

[Note: This is the translation into English of a French court report published in pamphlet form, concerning a claim of assault by T.W.Beaumont against John Somers (1791-1862), first elected to Parliament for Sligo in 1837. A copy of the original publication is available from the JSTOR Primary Sources collection, ref 01-01-1830, at <https://www.jstor.org/stable/10.2307/60207863>. See also related letters from John Somers of 2 Nov and 14 Dec 1838, from TWB to Robert King on 20 Jan 1837, and to R. Dillon Browne on 4 Nov 1838, and from R Dillon Browne on 15 Dec 1838 for other material related to this affair and its background.]

**4 Dec 1838 Eugene Roch**

INDICTMENT OF SUMMARY JURISDICTION Of M. THOMAS WENTWORTH-BEAUMONT against M. SOMERS MEMBER OF PARLIAMENT

Preliminary Reflections

It is rare that such a deep interest becomes attached to a case which has not been tried contradictorily. The proceedings between M. Beaumont, petitioner, and M. Somers, defaulter, have however created such a very vivid impression on public opinion that we have considered it a duty to record them.

The example given by M. Beaumont is such that it must not be lost.

Besides there is something so strange that the disclosures from many witnesses have come to indicate a member of parliament being guilty of a type of conspiracy against the fortune of an eminent personage, that this fact alone gives a high moral importance to our publication.

Can the contradiction which M. Beaumont and his honourable lawyer have prayed for erase the evidence which, up till now, would seem to leave no doubt on the nature of the matter which Me Ledru has so energetically summed up in those words 'Money or Scandal! Your money or your life!'

In addition, one notices that the plaintiff's lawyer has tried to consider the case in its true light, and treat the facts in a plain and at the same time worthy manner, as is fitting for a matter no less philosophical than judicial.

Eugène ROCH.

COURT OF SUMMARY JURISDICTION (6th Chamber)  
(Presiding Judge Monsieur Pinondel)  
Hearing of 4th December

CASE OF MESSRS SOMERS AND BEAUMONT, MEMBERS OF THE ENGLISH  
PARLIAMENT - COMPLAINT OF ACTS OF VIOLENCE

A large crowd filled the space of the 6th Chamber. It mainly was comprised of a large number of strangers, among which we noticed the Hon General Cass, Prince Czartorisky, the famous poet Niemcewicz, General Serawski, General Pynn; Colonels Belli and Gallois, Count of Turguenief, former Minister of State for SM the Emperor of Russia; Messrs Tudor and Brumell from London; Doctor Tarral.

M. Charles Ledru is at the Bar with Messrs Odilon Barrot and Philippe Dupin. Mr Beaumont is seated beside his Counsel.

Mr Somers does not answer the summons for the suit. The Court rules default against him and orders the proceedings to continue.

M. Chas Ledru: Two very important witnesses in this case, Messers White and O'Brien, are not answering the summons made to them. They have taken the trouble to advise us that they would not dare to perform such a serious duty as that of being a legal witness. Mr Somers frightens them!... and this feeling has kept them away from this hearing, where the law calls upon them to attend. I ask that you order them to attend forthwith, and to make arrangements that they appear before you.

The Judge: If their evidence is essential, the Court will order their appearance. But could we not nevertheless commence proceedings?

Advocate for the King: This case is very serious in a moral respect. We request the Court to pronounce default against the witnesses who do not appear and to reset them a hearing forthwith.

The Judge: If the defaulting witnesses do not present themselves during the hearing of the first witnesses, the Court will pronounce judgement.

The Judge, to Mr Beaumont: Sir, you have brought an action against Mr John Somers; it would seem that on the 13th of this month, Mr Somers, in a public place, committed acts of violence against your person.

Mr Beaumont: Yes, Sir, that is the truth.

The Judge: You have proceeded as the plaintiff claiming damages, Sir, therefore we do not require an oath from you. What is your name, age, status and address?

Mr Beaumont: My name is Thomas Wentworth Beaumont, I am forty five years old.

The Judge: Your profession?

Mr Beaumont: Gentleman

D. Your address? - R. Bristol Hotel, Place Vendôme.

The Judge: Sir, would you tell to the Court the circumstances of the attack and the injuries of which you were the victim.

Mr Beaumont: Fifteen days ago today, Tuesday, at the moment I entered the Tuileries, Mr Somers attacked me; he struck me three or four times on my left shoulder with a horse whip. At the moment he struck me, he cried out: villain, villain.

The Judge: These words have been spoken in English; what is their equivalent in our language?

Mr Beaumont: The word means, I think, puny, miserable. He added with increasing irritation: You want to take away the character of your old friend!

The Judge: Does the word character, on this occasion, not mean honour, esteem?

Mr Beaumont: That is possible.

D. Sir, before this meeting, this attack, did you not have some quarrel, some contention with the aggressor, Mr Somers? Indeed, Sir, did there not exist a difficult situation.

The Judge: Please make it known what that was.

Mr Beaumont: Some minutes before this affair, I was with Mr Dillon Browne at the Wagram Hotel. Mr White had announced that Mr Browne wished to see me, and consequently I had made my way to him. There Mr Browne had assured me that Mr Somers had declared to have made no proposition of money to me; I replied that it was perfectly clear in my memory; that at the moment where this demand had been made on the Isle of Wight, I had mentioned it to Mr White. Indeed, this proposition having been made to me, I firmly refused it there and then. Mr Dillon Browne told me then that Mr Somers was not a man to make such a proposition; I assured him on my honour that the proposition had been made; that after I informed Mr White, to whom I had expressed my indignation of it, I had informed Mr Nugent of it the same day; that finally, just as I had immediately declared after the conversation with Somers, this proposition had been an affair of money and not an affair of honour.

Mr Brown sought to make me change my opinion, he said to me that I was mistaken; I interrupted him stating that it was useless to continue this conversation. Then Mr Browne said to me: 'You are mistaken, Sir; I must refer this to a friend.' I replied that I would never agree; that I spoke the truth as a loyal gentleman must do, and that I would insist on this truth. Mr Browne said to me, 'Then you must prepare yourself for some unpleasantness.'

The Judge: What was the meaning of this word? Did Mr Browne mean that you had to prepare yourself for some violence? This word is very serious.

Mr Beaumont: I understood that it did concern some violence, I responded to Mr Browne: 'I am prepared for all seriousness, and I prefer to endure that than to forfeit my honour by retracting from the truth.'

The first witness, Romain (Étienne), the soldier in the 9th regiment of line infantry, who was on sentry duty at the entrance gate of the Tuileries garden at the moment when Mr Beaumont had been the target of Mr Somers violence, gives his evidence thus: So, I was on sentry duty, from 2 - 4 o'clock in the afternoon, at the entrance gate on the rue de Rivoli, when I saw this gentleman enter.....

The Judge: Which gentleman? Was it the person present here? (Mr Beaumont leaves the bench for the defence and approaches the soldier, who he declares that he does not recognise.)

The Judge: Continue your statement.

Étienne Romain: So I was on sentry duty, when this gentleman enters, a horse whip in his hand. I didn't pay attention to what became of him because, of course, that was not in my instructions, when a moment later the national guardsman who was on duty together with me approaches me, and says to me: 'So tell me, soldier, look over there on the terrace; didn't you see that gentleman hit a man with his horse whip.' I didn't

see it at first, but on looking I recognised the person, he was no longer hitting him but he was gesticulating in a furious manner, then he soon retraced his steps and passed in front of us to leave by the same gate. Perhaps he thought I was going to arrest him, but not at all, for that is not in my instructions. (Ripples of laughter.)

The Judge: The gentleman who had been the target of these violences from this person did he resist? Was there a fight?

Étienne Romain: The gentleman put up no resistance. I saw clearly the horse whip that the other was using; it was white and black with a silver head.

D. Since you were placed sufficiently near to see the horse whip so clearly, you can say what was the insulted person's attitude? R - His attitude was calm and unconcerned, at this point as at the first moment I didn't know if between these two gentlemen it wasn't a case of simply teasing.

The second witness, grenadier of the 9th line: One of my friends came off duty at 4 o' clock; on returning to the station he told us that he had seen a gentleman on the terrace who had struck another with his horse whip. I cannot say more to the Tribunal as I did not personally see any more.

The Judge: Your friend, on describing the scene he had just witnessed, has said that the insulted person resisted, gave back violence for violence..

The Witness: No, Colonel, (hilarity). No, Mr President, our friend did not say that; on the contrary he said that this person did not taken revenge.

Paul Jones, another grenadier who was at the station on the same day at the moment when Romain described the scene which had just happened, stated the same facts and almost in the same way.

Mr Louis Guilbert, a fabric finisher, aged 37 years, living on the rue Saint-Martin: I was on duty at the castle station (national guard), and at 2o' clock I had been put on sentry duty at the entrance gate opposite rue 29 Julliet, when walking on the terrace, I saw two gentlemen, one younger, the other older, having quite a strong altercation. One of the gentlemen, it was the younger, gave three or four hits with the horse whip to the older one. I was a certain distance away, but not too far not to see very distinctly what happened. I made known what I had noticed to the soldier on duty with me at the gate.

The Judge: From the place where you were, you were able to see very clearly, you have just said; did you notice if the person who was not carrying the horse whip had a cane in his hand, a stick?

Mr Louis Guibert: I didn't notice this detail; this happened very quickly, and almost immediately the person who had struck passed near us brandishing his horse whip over his head.

The Judge: The person who had been the victim of the attacks had he put up any resistance?

Mr Louis Guibert: None, Sir; it very much seemed to me that there had firstly been discussions, but it was only by the gestures that I could tell that, for I was too far away to be able to hear and judge otherwise.

The Usher calls Mr Conté.

Mr Conté takes the oath and declares to be 23 years old, a merchant residing in London, at present in Paris.

I know nothing directly relating to this business. I was not present and it is only through the newspapers that I have become aware of it.

The Judge: Were you in communication with Messers Beaumont and Somers? Did you know these gentlemen?

Mr Conté: I know Mr Somers, I have not had the honour of meeting Mr Beaumont. In the first days of the month I learnt that Mr Somers was in Paris, and as he owed me for supplies of champagne wine a sum for which he had signed me a promissory note, I was going to find him as soon as I got to know his address. He received me with much politeness which I returned then I came to the matter which brought me there, and I spoke to him of my payment. (Laughter.) 'You are here in Paris, I said to him, today 14th, and the bill that you signed to me, payable in London, falls due on 18th; obviously you cannot pay it. Mr Somers interrupted me to tell me that his bill would certainly be paid, and that he had taken measures for that. I do not believe it I replied to him, or at least I doubt it; but in any case I warn you that if the bill is not paid I will come back for it, I will start measures and I will have you arrested here. He earnestly begged me not to do anything and assured me that the bill would be paid.

The Judge: He didn't speak to you of anything else?

Mr Conté: He told me that, the day before, he had had a quarrel with Mr Beaumont and that he had struck him with a horse whip.

The Judge: He said to you that he had struck him?

Mr Conté: He said that to me, and I remember his exact words: 'I have met with Mr Beaumont, he spoke to me and I struck him with the horse whip.'

The Judge: You are certain that he said that to you?

Mr Conté: I am certain of it, and so certain that I replied to him that he had been most wrong. What made me say that was that I had learnt that Mr Beaumont had been very good to Mr Somers.

Mr Charles Ledru: Your Honour, would you like to ask the witness if in the supplies which he made to Mr Somers, and which are the origin of this debt, Mr Beaumont has entered for something.

Mr Conté: Mr Somers told me about Mr Beaumont; he has made me an order of 1,400 francs, and when I brought the goods to him, he proposed to pay me by an acceptance from him in three months.

The Judge: Did you agree to the acceptance?

Mr Conté: I wanted first to make some enquiries about him.

The Judge: Finally, yes or no, is it for Mr Beaumont's sake that you have made the supplies.

Mr Conté: Yes, Sir. Here's the thing. (Interested stir). Mr Somers says to me: 'I am waiting for one of my friends, Mr Beaumont, who will arrive, and I want to introduce you to him. I will procure his custom for you. I knew Mr Beaumont well by reputation, I knew that his fortune is huge, so I didn't insist on being paid by Mr Somers in the hope of being put in touch with Mr Beaumont.

(On returning to his seat, the witness Conté gave the bill of exchange back to Mr Charles Ledru signed by Somers, who had not been released from the pay date of 18th, and who had returned to him from London on 19th with a letter of warning from the lawyer who advises him that there were no funds to honour it at the address indicated by Mr Somers.)

The Usher calls the last witness, Colonel Gallois, brother of the admiral of that name, and who himself commanded a brigade in the last Polish war. The colonel, who stated he was forty three years old, gave evidence thus: 'not having witnessed the brutal attack of which Mr Beaumont was the victim, I have nothing to say on that itself; except that Mr Beaumont, before bringing his offence before your tribunal, having wanted to have the opinion of a Frenchman, and having done me the honour of speaking to me, I did not hesitate to tell him that his duty as his right was to address your justice, and that personally in his position, I would not have acted otherwise.

'On this occasion, I have been, just as the honourable English Colonel Belli, in agreement with two people who ought to have appeared here as witnesses, and who have not presented themselves, it is through a sense of weakness that I will abstain from qualifying; I suppose that it is to make up for what they could have said more directly that the tribunal wants to question me.'

The first of these witnesses is Mr White. It was about knowing from him if Mr Beaumont, on leaving Mr Somers house, on the Isle of Wight, had told him in the interview which had just taken place that it did concern money. Mr White declared to us, to Colonel Belli and to me, that Mr Beaumont, coming down from Mr Somers house, and even before taking a breath these were his exact words, said to him, 'My dear Mr White, you were right, this is a matter of money.' If it was necessary to invoke the testimony of Colonel Belli, he is here at the hearing, you can question him. I am convinced that if we had insisted at the moment that Mr White wrote his statement, he would not have hesitated to make it.

'Some days ago Mr Beaumont begged me to call in on him. Colonel Belli, residing in Versailles, could not accompany me. I saw there a gentleman who I was told was Mr O'Brien; the latter told me that in the month of February or March 1837, Mr Somers had met him in London and said to him: 'I am very angry that I was not involved in the business of Mr Beaumont with a gentleman, I believe unnecessary to name in this company, without that I would have paid Mr Beaumont 30 or 40 thousand pounds

sterling: it's a missed chance. (These last words were spoken in French by Mr O'Brien.) The latter added that having met Mr Somers again in the month of November, when coming back from Ireland, he had said to him that the Beaumont business was revived. He used the English expression, which means revived.

'My intervention in this matter is explained by the sympathy which is common to us, to Mr Beaumont and to myself, for the noble Polish cause, which he has served with as much dignity as I have tried to do myself. I have had to get him to refer this matter to your justice rather than fight, for I was convinced from that time, as I still am, that this business was only a question of a dirty intrigue of money.'

The hearing of the witnesses present is finished.

The King's Counsel Croissant rises, and, considering that the witnesses White and O'Brien, duly subpoenaed, and without citing any motive of legitimate hindrance, have not presented themselves at the hearing, asks the Court, making application of articles 80 and 157 of the Code of criminal instruction, to fine them 50 francs and to pay costs. The King's Counsel then asks that proceedings continue.

The court delivers a judgement to this effect, and gives the floor to Mr Charles Ledru, the barrister for the plaintiff claiming damages, who speaks in these terms:

'Gentlemen

At the point where a duel fills all serious minds, you are called to deliver a judgement which must, with no doubt, hasten the settlement more than the words of the moralists, of the legal experts and the solemn judgements of the Supreme Court itself have done.

That is the result of the best theories never yielding good examples. Many people think as Mr Wentworth Beaumont; but there are few with such firm minds; few with characters so sure of themselves; it must also be said, few men so highly placed in the public esteem, and, which is worth still more, in their own conscience, do not stand in awe of that which he has dared.

Fortunately, he has found some judges whose opinions are not beneath his own; and if we are indebted to a stranger for a large act of moral courage, it is to the French magistrates that we owe the harsh repression of a certain type of speculation which, I hope, will remain without imitation when you have snatched away the mask under which it lies in order to give the stigma it deserves.

For me, Gentlemen, the role is so small between yours and that of the honourable plaintiff, to whom you are going to give, by your verdict, the sanction of the strength which he has drawn from the elevation of his soul, however I admit to you that I am proud of the office that I fill today.

'For, I repeat, it is not an ordinary interest that this case is concerned with. It is a point of morale and civilisation that your wisdom will determine; and that which more ennobles your mission is that it is not only France which will profit from the verdict which you will deliver.

'The position of the petitioner, the authority of his name in England, the quality of the opponent himself, member of the House of Commons, all finally unite in order that the decision which will come out of this room, restores in some way, the true honour all the rights and all the dignity between the first two nations of the world.

However, do not be afraid that the philosophical importance of this case makes me forget how much, after all, the account of it is simple. I will not waste your time, and a few words will be enough for me to tell you the facts.

I would like to tell them in the presence of Mr Somers, as one feels it would be sad to accuse, and particularly to accuse in so serious a way, an absent opponent.

At least, you know Gentlemen, that if he is not there to respond to honest attacks, the fault of that is not ours. At a final hearing, keeping well within the law, we would have been able to demand the conviction of the man who, after pleading guilty to unmannerly behaviour, had only felt up to fleeing your justice. We have not wanted a similar victory. For us, Not everything that is permitted is honest.

Although the opponent is not worth so much consideration we have, as in the past in gentlemen's fights, summoned him to appear on the day stated, giving him the time to prepare himself for the ordeal.... But this gallant, who had known so well how to cross the sea to come incognito to commit a shameful action, has not found his ships again when it's a matter of presenting himself to us, under the eye of the magistrates, to decide if it was worth that he was accepted as opponent. (Uproar.)

We are therefore condemned, as we expected, to drag him absent or in person, before your court and to face public opinion.

Gentlemen, I do not have to speak to you of Mr Beaumont, nor to tell you who he is. To laud his standing, his character of repute would almost be an insult. I will limit myself to telling you that, since this affront, never has an honest man received more tokens of consideration or of honour; even at this hearing, you have been presented with a picture which says much more than my words could have done.

My client has the distinguished privilege of being accompanied by one of the noblest, most pure, most saintly glories of the world; the famous friend, who wanted to sit alongside him in front of you, and, most worthily, avenge him for such a base affront (everyone looked at Prince Czartorisky)

As for Mr Somers, I am obliged to admit, Mr Beaumont had the unfortunate advantage of previously having him as a friend. This relationship goes back, it is true, a long time; but I should not hide anything from you, & I begin by making this sorry confession.

This is how the connection came about

Mr Beaumont was born to an immense fortune, immense even in England, where some livings can be quite considerable.

Naturally a throng of hearts courted his friendship

There are some people who are born with a sort of predisposition to become the Pylades to any somewhat wealthy person. (laughter)

Among so many devoted friends there was, amongst others, Mr John Patrick Somers.

I must reiterate, Mr Beaumont's youth did not excuse this dissolute living, these sorry pleasures from which it is so difficult to escape when in the lap of such a great fortune; and as is common, some people came together to join in with him, to enjoy such frivolity, and for him to bankroll it, and some who, like Mr Somers, brought nothing of share capital but those qualities we associate with the rakes of the Regency

Happily for Mr Beaumont and unhappily for his companions of this happy life, this could not go on forever

Ten years ago, Mr Beaumont had the good fortune to develop a relationship which cut him off, for ever, from the friendships I have only faintly hinted at ... out of respect for those who are not present (laughter)

As for Mr Somers, from whom Mr Beaumont had thus distanced himself, the relationship was not broken off abruptly. There is a more polite way to let folks know that they can allow the passion of their friendship to cool somewhat. One does not shut the door on them; rather, when they turn up at the house, someone is instructed to tell them that their friend is out. (laughter)

So, for the past 10 years, Mr Beaumont had broken off his relationship with Mr Somers. When he met him, he did not avoid him: he spoke to him in the tone that a man of high breeding would use to a former friend who he no longer saw but in passing; but that was the extent of their relationship.

I consider it a duty of conscience to declare that, on his part, Mr Somers was quite reserved towards Mr Beaumont. This was not one of those tiresome debtors who come to pester their creditors; who tell them over and over incessantly: 'Have patience, I will pay you tomorrow, next week, in a year, in two, when I can'. No! never a word. Absolute discretion; exemplary silence. Thus Mr Beaumont, who, nevertheless, has a remarkably good memory, should be forced, by our questions, to remember that he had had the moderate satisfaction of paying out large sums of money on the good name, the friendship & the ostentatious insouciance of his former companion of dissipation.

Also, in no circumstance did he say 'Well, when will you be able to pay me' So that, for his part, Mr Somers had not the opportunity to reply to him 'Never'. (General laughter)

Mr Beaumont had not set eyes on Mr Somers for two years. Since he entered Parliament, he had thought him lost within the highest political echelons, when in the month of October last, while on the Isle of Wight with his family, and in the middle of dinner, to which he had invited several friends, he received an urgent letter.

This was a letter from the Member of Parliament for Sligo, Mr John Patrick Somers.

This letter was a request for an immediate meeting concerning a particular matter which could not wait

In effect, the steamship which had carried Mr Somers to the Isle of Wight had arrived at 5 o'clock, and without letting Mr Beaumont enjoy a law drawn up by every civilised people, 'That one does not disturb an honourable man as he dines,' (laughter) the recently disembarked had sent his missive in the middle of the meal.

Anyone other than Mr Beaumont would have imagined that perhaps it concerned some important political news; Mr Beaumont reflected a moment & said to himself: This is from Mr Somers; the matter is urgent... This must be a 'financial matter' (laughter). And, with this thought, he replied that he was dining with friends; that he could not call on him; that, as for the particular business, he could do nothing for him on that subject.

After dinner, and at the point when everyone had retired to the drawing room, Mr Beaumont gave the excuse that he would go outside to take the sea air, and he called on Mr Somers, who was staying in the Marin Hotel, on the sea front.

At this point, Maitre Charles Ledru says that he bides by the French custom of never naming names in legal proceedings. So he will be extremely discrete. He does not want to explain certain delicate events; he will limit himself to say that, two years ago, there had been a plan to fight a duel between Mr Beaumont and someone who he will call Mr X.

Witnesses had been appointed on both sides. Complete & appropriate satisfaction had been reached; this matter had ended as it should have between men of honour. This was in Sligo, in Ireland.

A fortnight later, when Mr Beaumont was traveling and came to Dublin, &, as there was now no longer the question of a duel, Mr Beaumont, out of a duty of sensitivity and of conscience, wrote a spontaneous letter expressing feelings worthy of a heart such as his to the person who had been his adversary. In this letter he said that if the duel had taken place, he, Mr Beaumont, would not have fired at his adversary.

Surely, Gentlemen, such a declaration was a gesture full of candeur, of sensitivity & of dignity

Well! It is in order to take advantage of this letter that Mr Somers came to the Isle of Wight, two years after the matter was closed.

What use could he reasonably make of it? One can scarcely understand

Do not be mistaken, Gentlemen, Mr Somers is a man who would take advantage of such a document.

The letter is honourable and worthy; but there are people who know how worry can be brought upon a family when one threatens scandal, threatens to perhaps trouble the heart of a young woman who has every right to so blessed a peace at home in exchange for the charms which she lavishes on her husband. (General approbation)

So thus, Mr Somers talked of the danger publicising this letter would create .... All that, nevertheless, was not the essence of the question: this introduction to his

conversation with Mr Beaumont, then with Mr White, did not reveal his true intention. Finally, weary of the length of his wheedling exordium, he gets to the point.... Listen to him: he becomes affectionate & tender; he takes the hand of his former friend... 'My dear Beaumont, another thing, he says. – What? – Mr X has money trouble... You ought to lend him some..' Mr Beaumont becomes indignant. 'Relax, my friend, you can do it. – No' And Mr Beaumont withdraws, and, immediately, before having drawn breath, as Colonel Gallois has said, who has the word of Mr White, he recounts what has just happened

Mr Somers returns to London; three weeks later, Mr Beaumont reaches there in turn. Scarcely has he arrived, but Mr Somers wants to enter into new negotiations; he speaks to Mr White. Who informs Mr Beaumont, that he does not want to give any recommendation in this matter, which he sees only as a question of money

Mr White informs Somers of Mr Beaumont's refusal and the reasons that were spelt out to him

Then the plenipotentiary minister who had come to the Isle of Wight, in the pecuniary interest of Mr X..., or perhaps in reality, we should say, he was only acting for himself & in his own interest., suddenly forgets the quite extraordinary errand with which he had been entrusted.

I have been insulted, he says, declaring that I had made a monetary proposal

So who insulted him? Himself, without doubt. He wants to deny it. He instructs one of his friends to ask Mr Beaumont if he will admit not having heard what he heard.... Mr Beaumont refuses to do this without a fuss, quietly, but firmly.... And he leaves with his family on a tour of Italy, which had been planned for some time.

No sooner arrived in France, than Mr Somers follows him there. Mr White, who always turns up at every stage of this affair & who should well have come before the court himself, suggests a meeting at the Wagram Hotel; it is there that the events detailed by Mr Somers takes place.

It would seem that Mr Somers was still playing a singular role there.

Where then was he during the meeting between Mr Beaumont and Mr Brown?

He was listening at the door. The Honourable Member of Parliament had condescended to take up his seat in the wings. That is how he heard everything (laughter)

I did not set eyes on him there. Mr Beaumont has no proof of it; but I assert it to be so! For, scarcely had he left Mr Brown's and had stepped out on the Tuileries, then Somers throws himself on him, abuses him, and commits the outrage which we have submitted before you for your most severe of sentence.

Those are the facts

Gentlemen, I had the honour to be taken into Mr Beaumont's confidence, and to give him a first piece of advice. I like to take responsibility for my actions. I therefore declare publicly that, on hearing his account, and, furthermore, having known my client to be respectable, I said: 'Mr Somers must be brought before the criminal court'

However, Gentlemen, as this matter was such that the lawyer couldn't entirely settle the questions connected to it, I offered an opinion which Mr Beaumont immediately accepted.

I deliberated carefully before the man, of whom I recalled nothing could be purer, nor nobler on this earth! I told Mr Beaumont, that if Armand Carrel was alive, it would have been him that I would wish to arbitrate. I propose two of his closest friends

The first, my honourable friend, Colonel Belli, of whom the unfortunate Carrel used to say 'that, of all the foreigners he had known, he was one who had inspired him with the most esteem and the most kindness'

The other is the worthy Gallois. Everyone knows in France, that, on matters of honour, his authority is the final word.

This court of honour, whose personal experience weighed more than my legal expertise, considered the matter, and they said 'this man deserves to be brought before the criminal court; he deserves nothing other than to be brought before the criminal court'

My honourable colleagues Odilon Barrot & Dupin agreed with this advice, and we come today, gentlemen, to seek the conviction that Mr Somers deserves (Messers Odilon, Barrot & Dupin nod in approbation).

The witnesses have laid out to you the whole story

If Messrs White & O'Brien had obeyed the law, if they had not waived in the face of fulfilling a duty, you would have learnt that all this is a plot of long standing. In their absence, Colonel Gallois, to whom they should have explained themselves, and because as a great hearted man he wanted to get to the bottom of it completely, he explained to you that, for some long time now, Mr Somers felt regret in having missed a good opportunity, it was a mistake. It was a shame, as one would have been able to extort 30 or 40,000 pounds sterling from Mr Beaumont.

He had however believed to have found the opportunity to resurrect the matter and how? by threatening to publish a letter

This is why this politician took the trouble to go to the Isle of Wight

Under the protective cloak of their silence, quivering witnesses behave odiously but in vain. Gallios, who does not quiver and who understood their declarations, has shown you this plot, that he has so well characterised with: 'This is merely grubby shady dealings of money' (Approbation)

So, let's summarise, Gentlemen, a Member of Parliament comes across a man of honour, his former friend; his former cashier, the one whose name is used in letters of credit with champagne merchants (laughter), and without ceremony, he makes a demand, which, in good French, spells out 'your money... or disgrace!'

And Mr Beaumont having said, 'you want to extort money from me'. Mr Somers had the audacity to think that he will be able to present his gamble as a so-called matter of honour. So he changed the saying; this was no longer your money or disgrace. Mr Somers held his head high and said 'Your money... or your life'

Yes, Gentlemen. Mr Beaumont behaved honourably & with dignity in not allowing the man, who was behaving in such a way, to hope that a life such as his would be balanced against that of such a speculator!

If he had agreed to measure up to him, he would have acted in a cowardly fashion. That is what the arbitrators, who he had chosen as judges, said; that is what all honourable men of every country, from all sides, would say; all those, indeed, who believe that the life of an upright man should not be at the mercy of the first character who, on finding himself caught red handed of some ill deed, demands the blood of the man who refused him money.

But Mr Somers triumphs! While we accuse him here, he makes light of the severe sentence which must not escape him. He has deigned to do France the honour of choosing it for the theatre for his exploits... ; but he thinks to himself, and indeed it has appeared in print, that he was unassailable.

You are mistaken, Mr Somers. If justice does not reach you physically, the hand of justice will stamp on your brow those brands which remain even when the guilty is not there in person to receive the punishment (Movement)  
No, your action will not go unpunished. You belong to a nation brought up on loyalty, on the sentiment of what is just and good. When your fellow countrymen come to know of your crime and have tried you .. their opinion will confirm the sentence which awaits you.

Gentlemen, Maitre Ledru continued, we do not seek damages, we do not want any; we leave in the hands of Mr Somers everything connected with money. Though one knows the use to which Mr Beaumont would have put the money he would have obtained, he does not want anything that may remind him in the least of his adversary's intentions

Besides such a demand is not usual in France; and in short... we should leave it to Mr Somers' creditors and their dues (laughter).

But, gentlemen, we seek from the Court a harsh penalty.

The law authorises you, in the case of premeditation, to increase the punishment. Be bold; your decision must be no less firm than the lesson Mr Beaumont has given you.

The severity of your sentence must be without precedent, Mr Legislatuer, on the one who believes he can so easily violate the hospitality that France assures every foreigner who relies on the protection of its laws. I beg you, gentlemen, may it be sufficiently harsh as to morally match the instrument with which Somers armed himself against the person of the courageous citizen who appeals to your Court.

Subsequently, Mr Somers will triumph, such triumphs are in his nature. As for you, Gentlemen, you will have given Mr Somers a great and fine lesson teaching him that if this Member of Parliament, who is of such consequence and of so pure reknown that we are proud to welcome, wants henceforth to have the honour of treading on the soil of France, it will only be on one condition, that is that, in order to render himself pure, he will have passed through the State prison.

Applause erupted throughout the auditorium. Maitre Ledru receives the congratulations of his colleagues.

Mr Croissant, barrister for the Crown. Gentlemen, you are able to appreciate the moral consequences of the charges which have been put forward before you. You have listened to the witnesses who have set out the facts that took place on the 13th November; you know that, presented with the serious outrage perpetrated on his person, Mr Beaumont had remained calm, had not responded with violence. The assault and battery are therefore proven. As for the fact of the verbal and insulting indignities, it does not appear to us sufficiently proven.

The circumstances in which the offence was committed are serious, and are so, more especially as, today, it is a matter of pronouncing an upper sanction within the Court of Cassation on the subject of the duel. You have learnt that the scene in the Rue de Rivoli had no other purpose but to provoke a duel. In resisting as he did this provocation, Mr Beaumont set a great example in France. We hope that others will follow his example, and we are sure that in this special instance, where he calls upon your justice, France will not fail him. (Gesture of approval)

Mr Somers appears to us more especially guilty, as he must know, he who is part of a legislative chamber, that no one is allowed to take the law into their own hands, and that there are laws designed to ensure people are respected, to respect lives threatened by attacks such as these set before you today

Gentlemen, you will apply the criminal law to Mr Somers most severely; you will quell, as you should, the violence which too often is followed up by such deplorable results. You will also pronounce an upper punitive sanction within the Supreme Court. You will also look to the execution of the law, to the safety of the private individual, to the peace of mind of families, who will reward you with their blessings.

The Tribunal, without withdrawing to the retirement room, and following a brief discussion, gives the following verdict:

The Tribunal, Since the proceedings have established that, on the 13 November last, Somers has, without provocation, voluntarily, and with premeditation rained blows on Mr Beaumont using a riding-whip;

Offence outlined under article 311 of the penal Code;

Adjudicating the legal advantage given to Somers, sentence him to two years in prison, 100 francs fine and costs.

We have considered as part of the proceedings, at least in the face of public opinion, the following letters published in *Le Galignani's Messenger*, following the conviction of Mr Somers.

To the Editor

I consider it my duty to beg you publish the following letter which I have received from Mr O'Brien, whose non-appearance, as witness at the trial of Messrs Beaumont & Somers, had been presented in my Counsel's speech as an act of weakness. Colonel Gallois, who expressed the same opinion in his statement, regrets, as do I, having misunderstood the character of Mr O'Brien at the time.

I am etc

Charles Ledru

7th December

Hotel Chatam, 6 December

Sir

In the report of the trial of Mr Somers, concerning an attack on Mr Beaumont, it was said to you that my non-appearance in this matter was due to some sort of intimidation, or, to use your own words, a sense of weakness. I can assure you that it was nothing of the case. My absence must be attributed solely to my failure to receive the summons, owing to a mistake in the address. I have no hesitation in declaring that what Colonel Gallois said he had heard of me in conversation is totally accurate.

Following this declaration, I hope that you, Sir, and Colonel Gallois, will consider it as an act of justice to retract the charges to which I have been subject, and with this hope, I have the honour of being, etc

John O'Brien