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9.  
A

LETTER

*Redmond to Simpson.*

THE RIGHT HON.

EARL of SUFFOLK,

ONE OF HIS MAJESTY'S

PRINCIPAL SECRETARIES OF STATE;

IN WHICH

THE INNOCENCE OF

ROBERT PERREAU

IS DEMONSTRATED.

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*Non ignara mali, miseris succurrere disco—*

VIRG.

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LONDON:

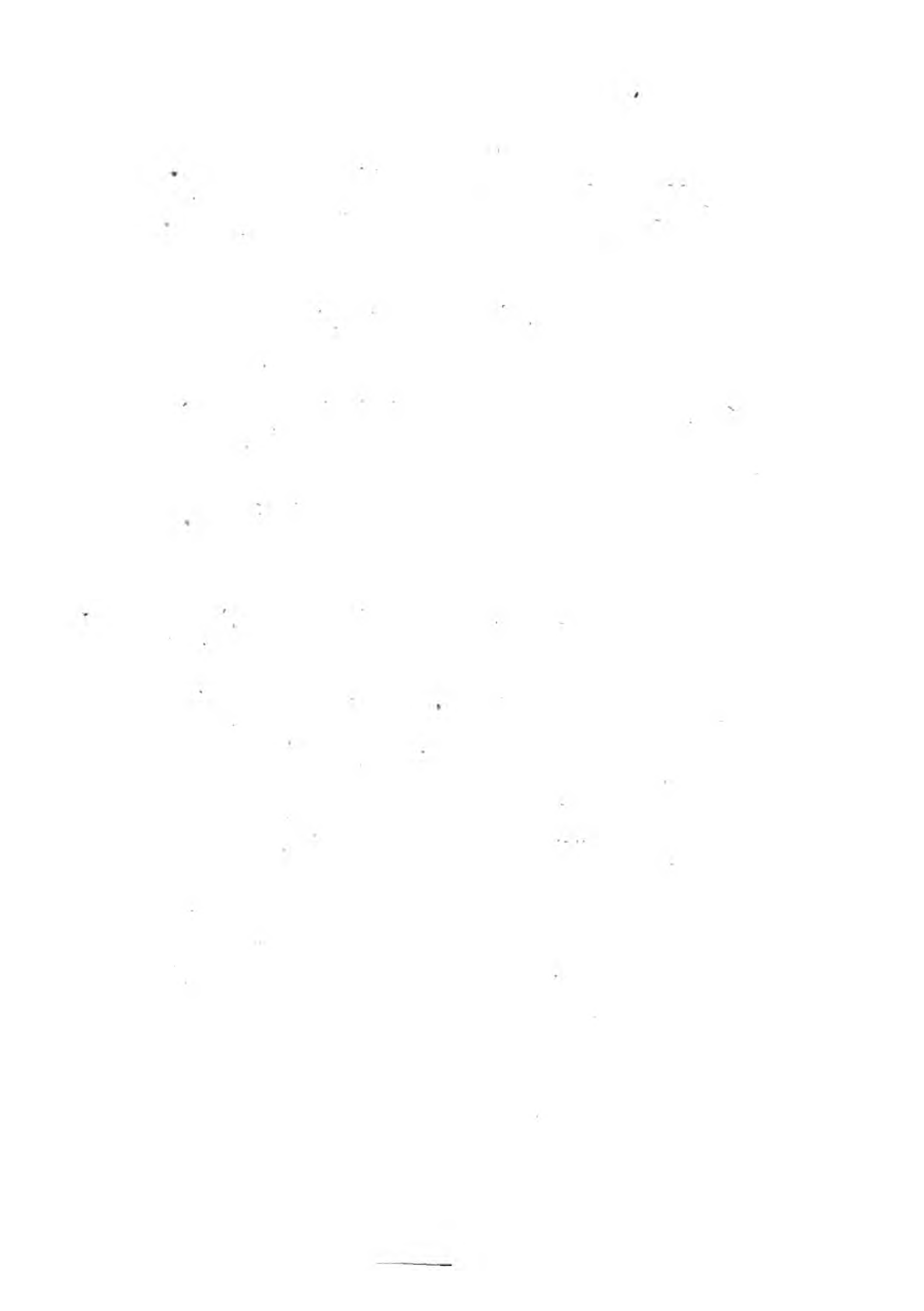
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*Cont.*



ADVERTISEMENT  
TO THE  
READER.

THE Author of the following Letter did not intend that it should be made public till after the Trial of Mrs. Rudd, lest it might possibly be thought that it was published with a view of injuring her with her Jury, or the Public: an intention which he utterly disclaims—But, as it has been said in the public papers, that the Report of the Perreaus is to be made to his Majesty the very next day after Mrs. Rudd's Trial, which is expected to come on one day this week, the Author, for this reason, thought the Publication could not be delayed any longer.

11 July 1775.





TO THE RIGHT HON.  
THE  
EARL OF SUFFOLK,  
ONE OF HIS MAJESTY'S  
PRINCIPAL SECRETARIES OF STATE.

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“ I have been too long acquainted with human Nature,  
“ to have great regard for human Testimony: and a  
“ very great degree of Probability, supported by various  
“ concurrent Circumstances, conspiring in one point,  
“ will have much greater weight with me, than  
“ human testimony upon Oath, or even upon Ho-  
“ nour; both which I have frequently seen con-  
“ siderably warped by private Views.”

LD. CHEST. Lett. vol. II. Quarto Edit. p. 393.

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MY LORD,

**T**HIS Letter is addressed to your Lordship  
on a very serious subject, and I call upon  
you to read it with very serious attention—In  
consequence of the high office which you so wor-  
thily fill, it is probable you will soon be applied

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to

to to carry the Report to his Majesty of the unhappy Convicts in Newgate: but before you do this, my Lord, let me intreat you to weigh well all the Circumstances attending the case of Robert Perreau: apply the above observation of Lord Chesterfield to those Circumstances; and if you find them, conspiring in one point, declaratory of the innocence of this unfortunate Man, there can be no need to request you to represent him to his Majesty in the most favourable light; as, in such case, that amiable humanity, which forms your Character, can leave your Lordship no alternative.

As to my own part, my Lord, I can with truth declare, that I am an entire stranger to all the parties, to their families, and to their connections: my situation in life is such, that it exempts me from the desire, or even wish, of reaping any advantage from these my poor endeavours in the cause of injured innocence—My motive for writing this Letter must therefore be obvious, which is an absolute conviction within my own mind, that Robert Perreau, though condemned, stands free from all guilt: his Trial I have read with  
the



the greatest attention, but have not yet seen that of Daniel Perreau; and consequently can speak as to the former only, with any degree of certainty.

I am truly sorry that, in this Letter, I am obliged to say so many things against Mrs. Rudd; as I have, my Lord, too much of the *milk of human kindness* in my disposition, to wish to aggravate the crimes of the guilty, or force a tear from the eye of Misery: but it is impossible for me, without throwing the guilt on her, to clear Robert Perreau. I hope therefore she will attribute what I say, not to the least intention of doing her any injury with the Public, but to the desire of serving the innocent; and it is from the positive proofs of a Witness, not from the arguments of a Writer, that she is to apprehend danger.

Without any intention therefore of throwing the least blame, either on the Bench, or the Jury who tried the Prisoners; and who, I dare say, acted in this affair according to the dictates of their consciences; I think I can very safely venture to maintain that Robert Perreau, at the time of uttering the Bond to Mr. Drummond, had not the least

knowledge that it was forged; and without that knowledge there could be no guilt in him.—It is true, his Jury have thought that he had that knowledge, and have accordingly found him guilty: but though I revere Trials by Jury; yet you know, my Lord, and I know, that numbers have been found guilty, whose innocence has afterwards been universally acknowledged. I do not say that the verdict of Twelve Jurymen, on bare presumption only, without proof, in my opinion, should have no weight with others; but I do say, that such a verdict will never shake the settled purpose of my soul to expose the injustice of it—The Jury were convinced, they did right when they found the Prisoner guilty; and I am convinced, that I do right when I find him innocent—The impartial Public will soon determine which of us is wrong—Nor, after all, my Lord, when this whole affair is considered with a retrospective eye, is this verdict much to be wondered at; for let us only reflect for a moment, that the Magistrates in Bow Street committed the two Brothers to Newgate, and admitted Mrs. Rudd as an Evidence on the part of the Crown—I do not mean to throw the least censure on  
 this

this conduct of the Magistrates, of whose characters and abilities I have too good an opinion, to suppose they could have committed so capital a blunder, had the real facts been properly stated to them—Indeed it appears, from what they published lately in their own justification, that there was not the least proof before them against Mrs. Rudd; and they therefore admitted her as an Evidence for the Crown—Whether they were right or wrong in so doing, as Mrs. Rudd, from her information laid before them, did not appear to be *Particeps Criminis*? or whether, supposing her a legal Evidence for the Crown, she was not obliged to discover all she knew of any other Forgeries, and to be consistent in the whole of her testimony, before she could avail herself of the favour of the Court, as a Crown Evidence? these are questions not materially connected with the present subject—Suffice it for my purpose that she was admitted a Crown Evidence—But, I ask you, my Lord, what impression did this first step of the Magistrates make on the generality of mankind; on nineteen persons out of twenty in this nation; on those, in short, who do not chuse to give themselves

themselves much trouble to investigate matters of this nature with a close and laborious attention? Why, certainly it made this impression, that Mrs. Rudd could not possibly be the *principal* actor in this iniquitous business; for who could have dreamt that the *Principal* would be admitted as an Evidence? Now, my Lord, if she was generally believed, before the trials of the Perreaus, not to be the *Principal*, it was natural for the Public to conclude, that one, if not both, of the Brothers stood guilty—Candour obliges me to confess that, before the trial, I was myself of that opinion—Hence, unfortunately for Robert Perreau, he stood, in the eye of the Public in general, on bad ground, even before his trial: and when it is considered how hard a task it is to remove prejudices and impressions of this nature; where is the wonder, my Lord, that the striking circumstances, in favour of the Prisoner, did not flash immediate conviction on the minds of his Jury?

No man, my Lord, can be more sensible than myself of the inestimable value, in general, of Trials to be determined by Twelve of our impartial Neighbours—But in dark complicated

complicated cases, like this, where various circumstances are to be combined together, and traced with the most minute attention, where the life of a Citizen is at stake, it were to be wished that no Jury should give their Verdict without having at least a week to consider of it. In this case the Jury knew somebody had forged the Bond; they knew, or were told, that Mrs. Rudd could not suffer for *this Forgery*, having been admitted an Evidence; and they also knew, that the Prisoner had been guilty, if not of manifest *Forgery*, at least of manifest *falsehood*: and, as the *Principal* was out of the reach of the Law for this offence, they resolved to make an example of the Prisoner, concluding that it would be of very bad consequence, in such a Trading Country as this, to let them both escape.—But, my Lord, I am bold to say, that if, in the beginning of this prosecution, Evidence had been brought before the Magistrates against Mrs. Rudd; if they had known that she had, at Mr. Adair's, when under no awe of any one, not only cleared the Prisoner from all guilt, by taking the whole upon herself; but that she had also given *proof positive*, that she had forged the Bond; had these facts been laid before the Magistrates,

I am bold to say the whole affair would have taken quite a different turn; and so far, in that case, would Robert Perreau have been from being *condemned*, that he would not, it is thought, have been *committed*: on the contrary, there can be little doubt but that the Magistrates would have admitted him as an Evidence for the Crown.

When therefore, my Lord, the cool enquirer considers this affair; he instantly perceives that the misfortunes of the Prisoner are, in a great measure, to be attributed to the *fatal omission*, in the first stage of the prosecution, of convicting Mrs. Rudd as *Principal*.

I now come, my Lord, to the only circumstance, in my opinion, that could possibly make against the Prisoner; which was the manifest falsehood he was guilty of, when he assured Mr. Drummond that he had just seen Mr. Adair, who acknowledged the signature to the Bond.—Had the Prisoner, my Lord, not told this lie, I think there could not have been even a shadow of pretence for saying that he had a *knowledge of the Forgery*; for, as to the other Circumstances which have been mentioned to his prejudice, I shall treat them  
presently

presently with that contempt which they so justly deserve.—But let us examine into this circumstance of the *lie*, which seems to have been the cardinal hinge, on which the fate of this unhappy Man has turned.

When he first produced the Bond, my Lord, it appears by the evidence of Robert Drummond, Esq; that he put this question to the Prisoner—“ This Bond is made payable  
“ to you: was you present when it was exe-  
“ cuted?” No, said he, I was not present.

Now, had Robert Perreau, my Lord, been privy to the forgery, had he uttered the Bond with a fixed premeditated intention, to defraud Mr. Drummond of so much money; surely it was at first as easy for him to tell a lie, by saying he was present when the Bond was executed, as to have told the lie he did tell two hours afterwards, about his having seen Mr. Adair, who had acknowledged the signature.—This was the first time, that any the least suspicion had been hinted to him, about the authenticity of the Bond.—There is a class of men, my Lord, of such cautious, jealous dispositions, in their transactions with mankind, that they would have taken the alarm at the first suggestion of Mr. Drummond, and would  
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immediately have sifted the matter to the bottom.—There is another class of men, my Lord, full as respectable, who, with a generosity of sentiment that does honour to human nature, quite strangers to every species of jealousy, would spurn at any such idea, and who would never be prevailed upon by the *first* suggestions of another, *immediately* to suspect the integrity of a friend.—In this latter class, unfortunately for him, stands Robert Perreau. It is true, he might have gone directly to Mr. Adair, and have had the matter cleared up. Suppose that had been done,—Mr. Adair must either have owned the signature of the Bond, or have disowned it: if he had owned it, still the Prisoner had reason to think that an interview of this sort, without Mr. Adair's consent, would be the ruin of his Brother's affairs; and if he had disowned the signature; then Forgery, and all its horrid train of consequences, must directly have fallen on Mrs. Rudd, of whom he was too generous to harbour any distrust at that time, and from whom his Brother had certainly received many pecuniary obligations.—Besides, he had before negotiated other bonds under the like signature; and as the money due on them had constantly been paid, there is no wonder that  
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the first prudential suspicions of men in business, did not immediately shake that settled confidence, which the Prisoner seems to have reposed in Mrs. Rudd. It does not appear, that she had before ever deceived him: on the contrary, when the former bond was due, she had brought him £. 4000, he certainly thought, from Mr. Adair, to pay it off; and he and his Wife were upon the most friendly footing with her.—The Prisoner therefore resorts directly to her, from whom he had the bond; to her he imparts Mr. Drummond's doubts.—I ask you, my Lord, whether many an honest man, would not have done the same thing, in the same situation? Did not the £. 4000 confirm every thing she had ever told him about Mr. Adair? She immediately pretends to go to Mr. Adair; and, on her return, frames a very plausible story to impose on this deluded Man: nay, further, that nothing might be wanting to lull asleep every kind of suspicion, she produces a Letter from Mr. William Adair, about the authenticity of which the Prisoner could entertain no doubt; for it appears by the evidence of George Kinder, Esq; that the Prisoner had shewn him, before, Letters from Mr. William Adair, and that he saw Mrs. Rudd more than once give him Letters, as from

Mr. Adair to him.—When all this is considered, who does not see that this Letter was the real occasion of the Prisoner's conduct the next day? for, as he had it in his pocket to produce in his justification, he could never think of being detected in a lie by Mr. Adair.

I am conscious, my Lord, that numbers believe it quite impossible for the Prisoner, not to have detected the artifices of Mrs. Rudd during so long an acquaintance.—But I could give a list of impositions equally incredible, which would swell this Letter into an enormous length: to pass over others, let me only mention the recent instance of the *Hon. Mrs. Greaves*, who had art and cunning enough, not only to impose on a Man of the very first-rate understanding, but also to squeeze large sums of money out of her acquaintance by her ingenuity:—Whereas it is certain that Mrs. Rudd, instead of squeezing money out of the Perreaus, gave them solid proofs that she did not impose upon them, by producing several sums from time to time; and by these means the confidence they placed in her became unbounded.—Besides, I am told that it will appear, on her trial, that the artifices she has practised on the two unfortunate Brothers, are nothing in comparison  
of

of those with which she has deluded others.—The Prisoner therefore told, what he certainly must have thought, a harmless lie, to serve, not himself, but the very person who could alone detect him: and, as it is not the bare telling of the lie, but the *criminal intention* of the liar, that constitutes his guilt, I think the *falsehood* of the Prisoner, in this instance, ought to have had no weight in his condemnation.—I have indeed too great a regard for truth, to justify a liar; but I maintain that, without telling the lie, he could not expect the loan of the money.

He had before received Letters from Mr. Adair, as he thought; he had before borrowed money for him, on bonds, from Sir Thomas Frankland.—When Sir Thomas advanced such large sums on mere personal security, it is reasonable to suppose that he had other motives for so doing, besides the credit of Mr. Adair's name: the application of the Prisoner must have had great weight with him.—He knew his character; his uncle always called him *honest Perreau*: he therefore did not hesitate to lend him the money for his Benefactor.—And, to render this application the more successful, the Prisoner, with great reason, judged

judged it absolutely necessary to create the same belief in the Lenders of the money, that he himself had, that there was the closest connection between Mr. Adair and him—In fact, Sir Thomas had that belief—But in all this conduct of the Prisoner there was no fraud intended; and so long as he was to be continued in the disagreeable office, of borrowing money from his friends, for Mr. Adair; so long was it necessary for him to assert that the same connection continued to subsist—In consequence of this, he makes the last bond in question, payable to himself, because the money was to be lent by his friend Mr. Drummond—In consequence of this he authenticates the bond as from *himself*, and not *through the medium of assiance in another person*—Is there any crime in all this? Suppose the Prisoner had told Mr. Drummond nothing but the truth, and that the following dialogue had passed between them.

Pray, Sir, is there any great intimacy between Mr. Adair and you? Not the least—Are there dealings between you both? None at all—Do you know that this is his signature to the bond? No, I never saw him write in my life—Did he himself deliver this bond to you?

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He did not, I do not personally know him—Very strange indeed, Sir, that you should not know the man that has given a bond payable to yourself. Who did deliver it to you? My Brother Daniel's Wife, who assured me it was executed by Mr. Adair; and, as she has before brought me letters from that Gentleman, in the same hand-writing with this letter in my pocket, and as I have already negotiated other bonds of his, with the same signature, I cannot doubt the truth of what she says—All this, Sir, may be a very good reason why *you* may firmly believe the bond to be genuine: *you* may certainly repose an implicit confidence in your Sister-in-Law, with whose integrity, and connection with Mr. Adair, *you* may likely be very well acquainted: But surely, Sir, it can be no good reason, why *we* should believe the bond to be genuine; for, as you are so ingenuous, as to disclaim having yourself any *personal knowledge* of its due execution, you must excuse our lending such a sum of money on the mere credit of Mrs. Daniel Perreau, to whom we are entire strangers.

Had the Prisoner acted in this plain manner with Mr. Drummond, it must certainly be allowed, that his conduct would have been  
 strictly

strictly candid; but, on the other hand, it must also be allowed, that he would not by this open behaviour have obtained the loan of the money.—True it is, there are some men who have such an abhorrence of a lie, that they would never hazard one on any occasion whatever.—It is also true, that there are other men (perhaps not quite so conscientious) who think telling a lie no crime at all, if it is told with the view of serving their friend, without injuring any other person.—Let Robert Perreau be ranked in this last class of men, and the lies he has told, on this occasion, will appear all quite inoffensive; and his Jury might have been convinced that they were inoffensive, had they only reflected, for a moment, on the single act (among many others) of leaving the bond with Mr. Drummond, to satisfy his doubts about it; which proves, even to demonstration, that the Prisoner had no thought of injuring him.

If I allow, my Lord, the general principle, “that we must not do harm, that good may come of it;” if I allow, that it is not lawful to take away *one life*, to save a *thousand lives*; yet few I fancy will allow, that it is not lawful to tell *one lie*, to save a *thousand lives*—The intention white-washes the falsehood.—So  
when

when a Father inoculates his ten children, his *good intention* to preserve their lives, justifies the practice; which, destitute of that *good intention*, would in him be highly criminal. Thus you see, my Lord, that actions in themselves blameable, may become praise-worthy, when sanctified by an *upright intention*—Let this reasoning be applied to the case of Robert Perreau; who told a falsehood, not with a *bad design* of defrauding Mr. Drummond, but with a *good design* of serving his Friend.

The circumstance therefore of the lie, which has been magnified into a hideous spectre, in order to guard and block up all the avenues to mercy, against this unfortunate Man: instead of proving his *knowledge* in the forgery, proves, that considering the situation he was in, and the pressing inducements he was then under, he could not well have acted in any other manner, with any prospect of success; and that he chose to tell, what he thought, very harmless lies; rather than fail to procure the money for his great Benefactor.

I have dwelt the longer on this subject of the lie; because I am thoroughly convinced, that though, when closely examined, it by

no means justifies the Jury's verdict ; yet, had this ingredient not been in the case, I have no doubt but that the Prisoner would have been honourably acquitted.

I have too much candour not to take notice, that it appears from his trial, that he told Mr. Drummond other falsities in January ; which were, “ that he had a bond from a “ Gentleman whose name he was not at “ liberty then to mention ; and that he was “ going to purchase an estate in Suffolk.”

Here let it be remembered, my Lord, that he had before negotiated other bonds from Mr. Adair ; and Mrs. Rudd had told him, before January, that if he would get such another bond prepared, Mr. Adair was ready to sign it—But, as the office, of borrowing money from his friends, was to him extremely disagreeable ; he chose to defer this matter until March, when she pressed him again, and he could defer it no longer—As to the purchase of the estate in Suffolk, he did not mean that it was to be for himself ; but he had been assured by Mrs. Rudd, that Mr. Adair requested he would make that purchase, as a qualification to entitle his Brother Daniel to



a seat in Parliament—Nor let this, my Lord, seem strange; for, as a substantial, undeniable proof that all she told the Prisoner was true, in regard to Mr. Adair; she had absolutely produced £.4000, which she said she had received from that Gentleman, and which was paid to Sir Thomas Frankland—This, my Lord, was an opiate, which lulled the suspicions of the poor Prisoner asleep, much more powerfully than could the *juice of Poppy, or of Mandragora*; and made him afterwards repose an implicit confidence, in every thing she said or did in respect to Mr. Adair—But, in whatever light these two falsties are taken, it is not even pretended that they injured any one; and they appear to me to flow entirely from that consequence, which the Prisoner assumed, from the supposed connection between Mr. Adair and himself.

A writer in the Morning Post of June 17th, who has adopted the signature of *Impartial Justice*, has indeed adduced other circumstances in proof of the Prisoner's guilt. These I shall closely examine.

He says, “ The circumstance of *antedating*  
 “ the bond from March to January, sub-

“stantiates it, beyond a doubt, into a trans-  
 “action absolutely Robert Perreau’s own:  
 “that his *antedating* it was not without an  
 “end in view; namely, that it should  
 “correspond with the *exact period of time*  
 “in which the Prisoner had first mentioned  
 “to Mr. Drummond, that he was so possessed  
 “of such a bond; that this circumstance  
 “was never attempted to be explained, and,  
 “aggregately considered with the subsequent  
 “ones, established undeniably the proof of  
 “knowledge in the Forgery.”

I might in this place, my Lord, flatly deny  
 the whole of the Writer’s position—I might  
 suppose, that the bond was antedated at the  
 request of Mrs. Rudd, that the money might  
 the sooner become payable—I might suppose,  
 that it was antedated out of delicacy; that Mr.  
 Drummond might not conclude the Prisoner to  
 be in such very great distress, as to be obliged  
 to borrow money immediately on a bond which  
 was but just given him by Mr. Adair—And  
 I might suppose, that a bond, dated the 25th  
 of January, could not be shewn Mr. Drum-  
 mond, with a view of making him believe, that  
 it was the same bond, mentioned on the 15th  
 or

or 16th of January, and which I should rather think must have borne date *before*, not *after*, the 15th.—However, my Lord, as I am thoroughly sensible that *antedating* the bond, cannot possibly prove the *knowledge* in the Forgery, or the least guilt in the Prisoner; I allow that it was antedated for the very purpose mentioned by this Writer: which was to make Mr. Drummond believe it was the same bond he mentioned before, on the 15th of January.—Why, what does this prove then, my Lord? It proves, that that self-same eager disposition to serve his friend, which had before prevailed on the Prisoner to tell inoffensive lies, prevailed on him also to *antedate* the bond for the same purpose. There could be no *fraud* intended; and where there was no *fraud*, there could be no *guilt*: to this step no objection could have been made on the part of Mr. William Adair; who might very easily be informed, through the medium of Mrs. Rudd, that the bond was *antedated*, with the sole view of obtaining the more easily the loan of the money, as it would become payable the sooner from the *antedating* the bond: and as to Mr. Drummond; he could claim interest  
only

only from the time he lent the money, not from the date of the bond.—And now, my Lord, I would ask this sagacious and benevolent Writer : How could the *antedating* the bond, establish a proof that the Prisoner had a *knowledge in the Forgery* ? In what did the guilt of this action consist ? Was it not, if *antedated* with the view he mentions, one continued gradation of the self-same conduct, which determined him to use the most probable means of procuring the money for his Friend ?

The other circumstance mentioned by this Writer, to prove the guilt of Robert Perreau, is thus blazoned by him—“ And finally to  
 “ remove every idea of fraud, he (the Prisoner)  
 “ tells Mess. Drummond *the next Day*, that he  
 “ had just seen Mr. Adair, &c. who was on the  
 “ point of going out : and this, no doubt, was  
 “ done with a view of preventing a proposal  
 “ from them of going to Mr. Adair’s, which  
 “ after happened ; and then it was found, that,  
 “ circumstanced as the Prisoner was, he  
 “ could not possibly refuse to accompany them ;  
 “ yet he says *he shall hardly find him at home,*  
 “ *as he was near taking horse when I left*  
 “ *him.*

“ *him*—Is it consonant with any principle of  
 “ rationality, that a man should advance  
 “ such horrid falsities, without being privy  
 “ to the transaction? &c.”

Sorry I am, my Lord, for the sake of human Nature, that a man exists, that could write such a paragraph, in order to stab a person already prostrate on the ground—The writer himself says he was an *Auditor* at the trial: if therefore he here sacrifices Truth, at the shrine of Malevolence, he does it wilfully, and with premeditated malice: in such a case he merits no quarter; and none shall he meet with from me; who cannot suffer falsehood to escape detection, when big with horror, and levelled at the life of an innocent man.

If in this place, my Lord, those stubborn things, dates and facts, are attended to; it will be found, by the evidence of Mr. Henry Drummond, that the Prisoner first produced the bond on Tuesday the 7th of March; that after Mr. Drummond had expressed his doubts about the authenticity of the bond, the Prisoner took it away with him, and returned again with it *in about two hours*, when he told Mr. Drummond (among other things)

things) that he had called on Mr. Adair, whom he had luckily met with before he went to take his ride—Is it not apparent from hence, that it was on the Tuesday, and not the *next day*, that the Prisoner told Mr. Drummond he had called on Mr. Adair? How then can this Writer, who heard the trial, make the Prisoner tell Mr. Drummond the *next day*, when the proposal was made of going to Mr. Adair, *we shall hardly find him at home, as he was taking his horse when I left him?* Why, the Prisoner had not called on Mr. Adair *twice*; he could not therefore tell Mr. Drummond on the *Wednesday*, that he had *just left Mr. Adair*—It is the Writer himself then that advances a horrid falsity, in order to draw his own humane and charitable conclusion from it; which is, that the Prisoner said this to Mess. Drummond, the *next day*, with a view of preventing any proposal from them of going to Mr. Adair—On the contrary, does it not appear by Mr. Drummond's evidence, that the Prisoner did not shew, either in his *expression*, countenance or behaviour, the least reluctance to come into the proposal of going to Mr. Adair?—The Writer, my  
 Lord,

Lord, was so sensible, how powerfully the circumstance of going to Mr. Adair's, with such readiness, operated in favour of the Prisoner; that, in order to evade the force of it, he has had recourse to wilfull misrepresentation.

Another circumstance has been mentioned to the prejudice of the Prisoner; which is, that he directed Mr. Wilson the Scrivener, to burn the instructions, for filling up the blanks in the bond, which he had given him.—But surely this circumstance needs no comment; for who does not immediately perceive, my Lord, that the Scrivener was requested to do this out of delicacy for Mr. Adair; who would naturally choose to have the transaction kept secret?—There could be no intention of *fraud*; for Mr. Wilson might certainly prove that the blanks were filled up at the request of the Prisoner, as well without preserving the instructions, as if he had preserved them.—But in this case, my Lord, every trifling circumstance has been swelled into an enormous crime, in order to shut the doors of mercy against poor Perreau.—

As to charging the Prisoner with having received, himself, any part of the money raised upon the several forged bonds ; there was not the least *proof* of that, either upon his Trial, or since : and I shall not attempt to clear him from *imaginary* offences ; nor can I conceive it necessary to answer such idle charges.—Suffice it that I have considered every thing that arose on his *Trial*.—And as to the several sums raised on the bonds, I am told that it can be proved, he never applied a shilling of them to his own use ; though, if he had done so, I think it would not have proved any thing against him ; for, as most of these sums were raised for the use of Daniel, it was natural for him to lend part to his Brother, if required.

Thus I have answered, my Lord, I hope to your satisfaction, every thing that has been urged against the Prisoner : And, when you have considered what the whole amounts to : you will instantly perceive, my Lord, that the Jury have found him guilty of the *Forgery*, for no other reason in the world, but because he was certainly guilty of a *falsehood*.—As to the *Forgery* ; there is not  
the



the least *proof* against him that he was *privy* to it; nothing but *presumption*: but I insist upon it, my Lord, that by the law of England, no subject ought to lose his life, without *positive proof* of his crime; *presumption* will not suffice to convict a man even of *bad Character*.

I now come to those circumstances which, louder than a thousand tongues, proclaim the Prisoner's innocence, even to demonstration.

The *first circumstance* arises on the face of the bond itself; which is, “ that the signature  
“ at the bottom of it, and of the two wit-  
“ nesses, has not the least resemblance to the  
“ hand-writing of either of the parties; and  
“ as to Thomas Hart, there was no such man  
“ in Mr. Adair's family.”

On this circumstance I must observe, my Lord, that, if a man is concerned in so capital an offence as Forgery; it certainly behoves him to be very cautious, and to admit as few persons as possible to a knowledge of his crime; it being a very just observation, that two are too many to keep a secret.—Indeed, had Mrs. Rudd been so

expert in counterfeiting hands, as to make the names to the bond, exactly correspond with the signature of the parties ; had that been the case, I can easily conceive why Robert Perreau should pitch upon her to be his assistant in this black business—But, supposing him to be *privy to the Forgery*, I can conceive no reason, why he should employ her to execute it in this bungling manner; in a manner, that could not fail to expose them soon to detection; for the hand-writing, it seems, is not only totally unlike that of the parties, but the christian name of Mr. Adair was wrote at full-length, which was never his practice: so that the forgery was liable to be detected at first sight; as Mr. Adair's signature must have been generally known, he having been so long in a public station.—Had the Prisoner been *privy to the Forgery*; is it possible to suppose that he would not have had it executed in a more masterly manner? He had lived too long in the world not to know, that forging the names was a crime, not a jot more heinous, than a *knowledge of the forgery*.—  
 What reason therefore can be assigned,  
 why

why he should not have wrote the names with his *own hand*, supposing him to have been *privy to the Forgery*? He would probably have done it in a better manner; but it was impossible for him to do it in a worse.

As to Mrs. Rudd, this reasoning does not apply to her: she wanted, in this business, to impose on the Perreaus only—And it was necessary for her to write the names in the same manner, that had so often imposed upon them before—As to raising the money, that was not her's, but the Prisoner's affair; and she imagined that his character, with those from whom he was to borrow the money, was such, as to place him far beyond the reach of suspicion: this is an exceeding good reason why she should pitch upon the Prisoner for his assistance; but I defy any man to shew me a good reason why he should pitch upon her for her assistance, supposing him *privy to the Forgery*—Should it be said, that she made the Prisoner believe, that she had such an influence with Mr. Adair, that he would never prosecute them if he found out the  
 Forgery;

Forgery; why then it was quite as easy for her to make him believe that the bond was genuine; and the poor Prisoner has found to his cost, that though Mr. Adair let the affair drop, yet that could be no reason, why he should not be prosecuted by Mr. Drummond, for uttering the bond to him, knowing it to be forged.—In short, my Lord, consider this circumstance in what light you please, it must acquit the Prisoner of *knowledge in the Forgery*.

“ The *second Circumstance* arises also on  
 “ the face of the bond itself; which is,  
 “ that the blanks in it were filled up, at  
 “ the express request of Robert Perreau, by  
 “ Mr. Wilson, a public Scrivener.”

Is it possible, on the least reflection, to suppose, my Lord, that any man forging a bond, or *knowing* of the forgery, (which makes him equally guilty) could take such a step as this? What! take such a bond to be filled up by a public Scrivener? Why, I insist upon it, that this single step, might at first have thrown the whole weight of the forgery upon the Prisoner alone.—Suppose Mrs. Rudd had denied that she ever saw, or  
 heard,

heard, any thing of this bond : the consequence would have been, that, from the evidence of the scrivener, the world in general would have believed that Robert Perreau himself had forged the bond.—Had the Prisoner been *privy to this Forgery* ; to say that he would have taken such a bond as this, instead of filling it up himself, to a public office at Charing-Cross, just under the nose of that very Banker he intended to defraud, is such an absurdity, that no man, my Lord, of common sense, can for a moment be the dupe of it.—Is it usual for men, that commit such crimes, to commit such blunders ? Is it usual for them to call in witnesses to their black transactions ? The Prisoner, by only looking at a bond that was executed, might, with the greatest ease, have filled up the bond himself : and would he not certainly have done this, had he been *privy to the Forgery* ? The matter is indeed too clear to need a comment.

The *third circumstance* is this :—“ The Prisoner, on Tuesday the 7th of March, brought this bond to Mr. Drummond, who in the strongest manner expressed his belief that  
the

“ the signature at the bottom was not the  
 “ hand-writing of Mr. William Adair. Upon  
 “ this the Prisoner takes the bond away with  
 “ him, but returns again with it, in about two  
 “ hours, to this very Mr. Drummond; and,  
 “ what is still more strange, leaves it with  
 “ him, without any hesitation, from that  
 “ time till next day.”

Having already, my Lord, given full answers to the objections, against this part of the Prisoner's conduct; I shall now consider how strongly this third circumstance operates in his favour.—If the Prisoner had a *knowledge in the Forgery*, he certainly must have been very imprudent to take a bond, forged in such a miserable manner, to a public Banker; and to a Banker too, that lived in the neighbourhood of the man whose hand was forged. One would think, that common prudence would have pointed out to him some *private Gentleman*, to be the dupe of such a forgery; and not *Bankers*, in whose shops, there are generally too many clear-sighted wary people, to be imposed upon in so gross a manner.—But that, after his feelings were alarmed by Mr. Drummond

mond

mond—that, after he had taken the bond away with him, he should have the daring effrontery to return again, with this forged bond, to the very man who had just before suspected him ; is to me, I own, very extraordinary.—Is it possible to believe, that the arts of any Woman could have prevailed upon a Man, *privy to the Forgery*, to have committed so desperate an action ? Would not such a Man, the moment he got out of the shop with the bond, have hugged himself that he had had so narrow an escape ? But that the Prisoner should still proceed a step further ; and leave so readily this forged bond, with the very Man that had so strongly expressed his suspicions about it ; is such an egregious absurdity, that it surpasses all belief.—What ! leave the forged bond with Mr. Drummond, from whose house it was but a step to Mr. Adair, who could clear up the whole matter ? If there was only this single circumstance in favour of the Prisoner ; it would, my Lord, in my opinion, sufficiently manifest his innocence.—On the other hand, if he was guilty, I think he ought to have been shut up as a

*Lunatic*, and not have been prosecuted as a *Criminal*.—In short, it is quite inconsistent with every principle of reason, to suppose, that the Prisoner could have acted in this manner, had he not been an utter stranger to the Forgery.

The *fourth circumstance* is this—“ The  
 “ Prisoner came again the next morning to  
 “ Mess. Drummond, when they proposed go-  
 “ ing to Mr. Adair’s; which he most readily  
 “ assented to, without the least reluctance,  
 “ in his expression, countenance, or beha-  
 “ viour.”

On this fourth circumstance I shall beg leave to observe, my Lord, that when the Prisoner came to Mr. Drummond, a third time, on the Wednesday morning; and still found him persisting in his former suspicions; it was then very natural for him to conclude that Mr. Drummond, having had the bond in his hands from the preceding day, had been with Mr. Adair to know the truth—And this was really the fact—Had the Prisoner therefore been *privy to the Forgery*, he would directly, on the Wednesday, have pressed Mr. Drummond to return him the  
 forged



forged bond—Instead of which, so very easy was he about that matter, that he never once asked for the bond; on the contrary, when the proposal is made, of going directly to Mr. Adair to clear up the matter, he readily accompanies Mess. Drummond to that Gentleman; nor could they perceive the least alteration in his countenance or behaviour.—This fourth circumstance, my Lord, proves the Prisoner's ignorance of the Forgery to the meanest understanding: even his enemies (if a man in his situation can have enemies) have found this circumstance act so powerfully in his favour, that, to elude the force of it, they have been obliged to misrepresent it, as I have already shewn; for they have said, that when Mess. Drummonds, on the Wednesday, proposed going to Mr. Adair's, the Prisoner told them, "We shall hardly find him at home, as he was just taking horse when I left him." But I have shewn that he said no such thing on the Wednesday—And surely no one reason, but a *total ignorance of the Forgery*, could have prevailed on the Prisoner to face Mr. Adair; whose bond and letter he believed he had

to

to produce, as firmly as that his own name was Robert Perreau; and consequently he had no fears about the event.

The *fifth circumstance* is this:—"After Mr. Adair had denied the signature to the bond to be his, then it was that the Prisoner, for the first time, appeared surprised; and immediately proposed sending for Daniel Perreau's wife to explain the whole affair."

Is it possible, my Lord, that the Prisoner could have taken this step, if he had been an *accomplice* with Mrs. Rudd? Was it not sufficient for him to suffer an ignominious death himself, without involving his Brother's family in his destruction? Would she not immediately, at Mr. Adair's, have reproached the Prisoner, if he was guilty, for sending for her to be hanged? Would not this conduct of his, if he was *privy to the Forgery*, have provoked her so much, as to throw the whole guilt upon him? He does not desire to speak to her in private, to cook up any story, to form any plan—No, he sends for her directly to be examined by those very persons, against whom the forgery was intended.—Why does he do this? For no other

other reason, but because he knew his own *innocence*, and that he had the bond from her.

The *sixth circumstance* is this—“ Mrs. Rudd came to Mr. Adair’s, when sent for, as soon as the coach could well bring her, and immediately declared in the most solemn manner, that she herself had forged the bond, and that the Prisoner was totally innocent.”

Here, my Lord, I must beg leave to observe, that the Prisoner had not then taken one step that could displease Mrs. Rudd.—She had then had no time to frame her future stories: she therefore, knowing his innocence, tells the truth, that she had forged the bond, and declares him perfectly innocent: this she did under no fear, awe, or compulsion.—Nay, she *proves* to Mr. Drummond, that she *forged* the bond, by writing the same hand on a bit of paper.—But she never would have done this, had the Prisoner been her *accomplice*, after sending for her to hang her. I request your Lordship to pause here, and ask yourself this question—Must not this spontaneous confession

cession of Mrs. Rudd, and the *proof positive* she gave of the forgery, free the Prisoner from all guilt; and convince every impartial man, that the fairy tales she afterwards propagated, were only invented to sooth her injuries, and gratify her resentment? And indeed Mess. Drummond and Mr. Adair seem, at that time, to have been convinced of the Prisoner's innocence; for they told him he had been a dupe to her through the whole affair, and dismissed the Constable, with whom they at first intended to have sent him before a Magistrate.

The *seventh circumstance* is this—" After  
 " the affair was over with Mess. Drummond  
 " and Mr. Adair, who had intirely dropped  
 " it, as no one had been injured; the Prisoner  
 " himself revives it, by lodging an infor-  
 " mation before the Magistrates against Mrs.  
 " Rudd."

In this place, my Lord, I must beg leave to observe; that if there is one single circumstance to be produced from the stores of evidence, that can prove the innocence of this Man more strongly than another, in my opinion, that is this very circumstance—If he was *privy to the Forgery*, and took this  
 step

step against one no more guilty than himself, after the matter was dropped as above; he must certainly have been one of the greatest villains, as well as one of the greatest fools, that ever existed.—Bad as he might think Mrs. Rudd, he knew his Brother had great obligations to her; he knew this step would awaken all her resentment against his own devoted life; he knew the active part he had taken to procure money, not only on this, but on other bonds: and if he was her *accomplice*, how was it possible for him to escape punishment? If he was weary of existence, could he not have taken a pill out of his own shop, which would have eased him of his burthen, not only in a shorter, but, I am sure, in a much more honourable way than that he took, if he was really guilty? But if he was innocent, which he certainly was, then his whole conduct appears consistent; and this seventh circumstance proves, that he could not bear to have his integrity even suspected; and that he was determined, even at the evident hazard of his own life, to vindicate an injured character—He knew the risque he run by taking this step—He  
 knew

knew that Mess. Drummond had promised Mrs. Rudd, not to take any advantage, or make any use against her, of her own candid confession and behaviour at Mr. Adair's: he had reason therefore to suppose, that they, as men of honour, would keep their promise, and not prosecute her—He knew that their evidence would be of the utmost importance to convict her—He knew, that, after Mr. Drummond had declared he would *set his foot on the bond*; yet, if he himself thought proper to revive the affair, he would reap no advantage from that declaration—He knew what a dupe he had been to Mrs. Rudd, through the whole affair; and, though she had told the truth at Mr. Adair's, before the Prisoner had given her the least offence; yet, after he had revived the prosecution against her, which was dropped by every body else, he could expect no quarter from her unbounded resentment—All this he knew, my Lord: but he also knew his own *innocence*: and knowing that, no danger could deter him from asserting it.

Added to this train of circumstances in his favour, when the fair sunshine of his character,

character, my Lord, comes also to be considered, it certainly gilds his case with uncommon splendor.—I here again declare, that I never, to my knowledge, saw him, nor either of the parties; and that I am an entire stranger to their families and connections—But I am well informed, that the Prisoner was particularly happy in the good opinion of all his acquaintance, by whom he was universally esteemed as an affectionate Husband, a tender Parent, a warm Friend, and a good Man—His business was great, his circumstances were good—He was happy at home, he was respected abroad. If there was no other circumstance, but his character, to plead for him: it would at least be *highly improbable*, that such a man (whose little bark was gently falling down the stream of Happiness) should quit the pleasing scene, to struggle with innumerable dangers, on the black ocean of Fraud and complicated Villainy.

If any thing I have said, in behalf of Robert Perreau, can be applied to his brother Daniel, whose trial I have not read, no doubt but it will have due weight with your Lordship.

To conclude, my Lord, I have shewn, that the misfortunes of the Prisoner, flow chiefly from a wrong step, in the first stage of this prosecution; from the neglect of proving before the Magistrates, what passed at Mr. Adair's: had that been done; I question very much whether the Prisoner would have been *committed*, much less *condemned*.—I have shewn, that it is not the bare telling of a lie, but the *criminal intention* of the liar, that constitutes his guilt—I have shewn, that *antedating* the bond was quite an innocent action; even if the Prisoner did it, with the very view mentioned by his enemies; as it makes his conduct appear consistent throughout—I have shewn, that the Prisoner stood no chance of obtaining the loan of the money, unless he authenticated the bond as from himself; unless in short he told a lie, by pretending the closest connection with Mr. Adair; which supposed connection was the real occasion of all his falsehood—I have shewn, that considering the situation he was in, and the great regard he had for his Brother, he could not well have acted otherwise, *with any prospect of success;*



*success*; and I have shewn, that if there was no *fraud* intended in all this, there could be no *guilt* in the Prisoner—I have also, my Lord, produced *seven concurrent circumstances*, which demonstrate his innocence, more forcibly than could the tongue of Demosthenes—If you likewise, my Lord, should think, that these seven circumstances *conspire all in one point*, to prove his ignorance of the Forgery; then these *seven concurrent circumstances* must weigh with You, as they would with Lord Chesterfield, much stronger than the *verdict of his Jury*; who, staggered with his *falsehood*, have in this case condemned him upon bare *presumption*, without any *proof*, that he was *privy to the Forgery*.

Remember, my Lord, that it is much better that ninety-nine villains should escape punishment, than that one *innocent man* should lose his life.—Remember too, that Mercy is the brightest gem, that glitters on the brow of Majesty.

MARCELLUS.