffocation and strangulation in the passages and on the steps leading from Westminster Hall. The people thus congregated included advocates and enthusiasts on both sides; and having nothing else to do, the temporary neighbors turned their logic on one another, and got up countless controversies, bearing upon the religious points involved in the trial, and leading, of course, to fierce and not *sotto voce* personalities. There were several Roman Catholic clergymen in the "well" between the bench and the bar; and these reverend gentlemen were injudicious enough to talk polemics with youthful lawyers' clerks. At length the verdict was given, and the cheers which greeted it from the majority of those in the court were taken up in Westminster Hall, and for full half an hour after the jury had been dismissed those who had been present at the event remained in excited groups to discuss its significance

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